

AMENDMENTS TO H.R. 4043
OFFERED BY MR. FLEMING OF LOUISIANA

Page 2, strike line 1 and all that follows through page 3, line 23, and insert the following:

1 **SEC. 2. SOUTHERN SEA OTTER MILITARY READINESS**
2 **AREAS.**

Page 3, line 24, strike “(c)” and insert “(a)”.

Beginning at page 6, line 25, strike “authorized under subsection (b)” and insert “occurring in the Southern Sea Otter Military Readiness Areas”.

Page 7, strike lines 4 through 14 and insert the following:

3 “(e) MONITORING.—

4 “(1) IN GENERAL.—The Secretary of the Navy,
5 in consultation and in cooperation with the Sec-
6 retary of the Interior, shall monitor the Southern
7 Sea Otter Military Readiness Areas not less than
8 every year to evaluate the status of the southern sea
9 otter population.

10 “(2) REPORTS.—Within 18 months after the ef-
11 fective date of this section and every three years

1 thereafter, the Secretaries of the Navy and the Inte-
2 rior shall jointly report to Congress and the public
3 on monitoring undertaken pursuant to paragraph
4 (1).

Beginning at page 7, strike line 19 and all that fol-
lows through page 9, line 2.

Page 9, line 3, strike “(h)” and insert “(g)”.

Page 10, line 16, strike “(d)” and insert “(b)”.

Page 10, after the matter following line 18, insert
the following:

5 (c) CONSERVATION AND MANAGEMENT ACTIONS.—
6 Section 1 of Public Law 99–625 (16 U.S.C. 1536 note)
7 is amended by adding at the end the following:

8 “(g) CONSERVATION AND MANAGEMENT ACTIONS.—
9 If the Secretary issues a final rule ending the management
10 plan authorized under subsection (b) through the termi-
11 nation of the regulations implementing such plan—

12 “(1) the Secretary, in planning and imple-
13 menting recovery and conservation measures under
14 the Act to allow for the expansion of the range of
15 the population of the sea otter, shall coordinate and
16 cooperate with—

17 “(A) the Secretary of the Navy;

1 “(B) the Secretary of Commerce regarding
2 recovery efforts for species listed under the Act;
3 and

4 “(C) the State of California to assist the
5 State in continuing viable commercial harvest of
6 State fisheries; and

7 “(2) interaction with sea otters in the course of
8 engaging in fishing in any State fishery south of
9 Point Conception, California, under an authorization
10 issued by the State of California, shall not be treat-
11 ed as a violation of section 9 of the Act for inci-
12 dental take or of the Marine Mammal Protection Act
13 of 1972.”.

