

activity described by each alternative is based on recent Federal and state lease planning and recent industry plans for both seismic surveys and exploratory drilling programs in the Beaufort and Chukchi Seas. Each alternative also includes an analysis of a suite of standard and additional mitigation measures that have been identified to help reduce impacts to marine mammals and to ensure no unmitigable adverse impact on the availability of marine mammals for subsistence uses. The suite of measures are considered and analyzed in all four of the action alternatives. The alternatives are summarized as follows:

*Alternative 1: No Action Alternative:* Under the No Action Alternative, NMFS would not issue any ITAs under the MMPA for seismic surveys or exploratory drilling in the Beaufort and Chukchi Seas, and BOEM would not issue G&G permits or authorize ancillary activities in the Beaufort and Chukchi Seas.

*Alternative 2: Authorization for Level 1 Exploration Activity:* Alternative 2 analyzes a certain amount of 2D/3D seismic, site clearance and high resolution shallow hazards, and on-ice seismic surveys and exploratory drilling programs to occur each year. Alternative 2 also evaluates a range of standard and additional mitigation measures that would be considered and incorporated into any issued authorization (on a case-by-case basis). Examples of standard and additional mitigation measures include measures to: reduce acoustic exposures (e.g., exclusion zones, flight altitude restrictions, time/area closures); reduce non-acoustic exposures (e.g., vessel speed restrictions, oil spill prevention plans, limited or zero discharge requirements); and ensure no unmitigable adverse impact to subsistence uses (e.g., time/area closures, communication centers).

*Alternative 3: Authorization for Level 2 Exploration Activity:* Alternative 3 analyzes a level of 2D/3D seismic, site clearance and high resolution shallow hazards, and on-ice seismic surveys and exploratory drilling programs to occur each year that is higher than the level contemplated under Alternative 2. The same suite of standard and additional mitigation measures that would be considered and incorporated into any issued authorization (on a case-by-case basis) under Alternative 2 is considered under Alternative 3.

*Alternative 4: Authorization for Level 2 Exploration Activity with Additional Required Time/Area Closures:* Alternative 4 considers the same level of activity contemplated under Alternative 3 and also evaluates the same suite of

standard and additional mitigation measures. However, certain time/area closures that would be considered on a case-by-case basis under the other alternatives would be required under Alternative 4. The time/area closures would be for specific areas important to biological productivity, life history functions for specific species of concern, and subsistence activities. Activities would not be permitted to occur in any of the time/area closures during the specific identified periods. Additionally, buffer zones around these time/area closures could potentially be included.

*Alternative 5: Authorization for Level 2 Exploration Activity with Use of Alternative Technologies:* Alternative 5 considers the same level of activity contemplated under Alternative 3 and also evaluates the same suite of standard and additional mitigation measures. However, Alternative 5 also includes specific additional mitigation measures that focus on the use of alternative technologies that have the potential to augment or replace traditional airgun-based seismic exploration activities in the future.

#### Public Involvement

Comments will be accepted at public hearings and during the public comment period, and must be submitted to NMFS by February 13, 2011 (see **FOR FURTHER INFORMATION CONTACT**). We request that you include in your comments: (1) Your name, address, and affiliation (if any); and (2) background documents to support your comments as appropriate.

Public scoping meetings will be held in late January and early February 2012, in the communities of Barrow, Kaktovik, Kivalina, Kotzebue, Nuiqsut, Point Hope, Point Lay, and Wainwright. However, the final dates and times have not yet been set. A supplement to this Notice of Availability will be published with the final meeting dates, times, and locations. Comments will be accepted at all public meetings, as well as during the public comment period and can be submitted via the methods described earlier in this document (see **ADDRESSES**).

Dated: December 20, 2011.

**James H. Lecky,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

[FR Doc. 2011-33195 Filed 12-29-11; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration (NOAA)

#### Nomination of Existing Marine Protected Areas to the National System of Marine Protected Areas

**AGENCY:** NOAA, Department of Commerce (DOC).

**ACTION:** Public notice and opportunity for comment on the list of nominations received from federal, state, territorial and tribal marine protected area programs to join the National System of Marine Protected Areas.

**SUMMARY:** In July 2011, NOAA and the Department of the Interior (DOI) invited federal, state, commonwealth, and territorial marine protected area (MPA) programs with potentially eligible existing MPAs to nominate their sites to the National System of MPAs (national system). The national system and the nomination process are described in the *Framework for the National System of Marine Protected Areas of the United States* (Framework), developed in response to Executive Order 13158 on Marine Protected Areas. The final Framework was published on November 19, 2008, (73 FR 69608) and provides guidance for collaborative efforts among federal, state, commonwealth, territorial, tribal and local governments and stakeholders to develop an effective and well coordinated national system of MPAs that includes existing MPAs meeting national system criteria as well as new sites that may be established by managing agencies to fill key conservation gaps in important ocean areas.

**DATES:** Comments on the nominations to the national system are due February 13, 2012.

#### FOR FURTHER INFORMATION CONTACT:

Comments should be sent to Lauren Wenzel, NOAA, at (301) 713-3100, ext. 136 or via email at [mpa.comments@noaa.gov](mailto:mpa.comments@noaa.gov). A detailed electronic copy of the List of National System MPAs is available for download at <http://www.mpa.gov>.

#### SUPPLEMENTARY INFORMATION:

##### Background on National System

The national system is made up of member MPA sites, networks and systems established and managed by federal, state, commonwealth, territorial, tribal and/or local governments that collectively enhance conservation of the nation's natural and cultural marine heritage and represent its diverse ecosystems and resources. Although participating sites continue to

be managed independently, national system MPAs also work together at the regional and national levels to achieve common objectives for conserving the nation's important natural and cultural resources, with emphasis on achieving the priority conservation objectives of the Framework. MPAs include sites with a wide range of protection, from multiple use areas to no-take reserves where all extractive uses are prohibited. The term MPA refers only to the marine portion of a site (below the mean high tide mark) that may include both terrestrial and marine components.

The national system is a mechanism to foster greater collaboration among participating MPA sites and programs in order to enhance stewardship in the waters of the United States. The act of joining the national system does not create new MPAs, or create new restrictions for the existing MPAs that become members. In fact, a site must have existing protections of natural and/or cultural resources in place in order to be eligible to join the national system, as well as meet other criteria described in the Framework. Joining the national system does not establish new regulatory authority or change existing regulations in any way, require changes affecting the designation process or management of member MPAs, or bring state, territorial, tribal or local sites under federal authority.

Benefits of joining the national system, which are expected to increase over time as the system matures, include a facilitated means to work with other sites in the MPA's region, and nationally on issues of common conservation concern; fostering greater public and international recognition of U.S. MPAs and the resources they protect; priority in the receipt of available technical and other support for cross-cutting needs; and the opportunity to influence federal and regional ocean conservation and management initiatives (such as Coastal and Marine Spatial Planning, integrated ocean observing systems, systematic monitoring and evaluation, targeted outreach to key user groups, and helping to identify and address MPA research needs). In addition, the national system provides a forum for coordinated regional planning about place-based conservation priorities that does not otherwise exist.

#### Nomination Process

The Framework describes two major focal areas for building the national system—a nomination process to allow existing MPAs that meet the entry criteria to become part of the system and a collaborative regional gap analysis

process to identify areas of significance for natural or cultural resources that may merit additional protection through existing federal, state, commonwealth, territorial, tribal or local MPA authorities. A call for nominations is issued annually, and may also be issued at the request of an MPA management agency. This round of nominations began on July 6, 2011 and the deadline for nominations was October 31, 2011.

There are three entry criteria for existing MPAs to join the national system, plus a fourth for cultural heritage. Sites that meet all pertinent criteria are eligible for the national system.

1. Meets the definition of an MPA as defined in the Framework.
2. Has a management plan (can be site-specific or part of a broader programmatic management plan; must have goals and objectives and call for monitoring or evaluation of those goals and objectives).
3. Contributes to at least one priority conservation objective as listed in the Framework (see below).
4. Cultural heritage MPAs must also conform to criteria for the National Register for Historic Places.

Additional sites not currently meeting the management plan criterion can be evaluated for eligibility to be nominated to the national system on a case-by-case basis based on their ability to fill gaps in the national system coverage of the priority conservation objectives and design principles described in the Framework.

The MPA Center used existing information in the MPA Inventory to determine which MPAs meet the first and second criteria. The inventory is online at <http://www.mpa.gov/dataanalysis/mpainventory/> and information about potentially eligible sites is posted online at [http://www.mpa.gov/pdf/national-system/nominationssummary\\_jul11.pdf](http://www.mpa.gov/pdf/national-system/nominationssummary_jul11.pdf). As part of the nomination process, the managing entity for each potentially eligible site is asked to provide information on the third and fourth criteria. Following this public comment period, the National Marine Protected Areas Center will make a determination about the eligibility of nominated sites. All comments will be forwarded to the relevant MPA management agency, which will reaffirm or withdraw the nomination based on public comment received and any other factors deemed relevant.

#### List of MPAs Nominated to the National System MPAs

The following MPAs have been nominated by these management

entities: American Samoa Department of Marine and Wildlife Resources; Massachusetts Board of Underwater Archaeological Resources; National Park Service; U.S. Fish and Wildlife Service; Puerto Rico Department of Natural and Environmental Resources; South Carolina Institute of Archaeology and Anthropology; Virgin Islands Department Of Planning and Natural Resources; and Washington Department of Natural Resources.

The complete List of National System MPAs, which now includes 297 members, is available at [www.mpa.gov](http://www.mpa.gov).

#### Federal Marine Protected Areas

Cumberland Island National Seashore (GA)  
Ebey's Landing National Historical Reserve (WA)  
Farallon National Wildlife Refuge (CA)  
Fort Pulaski National Monument (GA)

#### American Samoa

Aoa Village Marine Protected Area  
Sa'ilele Village Marine Protected Area  
Amanave Village Marine Protected Area

#### Massachusetts

Albert Gallatin Exempt Site  
Alice M. Colburn Exempt Site  
Alice M. Lawrence Exempt Site  
Ardandhu Exempt Site  
Barge and Crane Exempt Site  
California Exempt Site State  
Charles S. Haight Exempt Site  
Chester A. Poling Exempt Site  
Chelsea Exempt Site  
City of Salisbury Exempt Site  
Corvan Exempt Site  
Dixie Sword Exempt Site  
Edward Rich Exempt Site  
Henry Endicott Exempt Site  
Herbert Exempt Site  
Herman Winter Exempt Site  
Hilda Garston Exempt Site  
James S. Longstreet Exempt Site  
John Dwight Exempt Site  
Kershaw Exempt Site  
Kiowa Exempt Site  
Lackawana Exempt Site  
Lunet Exempt Site  
Mars Exempt Site  
Pemberton Exempt Site  
Pendleton Exempt Site  
Pinthis Exempt Site  
Port Hunter Exempt Site  
Pottstown Exempt Site  
Romance Exempt Site  
Seaconnet Exempt Site  
Trojan Exempt Site  
U.S.S. Grouse Exempt Site  
U.S.S. New Hampshire Exempt Site  
U.S.S. Triana Exempt Site  
U.S.S. Yankee Exempt Site  
U.S.S. YSD Exempt Site  
H.M.C.S. Saint Francis Exempt Site  
French Van Gilder Exempt Site

## Vineyard Sound Lightship Exempt Site

**Puerto Rico**

Arrecifes de la Cordillera Natural Reserve  
 Canal Luis Peña Natural Reserve  
 Isla de Desecheo Marine Reserve  
 Isla de Mona Natural Reserve  
 Tres Palmas de Rincón Marine Reserve

**South Carolina**

Cooper River Heritage Dive Trail  
 Ashley River Heritage Canoe Trail

**U.S. Virgin Islands**

St. Thomas East End Reserve

**Washington**

Smith and Minor Island Aquatic Reserve  
 Protection Island Aquatic Reserve  
 Nisqually Reach Aquatic Reserve

Dated: December 22, 2011.

**Holly Bamford,**

*Deputy Assistant Administrator, National Ocean Service, National Oceanic Atmospheric Administration.*

[FR Doc. 2011-33540 Filed 12-29-11; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

[Docket No. PTO-P-2011-0064]

**Electronic Delivery of Search Results From the United States Patent and Trademark Office to the European Patent Office**

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Notice.

**SUMMARY:** The United States Patent and Trademark Office (USPTO) has recently begun electronic delivery of search results from U.S. patent applications to the European Patent Office (EPO) to assist U.S. applicants who later file in the EPO to comply with amended Rule 141(1) of the EPO's implementing regulations to the European Patent Convention (EPC). As a result, U.S. applicants subject to amended Rule 141(1) EPC will not need to separately file their U.S. search results with the EPO, thereby providing time and cost savings to these applicants.

**FOR FURTHER INFORMATION CONTACT:** Susy Tsang-Foster, Legal Advisor or Brian Hanlon, Director, Office of Patent Legal Administration, Office of the Associate Commissioner for Patent Examination Policy, by telephone at (571) 272-7711 or (571) 272-5047; or by mail addressed to: Mail Stop

Comments—Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, marked to the attention of Susy Tsang-Foster.

**SUPPLEMENTARY INFORMATION:** Amended Rule 141(1) EPC (Information on Prior Art), which went into effect on January 1, 2011, applies to all European patent applications filed on or after January 1, 2011. Amended Rule 141(1) EPC requires applicants to file with the EPO a copy of the search results from a previously filed patent application to which the European patent application claims priority. *See Notice from the European Patent Office dated 28 July 2010 concerning amended Rule 141 EPC and new Rule 70b EPC—utilisation scheme*, OJ EPO 2010, 410.

To assist U.S. applicants who later file in the EPO to comply with amended Rule 141(1) EPC, in October 2011, the USPTO began electronically providing the search results (Notice of References Cited, form PTO-892) from examined U.S. patent applications to the EPO. Due to the confidential nature of U.S. patent applications, however, search results from U.S. patent applications are being provided *only if* one of the following criteria is met: (1) The U.S. patent application is publicly available (*i.e.*, published or patented), or (2) an authorized party has submitted written consent to transmit the search results from the U.S. patent application to the EPO by completing Form PTO/SB/69 and the U.S. patent application has cleared national security review. As a result, an EPO applicant claiming priority to a U.S. patent application that meets one of the above criteria will not need to separately file a copy of the search results from the U.S. patent application with the EPO. *See Notice from the European Patent Office dated 9 December 2010 concerning exemption under Rule 141(2) EPC from filing a copy of the search results—utilisation scheme*, OJ EPO 2011, 64.

Form PTO/SB/69 titled "Certification and Authorization to Permit Access to Search Results by the European Patent Office (EPO)" will be available on the USPTO Web site at <http://www.uspto.gov/forms/index.jsp>. A properly completed Form PTO/SB/69 by an authorized party in accordance with 37 CFR 1.14(c) provides the USPTO with written consent to electronically deliver the search results from an unpublished U.S. patent application to the EPO. The Office of Management and Budget (OMB) has determined that, under 5 CFR 1320.3(h), Form PTO/SB/69 does not collect "information" within the meaning of the Paperwork Reduction Act of 1995. Authorized parties for a

U.S. patent application are encouraged to submit Form PTO/SB/69 prior to the filing of a subsequent European patent application, in which priority is claimed to a U.S. patent application. The EPO has agreed to maintain the confidentiality of the unpublished search results received from the USPTO.

Once a U.S. patent application is published under 35 U.S.C. 122(b), it is open to the public, and in this instance, consent from an authorized party for the U.S. patent application is not necessary for the USPTO to deliver the search results to the EPO. The USPTO is authorized to electronically deliver search results to the EPO by 35 U.S.C. 2(b)(11), which permits it to conduct programs, studies, or exchanges of items or services regarding domestic and international intellectual property law and the effectiveness of intellectual property protection domestically and throughout the world, and by 35 U.S.C. 2(b)(6), which permits it to use services, records, facilities, or personnel of a foreign patent and trademark office or international organization to perform functions on its behalf.

This electronic delivery of search results will benefit patent applicants who file with the USPTO and subsequently with the EPO as they will be relieved of the effort and expense of filing a copy of the search results from a U.S. priority patent application with the EPO. Additionally, no fee is required for the electronic delivery of search results from the USPTO to the EPO.

Dated: December 20, 2011.

**David J. Kappos,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. 2011-33539 Filed 12-29-11; 8:45 am]

**BILLING CODE 3510-16-P**

**COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED****Procurement List; Additions**

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Additions to the Procurement List.

**SUMMARY:** This action adds products and services to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**DATES:** *Effective Date:* 1/30/2012.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely