

include the File No. in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Joselyd Garcia-Reyes or Carrie Hubbard, (301) 427-8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The applicant requests a permit to conduct close vessel approaches; photo-identification and behavioral observations; photogrammetry; collection of exhaled air, feces and sloughed skin; and skin and blubber biopsy sampling import and export of parts; in order to continue a long-term study of North Atlantic humpback whales and to improve understanding of six other species in the North Atlantic (fin, blue, sei, minke, sperm and killer whales). Research would occur in the waters off Maine to Florida and Puerto Rico. The purposes of the research are to: (1) Monitor trends in abundance and vital rates, (2) study movement and habitat use patterns, including individual exchange with other populations, (3) study entanglement rates and human-related impacts, (4) perform genetic investigations into demography and reproductive success, (5) perform hormone-based studies into reproduction and neonatal mortality, and (6) perform stable isotope investigations into foraging ecology and nutritional stress in humpback whales. Research on the other species would focus primarily on population structure, human impacts, and health. Up to 2,100 humpback whales, 250 fin whales, 100 sei whales, and 50 whales from each of the remaining species could be harassed each year during photo-identification activities, and collection of sloughed skin, exhaled mucosa/gases, and/or feces. In addition, 340 humpback whales, 90 fin whales, 70 sei whales, and 30 whales from each of the remaining species could be harassed each year to acquire successful skin and blubber biopsy samples. North Atlantic

right whales (*Eubalaena glacialis*) and 14 other non-listed marine mammals could be incidentally harassed. See the application for specific take numbers by location and species/stock. The permit would be valid for a period of five years.

A draft environmental assessment (EA) has been prepared in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), to examine whether significant environmental impacts could result from issuance of the proposed scientific research permit. The draft EA is available for review and comment simultaneous with the scientific research permit application.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: February 24, 2012.

Tammy Adams,

Acting Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2012-4833 Filed 2-28-12; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Deep Seabed Mining: Request for Extension of Exploration Licenses

AGENCY: National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

ACTION: Notice of receipt of application to extend Deep Seabed Mining Exploration Licenses USA-1 and USA-4; request for comments.

SUMMARY: Pursuant to the Deep Seabed Hard Mineral Resources Act (DSHMRA; 30 U.S.C. 1401-1473), the National Oceanic and Atmospheric Administration (NOAA) has received an application for five-year extensions of Deep Seabed Mining Exploration Licenses USA-1 and USA-4 that are held by the Lockheed Martin Corporation. As part of the application, NOAA also has received an amended exploration plan submitted by Lockheed, which sets forth the exploration activities to be conducted during the extended period of the license.

The USA-1 and USA-4 deep seabed mining licenses were previously issued to Ocean Minerals Company (OMCO), a partnership that included Lockheed. Upon the dissolution of OMCO, all

interests in both licenses were conveyed to Lockheed.

Section 107(a) of DSHMRA provides that the initial term of an exploration license shall be for ten years. 30 U.S.C. 1417. This section further provides that if the licensee has substantially complied with the license and exploration plan and has requested an extension of the license, NOAA shall extend the license, for periods of not more than five years each, on terms, conditions and restrictions consistent with DSHMRA and its supporting regulations.

The terms of licenses USA-1 and USA-4 authorized exploration through 2004. In 2011, Lockheed requested an extension of USA-1 and USA-4. NOAA has determined that it is within the discretion of the agency to consider Lockheed Martin's request to extend these DSHMRA licenses, and that NOAA intends to consider this request under 15 CFR 970.515(b). NOAA notes that the investment and engagement in exploration activities by Lockheed predate the enactment of DSHMRA. Thus, NOAA recognizes that Lockheed qualifies as a pre-enactment explorer under the DSHMRA regulations at 15 CFR 970.101(q). Lockheed has not surrendered its licenses nor otherwise shown any intent to abandon them. The records for these licenses show that Lockheed indicated its intent to extend the licenses in several communications to NOAA. According to LM's application, Lockheed has not undertaken any at-sea exploration activities that would be in violation of the license terms, conditions and restrictions. NOAA finds that the public interest would not be served by requiring Lockheed to reapply for the exploration licenses.

As part of its extension request, Lockheed has submitted an amended exploration plan that discusses activities undertaken to date, together with those activities it would pursue during the next five years. Consistent with exploration plans previously submitted by OMCO in conjunction with earlier extension requests, the exploration proposed by Lockheed will continue to occur in two phases with Phase I being a preparatory stage followed by at-sea exploration during Phase II. Phase I consists of onshore study and analysis, including the selection of suitable survey systems, and the collection of economic, design and environmental data. Phase II would occur in the future, contingent upon changes in market conditions that would support the substantial investment in at-sea exploration, and on the ability of Lockheed Martin to obtain

adequate assurance of security of tenure at the international level. For a U.S. company, obtaining such adequate assurance of security of tenure would require that the United States become a Party to the 1982 Law of the Sea Convention, as modified by the 1994 Implementing Agreement. Under both licenses, further NOAA approval is required before Phase II at-sea activities may be undertaken.

NOAA is requesting comments pertaining to the request to extend USA-1 and USA-4 including but not limited to whether there has been substantial compliance with the licenses and exploration plans, and whether the revised exploration plans for USA-1 and USA-4 meet the terms, conditions and restrictions of DSHMRA and the licenses issued thereunder. With the exception of any information deemed to be subject to the confidentiality protections provided under 15 CFR 971.802, the request for extension and revised exploration plan are available through the contact for further information listed below.

DATES: Individuals and organizations intending to submit comments on the exploration license extension request should do so by April 15, 2012.

ADDRESSES: Comments should be submitted to Joelle Gore, Acting Chief, Coastal Programs Division (N/ORM3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910; email Joelle.Gore@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Kerry Kehoe, Coastal Programs Division (NORM/3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910; email Kerry.Kehoe@noaa.gov. Federal Domestic Assistance Catalogue 11.419 Coastal Zone Management Program Administration.

Dated: February 17, 2012.

David M. Kennedy,

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

[FR Doc. 2012-4613 Filed 2-28-12; 8:45 am]

BILLING CODE 3510-08-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA969

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Abalone Research on San Nicolas Island, California

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; proposed incidental harassment authorization; request for comments.

SUMMARY: NMFS has received an application from Dr. Glenn R. VanBlaricom (VanBlaricom) for an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to abalone research surveys. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to VanBlaricom to take, by Level B Harassment only, three species of marine mammals during the specified activity.

DATES: Comments and information must be received no later than March 30, 2012.

ADDRESSES: Comments on the application should be addressed to Michael Payne, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. The mailbox address for providing email comments is ITP.Laws@noaa.gov. NMFS is not responsible for email comments sent to addresses other than the one provided here. Comments sent via email, including all attachments, must not exceed a 10-megabyte file size.

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.nmfs.noaa.gov/pr/permits/incidental.htm> without change. All Personal Identifying Information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

An electronic copy of the application containing a list of the references used in this document may be obtained by writing to the address specified above, telephoning the contact listed below (see **FOR FURTHER INFORMATION CONTACT**),

or visiting the Internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this notice may also be viewed, by appointment, during regular business hours, at the aforementioned address.

FOR FURTHER INFORMATION CONTACT: Ben Laws, Office of Protected Resources, NMFS, (301) 427-8401.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth. NMFS has defined "negligible impact" in 50 CFR 216 as "an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival."

Section 101(a)(5)(D) of the MMPA established an expedited process by which citizens of the U.S. can apply for an authorization to incidentally take small numbers of marine mammals by harassment. Section 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny the authorization. Except with respect to certain activities not pertinent here, the MMPA defines "harassment" as: "any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment]; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption