transport herring harvested by United States fishermen and to be used in sardine processing. Transshipment must occur from within the boundaries of the State of Maine or within the portion of the EEZ east of the line 69 degrees 30 minutes west and within 12 nautical miles from Maine’s seaward boundary.

Section 204(d)(3)(D) of the Magnuson-Stevens Act provides that an application may not be approved until the Secretary determines that “no owner or operator of a vessel of the United States which has adequate capacity to perform the transportation for which the application is submitted has indicated * * * an interest in performing the transportation at fair and reasonable rates.” NMFS is publishing this notice as part of its effort to make such a determination with respect to the application described below.

Summary of Application

NMFS received an application requesting authorization for five Canadian transport vessels to receive transfers of herring from United States purse seine vessels, stop seines, and weirs for the purpose of transporting the herring to Canada for processing. The transshipment operations will occur within the boundaries of the State of Maine or within the portion of the EEZ east of the line 69°30' W longitude and within 12 nautical miles from Maine’s seaward boundary.

Dated: May 18, 2012.
Rebecca Lent,
Director, Office of International Affairs,
National Marine Fisheries Service.

[FR Doc. 2012–12682 Filed 5–23–12; 8:45 am]
BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
RIN 0648–XC023
Taking and Importing Marine Mammals: Taking Marine Mammals Incidental to Navy’s Research, Development, Test and Evaluation Activities at the NAVSEA Naval Undersea Warfare Center Keyport Range Complex

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


SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby given that NMFS has issued a four-year Letter of Authorization (LOA) to the U.S. Navy (Navy) to take marine mammals by harassment incidental to its Research, Development, Test and Evaluation (RDT&E) activities at the NAVSEA Naval Undersea Warfare Center (NUWC) Keyport Range Complex.


ADDRESSES: Copies of the Navy’s December 22, 2011, LOA application, and the LOA are available by writing to Tammy Adams, Acting Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, by telephoning the contact listed here (see FOR FURTHER INFORMATION CONTACT), or online at: http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications. Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

FOR FURTHER INFORMATION CONTACT: Shane Guan, Office of Protected Resources, NMFS (301) 472–8401.

SUPPLEMENTARY INFORMATION:
Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 et seq.) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional taking of marine mammals by U.S. citizens who engage in a military readiness activity if certain findings are made and regulations are issued. Authorization may be granted for periods of 5 years or less if NMFS finds that the taking will have a negligible impact on the species or stock(s), and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means of effecting the least practicable adverse impact on the species and its habitat, and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations also must include requirements pertaining to the monitoring and reporting of such taking.

Regulations governing the taking of marine mammals incidental to the Navy’s RDT&E activities conducted by the Navy were within the scope and amounts contemplated by the final rule and identified by the 2011 LOA. In fact, the number of RDT&E activities was below the Navy’s proposed 2011 operations. A detailed description of the Navy’s 2011 RDT&E activities can be found in the exercise report posted on NMFS Web site: http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications.

Planned Activities for 2012 Through 2016

In 2012 through April 16, 2016, the Navy expects to conduct the same type and amount of RDT&E activities identified in the final rules and 2011 LOA. No modification is proposed by the Navy for its planned 2012—2016 activities under the 2011 rule.

Estimated Take for 2012—2016

The estimated takes for the Navy’s proposed training activities are the same as those authorized in 2011. No change has been made in the estimated takes from the 2011 LOA. Summary of Monitoring, Reporting, and other requirements under the 2011 LOA...
The Navy submitted its 2011 exercise report within the required timeframes and it is posted on NMFS Web site: http://www.nmfs.noaa.gov/pr/permits/incidental.htm. NMFS has reviewed the report and it contains the information required by the 2011 LOA. The report lists the amount of RDT&E activities conducted between April and September 2011. For sonar operations, there was no activity conducted at the Keyport Range site and the Quinault Underwater Tracking Range (QUTR) during the reporting period. The Navy conducted 2.5 hours (2.5% of total 100 allotted hours) operations on acoustic modem testing, 0.07 hour (1.2% of total 5.83 allotted hours) of S6 acoustic source torpedoes (both electric and thermal propulsion) operation, 0.112 hour (1.9% of total 5.83 allotted hours) of S7 acoustic source torpedoes (both electric and thermal propulsion) operation, and 0.014 hour (0.2% of total 5.83 allotted hours) of S8 acoustic source torpedoes (both electric and thermal propulsion) operation.

For non-sonar operations, the Navy conducted 4 UUV operations (9% of the total 45 allotted) and 1 fleet diver activity (2% of the total 45 allotted) at the Keyport Range Site; 2 test vehicle (thermal) activities (2% of the total of 130 allotted), 7 test vehicle (electric/chemical) activities (5% of the total 140 allotted), 2 acoustic and non-acoustic (magnetic array, oxygen) testing system activities (20% of the total 10 allotted), 3 fleet submarine activities (10% of the total 30 allotted), 7 surface launch craft activities (4% of the total 180 allotted), and 2 shore and pier deployment system activities (7% of the total 30 allotted) at Dabob Bay Range Complex (DBRC).

Monitoring and Annual Monitoring Report

The Navy submitted their 2011 annual marine mammal monitoring report covering the period from May through December 2011, and the reports are posted on NMFS Web site: http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications. The Navy conducted the monitoring required by the 2011 LOA and described in the Monitoring Report, which included a minimum of two special visual surveys per year to monitor high-frequency active sonar (HFAS) and mid-frequency active sonar (MFAS) activities, respectively, at the DBRC site. In addition, visual and passive acoustic monitoring is also required for certain activities.

For the high-frequency source event, the observers were used during a torpedo test event to demonstrate torpedo against mobile target. The active sonar levels and output were intermittent and could vary within the S6, S7, and S8 source parameters as outlined in the NMFS Final Rule (76 FR 20257).

For the mid-frequency source event, the observers were used while the Underwater Emergency Warning System (UWES) was being operated. It operates at the 700 Hz to 10.6 kHz at a source level of less than 170 dB re 1 µPa @ 1 m. The bandwidth is 18.75 Hz. This is similar to the modeled S4 source.

Vessel-based and shore-based marine mammal surveys were conducted the day before, during, and the day following the HFAS and MFAS event between November 6 and 8, 2011.

1) Shore-Based Survey

Shore-based surveys were conducted both from the DBRC site operations center at the Zelatched Point computer site on the bluff at the 75 foot elevation above the water using “Big-eye” binoculars, audible and LOFAR output from the bottom moored passive acoustic monitor and by walking along the shoreline and looking for hauled-out, distressed, injured, or stranded marine mammals. The beach surveys covered approximately 500 meters of shoreline along the eastern shore of Dabob Bay which is in addition to the shoreline surveyed via the vessel-based surveys. However, no marine mammals were seen using shore-based survey during the pre- and post-event surveys.

No marine mammals were seen using the beach survey during HFAS and MFAS testing events. No marine mammal vocalizations were evident using the passive acoustic monitoring (PAM) either audibly or visually from the spectrum display. The PAM was monitored continuously in real time throughout the day of the event by observers including NMMO, escort Navy observer, Range Officer and other range personnel.

2) Vessel-Based Survey

For vessel-based surveys, the survey vessel left Naval Base Kitsap (NBK) Bangor in Hood Canal at approximately 0730, for both the pre and post surveys. The survey vessel was the NS–50 small acoustic monitor and by walking along the shoreline and looking for hauled-out. sea lions and 37 harbor seals were identified 39 individuals. When looking at the data, the number of animals seen between the 2 survey day and 13 sightings on the post-survey day. When comparing the number of animals seen between the 2 days, the pre-survey day identified 45 individuals and the post-survey day identified 39 individuals. When looking at animals identified to species, four sea lions and 39 harbor seals were identified during the post-survey. Two sea lions and 39 harbor seals were identified during the post-survey. No marine mammal vocalizations were detected using the PAM.

There were 25 sightings of the pre-survey day and 13 sightings on the post-survey day. When comparing the number of animals seen between the 2 days, the pre-survey day identified 45 individuals and the post-survey day identified 39 individuals. When looking at animals identified to species, four sea lions and 39 harbor seals were identified during the post-survey. No marine mammal vocalizations were detected using the PAM.

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There were two sightings approximately 2 hours prior to the HFAS event. One sighting was an unidentified sea lion seen feeding. The second sighting was one minute later in approximately the same location, but this sighting was identified as a harbor seal with 1 to 2 individuals possible. The sighting cues (flipper verses head) allowed the observer to distinguish the
difference between the sea lion and the seal. They did not have an obvious direction of travel and mitigation measures were not needed because sonar sources were not active at the time. The sea state was somewhat choppy during the actual HFAS test event and potentially contributed to the lack of marine mammals seen despite the elevated observation platform of the larger vessels. No marine mammals were observed before, during, or after the MFAS event.

Adaptive Management

In general, adaptive management allows NMFS to consider new information from different sources to determine (with input from the Navy regarding practicability) if monitoring efforts should be modified if new information suggests that such modifications are appropriate. All of the 5-year rules and LOAs issued to the Navy include an adaptive management component, which includes an annual meeting between NMFS and the Navy. NMFS and the Navy conducted an adaptive management meeting in October, 2011, which representatives from the Marine Mammal Commission participated in, wherein we reviewed the Navy monitoring results through August 1, 2011, discussed other Navy research and development efforts, and discussed other new information that could potentially inform decisions regarding Navy mitigation and monitoring.

For the 2012—2016 LOA, the Navy requested to make the following changes concerning marine mammal monitoring protocols. Specifically, the Navy requested to change the condition in 7(c)(i)(B) of the Monitoring and Reporting section of the LOA to address the Navy’s activity monitoring logistics and to ensure that visual monitoring is conducted in suitable conditions. The language would be changed from

“For specified events, shore-based and vessel surveys shall be used 1 day prior to and 1–2 days post activity.”

to

“For specified events, shore-based and vessel surveys shall be used within 36 hours prior to and post activity during daylight hours.”

After reviewing the Navy’s request, NMFS agrees with the Navy that this minor modification should be implemented in the renewed LOA.

Authorization

Since there are no changes in the Navy’s proposed RDT&E activities at the NAVSEA NUWC Keyport Range Complex, NMFS’ determination that the Navy’s Keyport Range Complex RDT&E activities will have no more than a negligible impact on the affected species or stocks of marine mammals in the action area, as described in the original regulations, is still valid. There is no subsistence use of marine mammals that could potentially be impacted by the Navy’s RDT&E activities at Keyport Range Complex. Further, the level of taking authorized in May 2012 through April 2016 for the Navy’s Keyport Range Complex RDT&E activities is consistent with our previous findings made for the total taking allowed under the Keyport Range Complex regulations.

Accordingly, NMFS has issued a four-year LOA for Navy’s RDT&E activities conducted at the NAVSEA NUWC Keyport Range Complex from May 17, 2012, through April 11, 2016.

Helen Golde,
Acting Director, Office of Protected Resources,
National Marine Fisheries Service.
[FR Doc. 2012–12681 Filed 5–23–12; 8:45 am]
BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE
Defense Acquisition Regulations System
[Docket No. DARS 2011–0072; Sequence 02]
Information Collection Requirement; Defense Federal Acquisition Regulation Supplement; Government Property

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Notice and request for comments.

SUMMARY: In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), DoD proposes the extension of a public information collection requirement and seeks public comment on the provisions thereof. DoD invites comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of DoD, including whether the information will have practical utility; (b) the accuracy of the estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology.

The Office of Management and Budget (OMB) has approved this information collection for use through November 30, 2012. DoD proposes that OMB extend its approval for use for three additional years beyond the current expiration date.

DATES: DoD will consider all comments received by July 23, 2012.

ADDRESS: You may submit comments, identified by OMB Control Number 0704–0246, using any of the following methods:
○ Email: dfars@osd.mil. Include OMB Control Number 0704–0246 in the subject line of the message.
○ Fax: 571–372–6094.

Comments received generally will be posted without change to http://www. regulations.gov, including any personal information provided. To confirm receipt of your comment, please check www.regulations.gov approximately two to three days after submission to verify posting, except allow 30 days for posting of comments submitted by mail.


SUPPLEMENTARY INFORMATION:
Title, Associated Forms, and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) part 245, Government Property, DFARS section 211.274, Reporting of Government-Furnished Equipment in the DoD Item Unique Identification (UID) Registry; the related clauses at DFARS 252.245–7000 through –7004 and 252.211–7007; and the related forms, including DD Form 1149, Requisition and Invoice/Shipping Document; DD Form 1348–1A, DoD Single Line Item Release/Receipt Document; DD Form 1637, Notice of Acceptance of Inventory Schedules; DD Form 1639, Scrap Warranty; DD Form 1640, Request for Plant Clearance; DD Form 1641, Disposal Determination/Approval; and DD Form 1822, End Use Certificate; OMB Control Number 0704–0246.