

the area or temporarily alter their behavior at time of exposure.

Based on the analysis contained in this notice, the proposed IHA notice (77 FR 2701, January 19, 2012), and the IHA application, and taking into consideration the implementation of the mitigation and monitoring measures, NMFS has determined that ORPC's pile driving activities will result in the incidental take of small numbers of marine mammals, by Level B harassment only, and that the total taking will have a negligible impact on the affected species or stocks.

#### **Impact on Availability of Affected Species for Taking for Subsistence Uses**

There are no relevant subsistence uses of marine mammals implicated by this action.

#### **Endangered Species Act (ESA)**

No marine mammal species listed under the ESA are anticipated to occur within the action area. Therefore, section 7 consultation under the ESA is not required.

#### **National Environmental Policy Act (NEPA)**

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), as implemented by the regulations published by the Council on Environmental Quality (40 CFR parts 1500–1508), and NOAA Administrative Order 216–6, NMFS prepared an Environmental Assessment (EA) to consider the environmental impacts of issuance of a 1-year IHA and made a finding of no significant impact FONSI. The EA and FONSI are available on the NMFS Web site listed in the beginning of this document (see ADDRESSES).

Dated: March 8, 2012.

**Helen M. Golde,**

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

[FR Doc. 2012–6196 Filed 3–13–12; 8:45 am]

BILLING CODE 3510–22–P

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **Dataset Workshop—U.S. Billion Dollar Disasters Dataset (1980–2011): Assessing Dataset Strengths and Weaknesses for a Pathway to an Improved Dataset**

**AGENCY:** National Environmental Satellite, Data, and Information Service (NESDIS), National Oceanic and

Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of request for information.

**SUMMARY:** This notice sets forth the schedule and topics of an upcoming workshop hosted by NOAA's National Climatic Data Center in Asheville, North Carolina. Invited participants will discuss topics as outlined below.

Members of the administrative public, private and academic sectors are invited to attend the workshop, and are required to fulfill a request to RSVP to [Karen.L.Miller@noaa.gov](mailto:Karen.L.Miller@noaa.gov) by 5 p.m. EDT, Friday, April 27, 2012 if they wish to attend. The workshop is to be held in a federal facility; building-security restrictions preclude attendance for those who do not RSVP by the deadline. Space is also limited to the first 35 responses, but remote access via webinar will be made available for the first 50 participants requesting webinar participation. The remote access participation information will be provided on an individual basis once participation has been confirmed through RSVP.

**Workshop Date and Time:** The workshop will be held on May 3, 2012 from 9 a.m. to 5 p.m. and May 4, 2012 from 9 a.m. to 12:30 p.m.

**RSVP Deadline:** Anyone wishing to attend the workshop must RSVP no later than 5:00 pm EDT on April 27, 2012.

**ADDRESSES:** The workshop will be held at the Veatch-Baley Federal Complex, located at 151 Patton Avenue, Asheville, North Carolina 28801.

#### **FOR FURTHER INFORMATION CONTACT:**

Adam Smith, National Climatic Data Center, 151 Patton Avenue, Rm. 471, Asheville, North Carolina 28801. (Phone: 828–271–4183, Email: [Adam.Smith@noaa.gov](mailto:Adam.Smith@noaa.gov)) For RSVP responses, use the email address noted above ([Karen.L.Miller@noaa.gov](mailto:Karen.L.Miller@noaa.gov)).

#### **Workshop Goals**

The workshop will focus on a review, discussion, and evaluation of NOAA's U.S. Billion Dollar Disasters (1980–2011) dataset and associated methods used to develop the data set. An important goal of the meeting is to identify strengths and weaknesses of the current dataset and related methodology. Emphasis will be placed on dataset accuracy and time-dependent biases. Pathways to overcome accuracy and bias issues will be an important focus.

Participants will consider:

- Historical development and current state of the U.S. Billion Dollar Disasters Report;

- What additional data sources and/or new methods should be considered to enhance the robustness of the Billion Dollar Disasters dataset;

- Examination of unique uncertainties related to the cost of each of the major types of weather and climate disasters the data set addresses;

- What steps should be taken to enhance the robustness of the billion-dollar disaster dataset and the input sources used for it; and

- What steps might NOAA take to leverage the expertise of the public, private and academic partners in the development, maintenance and the timely review/revision of the U.S. Billion Dollar Dataset in the long-term?

The report from this workshop will include:

- A peer review of the current methods used to estimate disaster costs.
- Guidance for improving these methods.
- Recommendations for rectifying any known time-dependent biases.
- Recommendations for minimizing future errors and biases.

**Mary E. Kicza,**

*Assistant Administrator for Satellite and Information Services.*

[FR Doc. 2012–6069 Filed 3–13–12; 8:45 am]

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## **COUNCIL ON ENVIRONMENTAL QUALITY**

### **National Ocean Council—National Ocean Policy Draft Implementation Plan**

**AGENCY:** Council on Environmental Quality.

**ACTION:** Extension of comment period.

**SUMMARY:** On July 19, 2010, President Obama signed Executive Order 13547 establishing a National Policy for the Stewardship of the Ocean, our Coasts, and the Great Lakes (National Ocean Policy). As part of the President's charge for Federal agencies to implement the National Ocean Policy, the National Ocean Council developed actions to achieve the Policy's nine priority objectives, and to address some of the most pressing challenges facing the ocean, our coasts, and the Great Lakes. Collectively, the actions are encompassed in a single draft *National Ocean Policy Implementation Plan (Implementation Plan)*. The draft *Implementation Plan* describes more than 50 actions the Federal Government will take to improve the health of the ocean, coasts, and Great Lakes, which support tens of millions of jobs,

contribute trillions of dollars a year to the national economy, and are essential to public health and national security.

Next, public comments on the draft *Implementation Plan* will inform the preparation of the final plan. Per our prior notice, which was published at 77 FR 2514 on January 18, 2012, we welcome your general input, and also pose the following questions:

- Does the draft *Implementation Plan* reflect actions you see are needed to address the nine priorities for the ocean, coasts, and the Great Lakes?
- What is the most effective way to measure outcomes and to detect whether a particular action in the *Implementation Plan* has achieved its intended outcome? Would a report card format be useful?

With this notice, we are pleased to inform you that the comment period on the draft *Implementation Plan* has been extended. As stated on the National Ocean Council's Web site, <http://www.WhiteHouse.gov/oceans>, on February 28, 2012, the new deadline for public comment on the draft *Implementation Plan* is March 28, 2012. Comments received will be collated and posted on the National Ocean Council Web site. The final *Implementation Plan* is expected in the spring of 2012.

**DATES:** The National Ocean Council must receive comments by midnight, March 28, 2012.

**ADDRESSES:** The draft *Implementation Plan* and additional information can be found at <http://www.WhiteHouse.gov/oceans>. Comments should be submitted electronically to <http://www.WhiteHouse.gov/oceans>. Comments may also be sent in writing to "ATTN: National Ocean Council" by fax to (202) 456-0753, or by mail to National Ocean Council, 722 Jackson Place NW., Washington, DC 20503. Heightened security measures in force may delay mail delivery; therefore, please allow at least two (2) to three (3) weeks of additional time for mailed comments to arrive. We encourage you to also submit comments through the National Ocean Council Web site.

**FOR FURTHER INFORMATION CONTACT:** Questions about the content of this request may be submitted through the National Ocean Council Web site at <http://www.WhiteHouse.gov/administration/eop/oceans/contact> or by mail to National Ocean Council, 722 Jackson Place NW., Washington, DC 20503. Please note, heightened security measures in force may delay mail delivery; therefore, we encourage you to also submit questions through the National Ocean Council Web site.

Dated: March 9, 2012.

**Nancy H. Sutley,**  
*Chair.*

[FR Doc. 2012-6215 Filed 3-13-12; 8:45 am]

**BILLING CODE 3225-F2-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID DoD-2011-OS-0112]

### Manual for Courts-Martial; Proposed Amendments

**AGENCY:** Joint Service Committee on Military Justice (JSC), DoD.

**ACTION:** Notice of response to public comments on proposed amendments to the Military Rules of Evidence (M.R.E.) in the Manual for Courts-Martial, United States (2008 ed.) (MCM).

**SUMMARY:** The Joint Service Committee on Military Justice (JSC) is forwarding final proposed amendments to the Manual for Courts-Martial, United States (MCM) to the Department of Defense. The proposed changes constitute the 2012 revision of the Military Rules of Evidence (M.R.E.) in the MCM in accordance with DoD Directive 5500.17, "Role and Responsibilities of the Joint Service Committee (JSC) on Military Justice," May 3, 2003. The proposed changes affect all the M.R.E. and are in conformity, to the extent practicable, with the Federal Rules of Evidence. These proposed changes have not been coordinated within the Department of Defense under DoD Directive 5500.1, "Preparation, Processing and Coordinating Legislation, Executive Orders, Proclamations, Views Letters Testimony," June 15, 2007, and do not constitute the official position of the Department of Defense, the Military Departments, or any other Government agency.

**ADDRESSES:** Comments and materials received from the public are available for inspection or copying at the U.S. Army Office of the Judge Advocate General, Criminal Law Division, 2200 Army Pentagon, Room 3B548, between 9 a.m. and 4 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Colonel Christopher A. Kennebeck, Executive Secretary, Joint Service Committee on Military Justice, Office of the Judge Advocate General, Criminal Law Division, 2200 Army Pentagon, Room 3B548, Washington DC 20310-2200, (571) 256-8136, (571) 693-7368 fax, [c.kennebeck@us.army.mil](mailto:c.kennebeck@us.army.mil).

**SUPPLEMENTARY INFORMATION:**

## Background

On October 19, 2011 (76 FR 65062-65093), the JSC published a Notice of Proposed Amendments to the Military Rules of Evidence contained within the Manual for Courts-Martial and a Notice of Public Meeting to receive comments on these proposals. The public meeting was held on November 17, 2011. No member of the public appeared. Several comments were received via electronic mail and were considered by the JSC.

## Discussion of Comments and Changes

The JSC considered each public comment, and after making minor modifications, the JSC is satisfied that the proposed amendments are appropriate to implement. The JSC will forward the public comments and proposed amendments to the Department of Defense.

The public comments regarding the proposed changes follow:

a. Commenter recommended that the JSC prepare and include comments for each M.R.E. similar to Committee Notes accompanying F.R.E. The notes contained in the Appendix 22, Analysis of the Military Rules of Evidence, are intended to serve the same purpose as the Committee Notes. In addition to the analysis in the MCM, the JSC prepared an Executive Summary of the amendments to the M.R.E. and a Word document using color-coded text and comments to explain amendments. Updated analysis is being prepared by the JSC and will be included in the next Executive Order; however, the analysis currently in the MCM will suffice until the MCM is updated to include both the amended M.R.E. and its amended analysis (projected in 2013).

b. Commenter recommended that the revised M.R.E. 412 not limit its purpose to the privacy interests of a single affected victim. JSC removed reference to victim "privacy" and instead refers to M.R.E. 403 (military judge determines what evidence is relevant and material and whether its probative value outweighs the danger of unfair prejudice). A new discussion lists "ordinary countervailing interests" for the military judge to consider, including, but not limited to, harassment of a victim.

c. Commenter recommended renaming the title of M.R.E. 412(c)(3) from "Privacy" to "Order" because privacy is no longer part of the M.R.E. 412(c)(3) balancing test. The JSC renamed the subsection from "Privacy" to "Scope" because it addresses the scope of admissible evidence as determined by the military judge's order.