

**ACTION:** Notice of issuance of a Letter of Authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby given that a Letter of Authorization (LOA) has been issued to the Alaska Aerospace Corporation (AAC) to take two species of pinnipeds incidental to space vehicle and missile launch operations at the Kodiak Launch Complex (KLC) in Kodiak, Alaska.

**DATES:** Effective from April 30, 2012, through April 29, 2013.

**ADDRESSES:** The LOA and supporting documentation are available for review by writing to Tammy C. Adams, Acting Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225, by telephoning the contact listed under **FOR FURTHER INFORMATION CONTACT**, or on the Internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>.

Documents cited in this notice may also be viewed, by appointment, during regular business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Michelle Magliocca, Office of Protected Resources, NMFS, 301-427-8401.

**SUPPLEMENTARY INFORMATION:**

**Background**

Sections 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 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. Under the MMPA, the term “take” means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill marine mammals.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the identified 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 in the regulations. NMFS has defined “negligible impact” in 50 CFR 216.103 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.”

Regulations governing the taking of Steller sea lions (*Eumetopias jubatus*), by harassment, and harbor seals (*Phoca vitulina*) (adults by harassment and pups by injury or mortality), incidental to space vehicle and missile launch operations at the KLC, were issued on March 22, 2011 (76 FR 16311, March 23, 2011), and remain in effect until March 21, 2016. For detailed information on the action, please refer to that document. The regulations include mitigation, monitoring, and reporting requirements for the incidental take of marine mammals during space vehicle and missile launch operations at the KLC.

**Summary of Request**

On February 27, 2012, NMFS received a request from the AAC for renewal of an LOA issued on April 30, 2011, authorizing the take of marine mammals incidental to a maximum of 12 space launch vehicles, long-range ballistic target missiles, and other smaller missile systems at the KLC. The AAC has complied with the measures required in 50 CFR 217.70-75, as well as the associated 2011-2012 LOA, and submitted the reports and other documentation required by the final rule and the 2011-2012 LOA.

**Summary of Activity Under the 2011-2012 LOA**

As described in the AAC's 2011-2012 annual report, launch activities conducted at the KLC were within the scope and amounts authorized by the 2011-2012 LOA and the levels of take remain within the scope and amounts contemplated by the final rule. Only one launch occurred at the KLC under the 2011-2012 LOA.

**Planned Activities and Estimated Take for 2012-2013**

In 2012-2013, the AAC expects to conduct the same type and amount of launches identified in the 2011-2012 LOA. Similarly, the authorized take will remain within the annual estimates analyzed in the final rule.

**Summary of Monitoring and Reporting Under the 2011-2012 LOA**

The AAC submitted their annual monitoring report within the required timeframe and the report is posted on NMFS Web site: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>. NMFS has reviewed the report and it contains the information required by the 2011-2012 LOA. The AAC's monitoring activities included a

quarterly aerial survey on September 21, 2011, and launch-related monitoring on September 26-27, 2011, using a remote camera system. One of the planned quarterly aerial surveys was postponed twice due to stormy weather. Another aerial survey is scheduled to occur before the 2011-2012 LOA expires. The annual report for last year's LOA reported no Steller sea lions observed in the area before or after the launch and there were no sightings of injury or mortality to Pacific harbor seals. Last year, no launches occurred during harbor seal pupping season (May 15-June 30).

**Authorization**

The AAC complied with the requirements of the 2011-2012 LOA. Based on our review of the record, NMFS has determined that the marine mammal take resulting from the 2011-2012 launch operations falls within the levels previously anticipated, analyzed, and authorized. The record supports NMFS' conclusion that the number of marine mammals taken by the 2012-2013 launch operations will have no more than a negligible impact on the affected species or stock of marine mammals and will not have an unmitigable adverse impact on the availability of these species or stocks for taking for subsistence uses. Accordingly, NMFS has issued a 1-year LOA for launch operations conducted at the KLC from April 30, 2012, through April 29, 2013.

Dated: April 11, 2012.

**Helen M. Golde,**

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

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**BILLING CODE 3510-22-P**

**NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

**Updates to List of National System of Marine Protected Areas (MPAs)**

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

**ACTION:** Notice of updates to the List of National System of Marine Protected Areas (MPAs) and response to comments on nominations of existing MPAs to the national system.

**SUMMARY:** The National System of Marine Protected Areas (MPAs) provides a mechanism for MPAs managed by diverse government agencies to work together on common conservation priorities. In July 2011, NOAA and the Department of the Interior (DOI) invited federal, state,

commonwealth, territorial and tribal MPA programs with potentially eligible existing MPAs to nominate their sites to the National System of MPAs (national system). A total of 58 nominations were received, including three from the American Samoa Department of Marine and Wildlife Resources, 40 from the Massachusetts Board of Underwater Archaeological Resources, three from the National Park Service, one from the U.S. Fish and Wildlife Service, five from the Puerto Rico Department of Natural and Environmental Resources, two from the South Carolina Institute of Archaeology and Anthropology, one from the Virgin Islands Department Of Planning and Natural Resources and three from the Washington Department of Natural Resources. Following a 45-day public review period, two public comments were received by the National Marine Protected Areas Center (MPA Center). Both comments were supportive of the Fort Pulaski National Monument, which was nominated by the National Park Service. The managing agencies listed above were asked to make a final determination of sites to nominate to the national system. Finding them to be eligible for the national system, the MPA Center has accepted the nominations for 58 sites and placed them on the List of National System MPAs.

The national system and the nomination process are described in the Framework for the National System of Marine Protected Areas of the United States of America (Framework), developed in response to Executive Order 13158 on Marine Protected Areas. The final Framework was published on November 19, 2008, and provides guidance for collaborative efforts among federal, state, commonwealth, territorial, tribal and local governments and stakeholders to develop a national system 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.

**FOR FURTHER INFORMATION CONTACT:**

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 of MPAs 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 meeting 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 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 of MPAs—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. A public comment period was held from December 30, 2011 through February 13, 2012.

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 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 potentially eligible sites are posted online at <http://www.mpa.gov/nationalsystem/nominationprocess/>. 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.

**Updates to List of National System MPAs**

The following MPAs have been nominated by the American Samoa

Department of Marine and Wildlife Resources, the Massachusetts Board of Underwater Archaeological Resources, the National Park Service, the U.S. Fish and Wildlife Service, the Puerto Rico Department of Natural and Environmental Resources, the South Carolina Institute of Archaeology and Anthropology, the Virgin Islands Department of Planning and Natural Resources and the Washington Department of Natural Resources to join the national system of MPAs. The complete List of National System MPAs, which now includes 355 members, is available at [www.mpa.gov](http://www.mpa.gov).

#### Response to Public Comments

On December 30, 2011, NOAA and DOI (agencies) published the Nomination of Existing Marine Protected Areas (MPAs) to the National System of Marine Protected Areas for public comment, for the nomination of fifty-eight existing MPAs. By the end of the 45-day comment period, two public comments had been received. Both comments expressed support for the nomination of the Fort Pulaski National Monument, noting that its membership in the national system provides an opportunity to raise awareness of the area, highlight opportunities for research and increase cooperation with other protected areas and marine research institutions in the region.

#### 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 (Shipwrecks)

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 Pen, a Natural Reserve  
Isla de Desecheo Marine Reserve  
Isla de Mona Natural Reserve  
Tres Palmas de Rinco 'n 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: March 28, 2012.

David M. Kennedy,

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

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#### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

##### Sunshine Act Meeting

The White House Council for Community Solutions gives notice of the following meeting:

**DATE AND TIME:** Wednesday, May 9, 2012, 1:15–2 p.m. Eastern Standard Time.

**PLACE:** The Council will meet via phone conference call. The meeting will be open to the public in Listen-Only mode and it will be recorded. To dial in, please call 866–525–0652. More details and materials will be available on the

Council's Web site (<http://www.serve.gov/communitysolutions>) by Tuesday, May 8.

**PUBLIC COMMENT:** The public is invited to submit publicly available comments through the Council's Web site. To send statements to the Council, please send written statements to the Council's electronic mailbox at [WhiteHouseCouncil@cns.gov](mailto:WhiteHouseCouncil@cns.gov). The public can also follow the Council's work by visiting its Web site: <http://www.serve.gov/communitysolutions>.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The purpose of this meeting is to review and make decisions on the Council's recommendations that will be included in its final report to the President. The Report will be available to the public on the Council's Web site referenced above when sent to the President. The report will provide a record of the work of the Council from its establishment in December 2010.

#### CONTACT PERSON FOR MORE INFORMATION:

Kathy Bendheim, Executive Director, White House Council for Community Solutions, Corporation for National and Community Service, 10th Floor, Room 10911, 1201 New York Avenue NW., Washington, DC 20525. Phone: (202) 491–3809. Fax: (202) 606–3464. Email: [WhiteHouseCouncil@cns.gov](mailto:WhiteHouseCouncil@cns.gov).

Dated: April 17, 2012.

Kathryn Bendheim,

*Executive Director, White House Council for Community Solutions.*

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#### DEPARTMENT OF DEFENSE

##### Office of the Secretary

##### Defense Acquisition University Board of Visitors; Notice of Meeting

**AGENCY:** Defense Acquisition University, DoD.

**ACTION:** Meeting notice.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.150, the Department of Defense announces that the following Federal advisory committee meeting of the Defense Acquisition University Board of Visitors will take place.

**DATES:** Wednesday, May 9, 2012, from 8:30 a.m.–12 p.m.

**ADDRESSES:** DAU Mid-Atlantic Region, 23330 Cottonwood Pkwy, California, MD 20619.