

Competition; (2) unauthorized human intervention in any part of the Entry process for the Competition; (3) technical or human error that may occur in the administration of the Competition or the processing of Entries; or (4) any injury or damage to persons or property that may be caused, directly or indirectly, in whole or in part, from a participant's participation in the Competition or receipt or use or misuse of a cash award. If for any reason an Entry is confirmed to have been deleted erroneously, lost, or otherwise destroyed or corrupted, the participant's sole remedy is to submit another Entry in the Competition.

*No obligation:*

You acknowledge that multiple participants may submit Entries that contain concepts or technologies similar to your Entry and that the Competition Sponsors or their subsidiaries and business partners may already be investigating or developing technical solutions or business activities that are related or similar to those that you disclose in your Entry. You acknowledge and agree that any actions or omissions of the Competition Sponsors with respect to another Entry or one of its own solutions or business activities, even if similar to your Entry, shall not create in the Competition Sponsors, as applicable, any liability to you or others. Further, none of the Competition Sponsors is or shall be restricted in any way from pursuing, developing, or commercializing, in any way that such Competition Sponsor sees fit, independent of you and at the Competition Sponsor's sole discretion, any technology that is created independent of your Entry. You acknowledge that none of the Competition Sponsors is obligated to take any action whatsoever with regard to your Entry. You agree that these terms and the relationship between you and the Competition Sponsors shall be governed by the laws of the United States.

*Termination and Disqualification:*

The Competition Sponsors reserve the authority to cancel, suspend, and/or modify the Competition, or any part of it, if any fraud, technical failures, or any other factor beyond the Competition Sponsors' reasonable control impairs the integrity or proper functioning of the Competition, as determined by Competition Sponsors in their sole discretion.

The Competition Sponsors reserve the right to disqualify any participant or participant team it believes to be tampering with the Entry process or the operation of the Competition or to be

acting in violation of any applicable rule or condition.

Any attempt by any person to undermine the legitimate operation of the Competition may be a violation of criminal and civil law, and, should such an attempt be made, the Competition Sponsors reserve the authority to seek damages from any such person to the fullest extent permitted by law.

*Verification of Potential Winner(s):*

All potential winners of a First Round Award or Grand Prize Award are subject to verification by the Competition Sponsors, whose decisions are final and binding in all matters related to the Competition.

Potential winner(s) must continue to comply with all terms and conditions of the Competition rules, and winning is contingent upon fulfilling all requirements. In the event that a potential winner, or an announced winner, is found to be ineligible or is disqualified for any reason, the Competition Sponsors may make award, instead, to another participant, as may be determined by the Judges.

Prior to awarding the Grand Prize Award, NIST will verify that the potential winner is not suspended, debarred, or otherwise excluded from doing business with the U.S. Federal Government. Suspended, debarred, or otherwise excluded participants will not be eligible to win the Grand Prize Award.

*Privacy and Disclosure under FOIA:*

Personal and contact information is not collected for commercial or marketing purposes. Except as provided herein, information submitted throughout the Competition will be used only to communicate with participants regarding Entries and/or the Competition. Participant Entries and submissions to the Competition may be subject to disclosure under the Freedom of Information Act ("FOIA").

**Authority:** 15 U.S. C. 3719.

**Richard Cavanagh,**

*Acting Associate Director for Laboratory Programs.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XD513**

**Draft 2014 Marine Mammal Stock Assessment Reports**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; request for comments.

**SUMMARY:** NMFS reviewed the Alaska, Atlantic, and Pacific regional marine mammal stock assessment reports (SARs) in accordance with the Marine Mammal Protection Act. SARs for marine mammals in the Alaska, Atlantic, and Pacific regions were revised according to new information. NMFS solicits public comments on the draft 2014 SARs.

**DATES:** Comments must be received by April 29, 2015.

**ADDRESSES:** The 2014 draft SARs are available in electronic form via the Internet at <http://www.nmfs.noaa.gov/pr/sars/draft.htm>.

Copies of the Alaska Regional SARs may be requested from Dee Allen, Alaska Fisheries Science Center, NMFS, 7600 Sand Point Way, NE BIN 15700, Seattle, WA 98115-0070.

Copies of the Atlantic, Gulf of Mexico, and Caribbean Regional SARs may be requested from Gordon Waring, Northeast Fisheries Science Center, 166 Water St., Woods Hole, MA 02543.

Copies of the Pacific Regional SARs may be requested from Jim Carretta, Southwest Fisheries Science Center, 8604 La Jolla Shores Drive, La Jolla, CA 92037-1508.

You may submit comments, identified by NOAA-NMFS-2014-0117, by any of the following methods:

**Electronic Submissions:** Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>.

**Mail:** Send comments or requests for copies of reports to: Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3226, Attn: Stock Assessments.

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

NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Shannon Bettridge, Office of Protected

Resources, 301–427–8402, [Shannon.Bettridge@noaa.gov](mailto:Shannon.Bettridge@noaa.gov); Dee Allen 206–526–4048, [Dee.Allen@noaa.gov](mailto:Dee.Allen@noaa.gov), regarding Alaska regional stock assessments; Gordon Waring, 508–495–2311, [Gordon.Waring@noaa.gov](mailto:Gordon.Waring@noaa.gov), regarding Atlantic, Gulf of Mexico, and Caribbean regional stock assessments; or Jim Carretta, 858–546–7171, [Jim.Carretta@noaa.gov](mailto:Jim.Carretta@noaa.gov), regarding Pacific regional stock assessments.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 117 of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 *et seq.*) requires NMFS and the U.S. Fish and Wildlife Service (FWS) to prepare stock assessments for each stock of marine mammals occurring in waters under the jurisdiction of the United States, including the Exclusive Economic Zone. These reports must contain information regarding the distribution and abundance of the stock, population growth rates and trends, estimates of annual human-caused mortality and serious injury from all sources, descriptions of the fisheries with which the stock interacts, and the status of the stock. Initial reports were completed in 1995.

The MMPA requires NMFS and FWS to review the SARs at least annually for strategic stocks and stocks for which significant new information is available, and at least once every three years for non-strategic stocks. The term “strategic stock” means a marine mammal stock: (A) For which the level of direct human-caused mortality exceeds the potential biological removal level; (B) which, based on the best available scientific information, is declining and is likely to be listed as a threatened species under the Endangered Species Act (ESA) within the foreseeable future; or (C) which is listed as a threatened species or endangered species under the ESA. NMFS and the FWS are required to revise a SAR if the status of the stock has changed or can be more accurately determined. NMFS, in conjunction with the Alaska, Atlantic, and Pacific independent Scientific Review Groups (SRGs), reviewed the status of marine mammal stocks as required and revised reports in the Alaska, Atlantic, and Pacific regions to incorporate new information.

NMFS updated its serious injury designation and reporting process, which uses guidance from previous serious injury workshops, expert opinion, and analysis of historic injury cases to develop new criteria for distinguishing serious from non-serious injury. The NMFS Serious Injury Determination Policy was finalized in

January 2012 and was first applied to the draft 2013 marine mammal SARs. The SARs report five-year averages for serious injury; thus, application of the new procedure involved retroactively reviewing the past five years of injury determinations for 2008–2012. NMFS defines serious injury as an “injury that is more likely than not to result in mortality” (50 CFR 229.2). Injury determinations for stock assessments revised in 2013 or later incorporate the new serious injury guidelines, based on the most recent five-year period for which data are available. NMFS solicits public comments on the draft 2013 SARs.

On April 16, 2013, NMFS received a petition from the Hawaii Fishermen’s Alliance for Conservation and Tradition, Inc., to classify the North Pacific humpback whale population as a distinct population segment (DPS) and delist the DPS under the Endangered Species Act (ESA). On February 26, 2014, the State of Alaska submitted a petition to delineate the Central North Pacific stock of the humpback whale as a DPS and remove the DPS from the List of Endangered and Threatened Species under the ESA. After reviewing the petitions, the literature cited in the petitions, and other literature and information available in our files, NMFS found that both petitioned actions may be warranted and issued positive 90-day findings (78 FR 53391, August 29, 2013; 79 FR 36281, June 26, 2014). Currently, the four humpback whale stocks have depleted status under the MMPA due to their listing as endangered under the ESA. Consideration of both petitioned actions may affect their depleted status.

##### Alaska Reports

In the Alaska region, SARs for 21 Alaska stocks (19 “strategic”, 2 “non-strategic”) were updated. All stocks were reviewed and the following stocks were revised for 2014: Steller sea lion (western U.S. and eastern U.S. stocks), northern fur seal (eastern Pacific stock), spotted seal (Alaska stock), bearded seal (Alaska stock), ringed seal (Alaska stock), beluga whale (Beaufort Sea, eastern Chukchi Sea, eastern Bering Sea, Bristol Bay, and Cook Inlet stocks), killer whale (AT1 transient stock), harbor porpoise (Southeast Alaska, Gulf of Alaska, and Bering Sea stocks), sperm whale (North Pacific stock), humpback whale (Western North Pacific and central North Pacific stocks), fin whale (northeast Pacific stock), North Pacific right whale (eastern North Pacific stock), bowhead whale (western Arctic stock). Most revisions to the Alaska SARs included updates of abundance and/or mortality and serious injury

estimates. Information on the remaining Alaska region stocks can be found in the final 2013 reports (Allen and Angliss, 2014).

The Eastern stock of Steller sea lions was depleted under the MMPA due to its ESA listing as endangered. NMFS is currently evaluating the depleted status of the eastern Steller sea lion following delisting from the ESA. If not depleted, the recovery factor used to calculate potential biological removal level (PBR) would be adjusted from 0.75 to 1.0 per the Guidelines for Assessing Marine Mammal Stocks, and PBR would be 2,193. If the stock continues to be classified as depleted, the recovery factor would remain at 0.75, and PBR would be 1,645.

New survey data provided calculated values of abundance, minimum abundance (Nmin), and PBR for the spotted seal stock. Nmin is now reported as “unknown” and PBR as “undetermined” rather than a calculated estimate based on age of population estimate (>8 years old) for two stocks of beluga whales: Eastern Chukchi Sea and eastern Bering Sea.

##### Atlantic Reports

In the Atlantic region (including the Atlantic coast, Gulf Coast, and U.S. territories in the Caribbean), reports for 53 stocks were updated and three added. Of the updated stocks, 9 stocks are “strategic,” and 44 are “non-strategic.” Three new Atlantic region reports for strategic stocks were added this year, false killer whales (Western North Atlantic stock), common bottlenose dolphin (Central Georgia estuarine stock), and common bottlenose dolphin (Mississippi Sound, Lake Borgne, Bay Boudreau stock, previously contained in the common bottlenose dolphin, northern Gulf of Mexico bay, sound and estuary SAR). The Lemon Bay stock of common bottlenose dolphin was combined with the Gasparilla Sound, Charlotte Harbor, Pine Island Sound stock of common bottlenose dolphin, based on recent photo-ID data.

All stocks were reviewed and the following stocks were revised for 2014: North Atlantic right whale; humpback whale, Gulf of Maine; fin whale, Western North Atlantic (WNA); sei whale; sperm whale, WNA; North Atlantic killer whale, WNA; common bottlenose dolphin, Gulf of Mexico northern coastal; common bottlenose dolphin, Gulf of Mexico western coastal; common bottlenose dolphin, Barataria Bay; minke whale, Canadian east coast; Northern bottlenose whale; Sowerby’s beaked whale; Risso’s dolphin, WNA; long-finned pilot whale; short-finned

pilot whale, WNA; Atlantic white-sided dolphin; short-beaked common dolphin; common bottlenose dolphin; Western North Atlantic/offshore ; harbor porpoise, Gulf of Maine/Bay of Fundy; harbor seal, WNA; gray seal, WNA; common bottlenose dolphin, Gulf of Mexico continental shelf; common bottlenose dolphin, Gulf of Mexico eastern coastal; common bottlenose dolphin, Gulf of Mexico Oceanic; common bottlenose dolphin, northern Gulf of Mexico bay, sound and estuary (27 stocks); pantropical spotted dolphin, Gulf of Mexico; and Risso's dolphin Gulf of Mexico. Information on the remaining Atlantic region stocks can be found in the final 2013 reports (Waring *et al.*, 2014).

Most revisions included updates of abundance and/or mortality and serious injury estimates. The status of one stock, Gulf of Maine/Bay of Fundy harbor porpoise, changed from strategic to non-strategic. New survey data provided calculated values of abundance, Nmin, and PBR for the following stocks of common bottlenose dolphin: Gulf of Mexico continental shelf, Gulf of Mexico eastern coastal stock, Gulf of Mexico northern coastal stock, Gulf of Mexico western coastal, Mississippi River Delta, and Mississippi Sound, Lake Borgne, Bay Boudreau.

#### Pacific Reports

In the Pacific region (waters along the west coast of the United States, within waters surrounding the main and Northwest Hawaiian Islands, and within waters surrounding U.S. territories in the Western Pacific), SARs were revised for 10 stocks under NMFS jurisdiction (5 "strategic" and 5 "non-strategic" stocks) and one was added for the Western North Pacific gray whale (a "strategic" stock). All stocks were reviewed and the following stocks were revised for 2014: Hawaiian monk seal; southern Resident killer whale; false killer whale, Main Hawaiian Islands Insular; false killer whale, Hawaii Pelagic; sperm whale, California/Oregon/Washington; Western North Pacific gray whale; California sea lion; Harbor seal, California; Northern elephant seal, California; Eastern North Pacific gray whale; and false killer whale, Northwestern Hawaiian Islands. Information on the remaining Pacific region stocks can be found in the final 2013 reports (Carretta *et al.*, 2014).

New estimates of abundance for the California/Oregon/Washington stock of sperm whales are based on a Bayesian trend analysis that utilizes previously collected line-transect data (Moore and Barlow, 2014), resulting in a more stable time series of abundance estimates.

Mortality and serious injury estimates of California/Oregon/Washington sperm whales in California drift gillnets are updated, based on pooling additional years of data (>5 years) to reduce bias and improve precision in mean annual bycatch estimates (Carretta and Moore, 2014). The combination of new abundance estimates and pooling of bycatch estimates over a longer time period for this stock of sperm whales results in mean annual bycatch estimates that no longer exceed PBR.

Dated: January 23, 2015.

**Wanda Cain,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XD546**

#### Notice of Availability of the Draft NOAA Restoration Center Programmatic Environmental Impact Statement

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

**ACTION:** Notice of Availability of a Draft Programmatic Environmental Impact Statement; request for comments.

**SUMMARY:** NMFS announces the availability of the *NOAA Restoration Center Programmatic Environmental Impact Statement*. Publication of this notice begins the public comment period for this Draft Programmatic Environmental Impact Statement (DPEIS). The purpose of the DPEIS is to evaluate, in compliance with the National Environmental Policy Act (NEPA), the potential direct, indirect, and cumulative impacts of implementing the alternative programmatic approaches to coastal habitat restoration within the NOAA Restoration Center and other NOAA programs implementing similar habitat restoration activities.

**DATES:** Interested parties should provide written comments by March 20, 2015.

**ADDRESSES:** Interested parties that wish to send comments may send an email to [rc.compliance@noaa.gov](mailto:rc.compliance@noaa.gov). Interested parties that wish to send comments through regular mail may use the following mailing address: NOAA Restoration Center (F/HC3), ATTN: Restoration DPEIS Comments, 1315 East West Highway, Silver Spring, MD

20910. The NOAA Restoration Center Web site that contains information and updates relevant to this DPEIS can be found at: <http://www.restoration.noaa.gov/environmentalcompliance>.

#### FOR FURTHER INFORMATION CONTACT:

Melanie Gange at 301-427-8664 or via the following email address: [rc.compliance@noaa.gov](mailto:rc.compliance@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

In the DPEIS, NOAA proposes to fund or otherwise implement coastal habitat restoration activities through its existing programmatic framework and related procedures. NOAA contains multiple programs that carry out habitat restoration projects throughout the coastal United States, which includes the Great Lakes and territories. Many of these programs are housed within the National Marine Fisheries Service, Office of Habitat Conservation's Restoration Center (NOAA RC). Projects implemented by NOAA vary in terms of their size, complexity, geographic location and NOAA involvement, and often benefit a wide range of habitat types and affect a number of different species. Fish passage, hydrologic/tidal reconnection, shellfish restoration, coral recovery, salt marsh and barrier island restoration, erosion prevention, debris removal, and invasive species removal, are all examples of project types implemented by NOAA through its various programs.

The DPEIS includes a suite of restoration approaches that NOAA proposes will most effectively conserve and restore the coastal and marine resources under NOAA trusteeship. This analysis builds upon and replaces the Programmatic Environmental Assessment (PEA) and Supplemental (SPEA) published in 2002 and 2006, respectively. The analyses in the PEA and SPEA, where relevant, along with NOAA's analyses of individual project impacts, have informed the updated analyses in this DPEIS. NOAA believes that this DPEIS will promote an efficient NEPA compliance process for future NOAA-supported habitat restoration activities, through various programs.

**Alternatives:** This document provides a programmatic-level environmental analysis to support NOAA's proposal to continue habitat restoration activities involving trust resources throughout the coastal United States. The DPEIS takes a broad look at issues and programmatic-level alternatives (compared to a document for a specific project or action) and provides guidance for future restoration activities to be carried out by NOAA. In addition to