

authorized for taking by Level B harassment are: Pacific harbor seals; California sea lions; northern elephant seals; northern fur seals; and Steller sea lions. For detailed information on this action, please refer to the final rule (79 FR 10016, February 24, 2014). These regulations include mitigation, monitoring, and reporting requirements for the incidental take of marine mammals during the specified activities.

This LOA is effective from March 26, 2014, through March 26, 2019, and authorizes the incidental take of the five marine mammal species listed above that may result from launches, aircraft and helicopter operations, and harbor activities related to vehicles from VAFB, California.

The USAF states that these activities may result in take of marine mammals from noise or visual disturbance from rocket and missile launches, as well as from the use of heavy equipment during the *Delta Mariner* (or similar vessel) off-loading operations, cargo movement activities, increased presence of personnel, and harbor maintenance dredging. The USAF launch and aircraft activities create two types of noise: continuous (but short-duration) noise, due mostly to combustion effects of aircraft and launch vehicles; and impulsive noise, due to sonic boom effects. Launch operations are the major source of noise on the marine environment from VAFB. The operation of launch vehicle engines produces significant sound levels. Generally, noise is generated from four sources during launches: (1) Combustion noise from launch vehicle chambers; (2) jet noise generated by the interaction of the exhaust jet and the atmosphere; (3) combustion noise from the post-burning of combustion products; and (4) sonic booms. Launch noise levels are highly dependent on the type of first-stage booster and the fuel used to propel the vehicle. Therefore, there is a great similarity in launch noise production within each class size of launch vehicles. The noise generated by VAFB activities will result in the incidental harassment of pinnipeds, both behaviorally and in terms of physiological (auditory) impacts.

Acoustic and visual stimuli generated by the use of heavy equipment during the *Delta Mariner* (or similar vessel) off-loading operations and harbor dredging and the increased presence of personnel may have the potential to cause Level B harassment of any pinnipeds hauled out in the VAFB harbor. This disturbance from acoustic and visual stimuli is the principal means of marine mammal taking associated with these activities.

Take of marine mammals will be minimized through the implementation of the following mitigation measures: (1) All aircraft and helicopter flight paths must maintain a minimum distance of 1,000 ft (305 m) from recognized seal haul-outs and rookeries (e.g., Point Sal, Purisima Point, Rocky Point), except in emergencies or for real-time security incidents (e.g., search-and-rescue, fire-fighting) which may require approaching pinniped haul-outs and rookeries closer than 1,000 ft (305 m); (2) for missile and rocket launches, unless constrained by other factors including human safety, national security concerns or launch trajectories, holders of LOAs must schedule launches to avoid, whenever possible, launches during the harbor seal pupping season of March through June; (3) the USAF must avoid, whenever possible, launches which are predicted to produce a sonic boom on the NCI during harbor seal, elephant seal, California sea lion, and northern fur seal pupping seasons; and (4) if post-launch surveys determine that an injurious or lethal take of a marine mammal has occurred, the launch procedure and the monitoring methods must be reviewed, in cooperation with NMFS, and appropriate changes must be made through modification to an LOA, prior to conducting the next launch of the same vehicle under that LOA. To minimize marine mammal takes during harbor activities, the following mitigation measures will be implemented: (1) If activities occur during nighttime hours, turn on lighting equipment before dusk. The lights would remain on for the entire night to avoid startling pinnipeds; (2) initiate operations before dusk; (3) keep construction noises at a constant level (i.e., not interrupted by periods of quiet in excess of 30 minutes) while pinnipeds are present; (4) if activities cease for longer than 30 minutes and pinnipeds are in the area, initiate a gradual start-up of activities to ensure a gradual increase in noise levels; (5) a qualified observer would visually monitor the harbor seals on the beach adjacent to the harbor and on rocks for any flushing or other behaviors as a result of the activities; (6) the *Delta Mariner* (or similar vessel) and accompanying vessels would enter the harbor only when the tide is too high for harbor seals to haul-out on the rocks; reducing speed to 1.5 to 2 knots (1.5–2 nm/hr; 2.8–3.7 km/hr) once the vessel is within 3 mi (4.83 km) of the harbor. The vessel would enter the harbor stern first, approaching the wharf and moorings at less than 0.75 knot (1.4 km/

hr); and (7) explore alternate dredge methods and introduce quieter techniques and equipment as they become available.

Through this LOA, the USAF is required to monitor for marine mammals. The USAF is required to submit an annual report to NMFS by March 1 of each year. The report will include data collected from the monitoring program. Additional information on the mitigation, monitoring, and reporting requirements can be found in the final rule (79 FR 10016, February 26, 2014). The USAF is also required to submit a comprehensive report, which shall provide full documentation of methods, results, and interpretation of all monitoring during the period of effectiveness of this LOA.

Dated: March 26, 2014.

Donna S. Wieting,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XB094

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Sturgeon Research in the Gulf of Mexico

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

ACTION: Notice; withdrawal of a request for incidental take authorization.

SUMMARY: Notice is hereby given that the U.S. Fish and Wildlife Service (FWS) has withdrawn its request for authorization to take small numbers of marine mammals incidental to conducting sturgeon research in the Gulf of Mexico (GOM), over the course of five years from the date of issuance.

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

SUPPLEMENTARY INFORMATION: On January 27, 2012, we received a complete application from FWS requesting authorization for take of four species of marine mammal incidental to sturgeon research conducted by and in collaboration with FWS in the GOM. On April 10, 2012 (77 FR 21539), we published a Notice of Receipt of that request in the **Federal Register**, inviting information, suggestions, and comments

on FWS's application and request. We did not receive any comments in response to the notice.

Two bottlenose dolphins (*Tursiops truncatus*) were incidentally killed on April 12, 2011, in gillnets deployed during sturgeon research conducted for the Natural Resources Damage Assessment of the Deepwater Horizon oil spill. As a result, FWS determined that this and other similar research had the potential to incidentally take additional marine mammals via entanglement in gillnets, resulting in injury, serious injury, or mortality. Therefore, FWS determined that a request for incidental take authorization was warranted, and requested authorization to take bottlenose dolphins, Atlantic spotted dolphins (*Stenella frontalis*), pantropical spotted dolphins (*S. attenuata*), and striped dolphins (*S. coeruleoalba*) by injury, serious injury, or mortality.

On April 15 and July 8, 2011, respectively, NMFS' Southeast Regional Office (SERO) provided FWS with marine mammal mitigation measures for spring sampling and marine mammal conservation measures and recommendations for summer and fall sampling. These measures were designed to prevent additional incidents of take incidental to sturgeon research, and FWS agreed to adhere to these measures. Subsequently, NMFS' Office of Protected Resources determined, in consultation with SERO, that implementation of the measures as described would mitigate the risk of incidental capture of marine mammals in sturgeon sampling gear to discountable levels. Therefore, we determined that an incidental take authorization was no longer warranted. On February 14, 2014, FWS submitted a withdrawal of their previous request for incidental take authorization, reiterating their commitment to working closely with NMFS and other partners on sturgeon research in the GOM while implementing the mitigation measures as described by SERO. No further incidents of incidental capture have occurred since FWS began implementing the prescribed measures.

Dated: March 28, 2014.

Donna S. Wieting,

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

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COMMISSION OF FINE ARTS

Commission of Fine Arts; Notice of Meeting

The next meeting of the U.S. Commission of Fine Arts is scheduled for 17 April 2014, at 9:00 a.m. in the Commission offices at the National Building Museum, Suite 312, Judiciary Square, 401 F Street NW., Washington DC 20001-2728. Items of discussion may include buildings, parks, and memorials.

Draft agendas and additional information regarding the Commission are available on our Web site: www.cfa.gov. Inquiries regarding the agenda and requests to submit written or oral statements should be addressed to Thomas Luebke, Secretary, U.S. Commission of Fine Arts, at the above address; by emailing CFAStaff@cfa.gov; or by calling 202-504-2200. Individuals requiring sign language interpretation for the hearing impaired should contact the Secretary at least 10 days before the meeting date.

Dated: March 24, 2014, in Washington, DC.

Thomas Luebke,

Secretary.

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DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Inland Waterways Users Board Meeting Notice

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of open Federal advisory committee meeting.

SUMMARY: The Department of the Army is publishing this notice to announce the following Federal advisory committee meeting of the U.S. Army Corps of Engineers, Inland Waterways Users Board (Board). This meeting is open to the public. For additional information about the Board, please visit the committee's Web site at: <http://www.iwr.usace.army.mil/Missions/Navigation/InlandWaterwaysUsersBoard.aspx>.

DATES: The Army Corps of Engineers, Inland Waterways Users Board will meet from 9 a.m. to 1 p.m. on May 1, 2014. Public registration will begin at 8:30 a.m.

ADDRESSES: The Board meeting will be conducted at the Wyndham Riverfront Little Rock Hotel, 2 Riverfront Place, North Little Rock, AR 72114, at 501-

371-9000, or www.wyndham.com/hotels/arkansas/north-little-rock/wyndham-riverfront-little-rock/hotel-overview.

FOR FURTHER INFORMATION CONTACT: Ms. Mindy M. Simmons, the Designated Federal Officer (DFO) for the committee, in writing at Headquarters, U.S. Army Corps of Engineers, ATTN: CECW-IP, 441 G Street NW., Washington, DC 20314-1000; by telephone at 202-761-1934; and by email at Mindy.M.Simmons@usace.army.mil. In the alternative, contact Mr. Mark R. Pointon, the Alternate Designated Federal Officer (ADFO), in writing at the Institute for Water Resources, U.S. Army Corps of Engineers, ATTN: CEIWR-GM, 7701 Telegraph Road, Casey Building, Alexandria, VA 22315-3868; by telephone at 703-428-6438; and by email at Mark.Pointon@usace.army.mil.

SUPPLEMENTARY INFORMATION: The committee meeting is being held 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.

Purpose of the Meeting: The Board is chartered to provide independent advice and recommendations to the Secretary of the Army on construction and rehabilitation project investments on the commercial navigation features of the inland waterways system of the United States. At this meeting, the Board will receive briefings and presentations regarding the investments, projects and status of the inland waterways system of the United States and conduct discussions and deliberations on those matters. The Board is interested in written and verbal comments from the public relevant to these purposes.

Proposed Agenda: At this meeting the agenda will include the status of funding for inland navigation projects and studies, the status of the Inland Waterways Trust Fund, funding for Fiscal Year 2014, status of the Olmsted Locks and Dam Project, status of the Mississippi River Lock and Dam #27 Major Rehabilitation, review of the Inner Harbor Navigation Canal Lock Sill Depth Design, review of the Bayou Sorrel Lock Economic Assessment, and an update of Risk-based Infrastructure Management for the Inland Waterways.

Availability of Materials for the Meeting. A copy of the agenda or any updates to the agenda for the May 1, 2013 meeting.

Public Accessibility to the Meeting: Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102-3.140 through