

vehicle was not seen or heard during the launch window, and no sonic boom was heard or recorded. None of the monitored animals made any visible movements outside of normal behavior during or after the launch, and animals continued to haul out at the site and persist in high numbers immediately after the launch. In summary, there was no evidence of injury, mortality, or abnormal behavior of the monitored pinnipeds on SMI as a result of this launch.

#### *Atlas V DMSP-18*

This launch occurred outside of the harbor seal pupping season, and no sonic boom greater than 1 psf was predicted to impact SMI. Therefore, no biological or acoustical monitoring was required at VAFB or SMI. However, due to an equipment malfunction during the acoustic recording of the initial Atlas V launch in March 2008, only an incomplete acoustic profile was obtained. Therefore, acoustic monitoring of this second Atlas V launch was performed. The results are contained in the 2009 annual LOA report (ManTech SRS Technologies, 2009).

#### *Minuteman III GT-199 GM*

Due to the Minuteman's westward launch trajectory, no sonic boom modeling or launch monitoring was required on SMI for this launch. Additionally, no acoustic recordings were required as noise from the Minuteman launch vehicle has been well quantified by measurements performed for previous Minuteman launches. However, since this launch occurred during the harbor seal pupping season on VAFB, biological monitoring was required at VAFB. Diurnal observations of harbor seals were conducted at the Lion's Head haul-out site from June 26 through July 1, 2009. The number of harbor seals observed during the monitoring period ranged from three to 11 seals. Post-launch counts exceeded pre-launch counts. No pups were seen during the launch monitoring period. Additionally, no seals were present within the video recorder frame at the time of the launch. In summary, there was no evidence of injury, mortality, or abnormal behavior in any monitored harbor seals on VAFB resulting from this launch.

#### **Authorization**

The USAF complied with the requirements of the 2009 LOA, and NMFS has determined that the marine mammal take resulting from the 2009 launches is within that analyzed in and anticipated by the associated

regulations. Accordingly, NMFS has issued a LOA to the 30th Space Wing, USAF authorizing the take by harassment of marine mammals incidental to space vehicle and test flight activities at VAFB. Issuance of this LOA is based on findings described in the preamble to the final rule (74 FR 6236, February 6, 2009) and supported by information contained in VAFB's 2009 annual report that the activities described under this LOA will have a negligible impact on marine mammal stocks. The provision requiring that the activity not have an unmitigable adverse impact on the availability of the affected species or stock for subsistence uses does not apply for this action.

Dated: January 25, 2010.

#### **Helen M. Golde,**

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

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**BILLING CODE 3510-22-S**

## **COMMODITY FUTURES TRADING COMMISSION**

### **Sunshine Act Meetings**

#### **AGENCY HOLDING THE MEETING:**

Commodity Futures Trading Commission.

**TIME AND DATE:** 2 p.m., Monday February 8, 2010.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Rule Enforcement Review Meeting.

**CONTACT PERSON FOR MORE INFORMATION:** Sauntia S. Warfield, 202-418-5084.

**Sauntia S. Warfield,**

*Assistant Secretary of the Commission.*

[FR Doc. 2010-2189 Filed 1-28-10; 4:15 pm]

**BILLING CODE 6351-01-P**

## **DEPARTMENT OF DEFENSE**

### **Office of the Secretary**

#### **Reserve Forces Policy Board (RFPB)**

**AGENCY:** Office of the Secretary of Defense Reserve Forces Policy Board, DoD.

**ACTION:** Notice of advisory committee meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), the Sunshine in the Government Act of 1976 (5 U.S.C. 552b, as amended), and

41 CFR 102-3.150, the Department of Defense announces that the Reserve Forces Policy Board (RFPB) will meet on March 30 and 31, 2010. Subject to the availability of space, this meeting is open to the public.

**DATES:** The meeting will be held on March 30 (from 8:30 a.m. to 4 p.m.) and on March 31 (from 8:30 a.m. to 2:30 p.m.), 2010.

**ADDRESSES:** The March 30 meeting will be held at the Fort Myer Officer's Club, Arlington, VA 22211. The March 31 meeting will be held at the Pentagon, Conference Room 3E863, Arlington, VA.

Written statements should be sent to: Reserve Forces Policy Board, 7300 Defense Pentagon, Washington, DC 20301-7300.

**FOR FURTHER INFORMATION CONTACT:** Col. Marjorie Davis, Designated Federal Officer, (703) 697-4486 (Voice), (703) 614-0504 (Facsimile), [marjorie.davis@osd.mil](mailto:marjorie.davis@osd.mil) or [RFPB@osd.mil](mailto:RFPB@osd.mil).

#### **SUPPLEMENTARY INFORMATION:**

##### **Agenda**

Consider health care for our reserve forces and the long range implications of a generation of young veterans.

##### **Meeting Accessibility**

Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102-3.140 through 102-3.165, and the availability of space, this meeting is open to the public. To request a seat, contact the Designated Federal Officer not later than February 26, 2010, at 703-697-4486, or by e-mail, [RFPB@osd.mil](mailto:RFPB@osd.mil).

##### **Written Statements**

Pursuant to 41 CFR 102-3.105(j) and 102-3.140, the public or interested organizations may submit written statements to the membership of the RFPB at any time or in response to the stated agenda of a planned meeting. Written statements should be submitted to the Board's Designated Federal Officer (see **ADDRESSES**). The Designated Federal Officer's contact information can be obtained from the GSA's FACA Database—<https://www.fido.gov/facadatabase/public.asp>.

Written statements that do not pertain to a scheduled meeting of the RFPB may be submitted at any time. However, if individual comments pertain to a specific topic being discussed at a planned meeting, then these statements must be submitted no later than five business days prior to the meeting in question. The Designated Federal Officer will review all submitted written statements and provide copies to all the committee members.