

mitigation and monitoring measures, NMFS preliminarily finds that operation, including repair and maintenance activities, of the Neptune Port will result in the incidental take of small numbers of marine mammals, by Level B harassment only, and that the total taking from Neptune's proposed activities will have a negligible impact on the affected species or stocks.

#### Impact on Availability of Affected Species or Stock for Taking for Subsistence Uses

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

#### Endangered Species Act (ESA)

On January 12, 2007, NMFS concluded consultation with MARAD and USCG under section 7 of the ESA on the proposed construction and operation of the Neptune LNG facility and issued a Biological Opinion. The finding of that consultation was that the construction and operation of the Neptune LNG terminal may adversely affect, but is not likely to jeopardize, the continued existence of northern right, humpback, and fin whales, and is not likely to adversely affect sperm, sei, or blue whales and Kemp's ridley, loggerhead, green, or leatherback sea turtles.

On March 2, 2010, MARAD and USCG sent a letter to NMFS requesting reinitiation of the section 7 consultation. MARAD and USCG determined that certain routine planned operations and maintenance activities, inspections, surveys, and unplanned repair work on the Neptune Deepwater Port pipelines and flowlines, as well as any other Neptune Deepwater Port component (including buoys, risers/umbilicals, mooring systems, and sub-sea manifolds), may constitute a modification not previously considered in the 2007 Biological Opinion. Construction of the Port facility will be completed by summer 2010, and, therefore, is no longer part of the proposed action. This consultation will be concluded prior to a determination on the issuance of this IHA.

#### National Environmental Policy Act (NEPA)

MARAD and the USCG released a Final EIS/Environmental Impact Report (EIR) for the proposed Neptune LNG Deepwater Port (see **ADDRESSES**). A notice of availability was published by MARAD on November 2, 2006 (71 FR 64606). The Final EIS/EIR provides detailed information on the proposed project facilities, construction methods,

and analysis of potential impacts on marine mammals.

NMFS was a cooperating agency in the preparation of the Draft and Final EISs based on a Memorandum of Understanding related to the Licensing of Deepwater Ports entered into by the U.S. Department of Commerce along with 10 other government agencies. On June 3, 2008, NMFS adopted the USCG and MARAD FEIS and issued a separate Record of Decision for issuance of authorizations pursuant to sections 101(a)(5)(A) and (D) of the MMPA for the construction and operation of the Neptune LNG Port facility.

#### Proposed Authorization

As a result of these preliminary determinations, NMFS proposes to authorize the take of marine mammals incidental to port commissioning and operations, including repair and maintenance activities at the Neptune Deepwater Port, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

Dated: April 30, 2010.

**Helen M. Golde,**

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

[FR Doc. 2010-10715 Filed 5-5-10; 8:45 am]

**BILLING CODE 3510-22-S**

---

#### CONSUMER PRODUCT SAFETY COMMISSION

##### Sunshine Act Meetings

**TIME AND DATE:** Wednesday, May 12, 2010; 2 p.m.–4 p.m.

**PLACE:** Hearing Room 420, Bethesda Towers, 4330 East West Highway, Bethesda, Maryland.

**STATUS:** Closed to the Public.

##### MATTERS TO BE CONSIDERED:

###### *Compliance Status Report:*

The Commission staff will brief the Commission on the status of compliance matters.

For a recorded message containing the latest agenda information, call (301) 504-7948.

**CONTACT PERSON FOR MORE INFORMATION:** Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, (301) 504-7923.

Dated: May 3, 2010.

**Todd A. Stevenson,**  
*Secretary.*

[FR Doc. 2010-10833 Filed 5-4-10; 4:15 pm]

**BILLING CODE 6355-01-P**

#### CONSUMER PRODUCT SAFETY COMMISSION

##### Sunshine Act Meetings

**TIME AND DATE:** Wednesday, May 12, 2010, 9 a.m.–11 a.m.

**PLACE:** Hearing Room 420, Bethesda Towers, 4330 East West Highway, Bethesda, Maryland.

**STATUS:** Commission Meeting—Open to the Public.

##### MATTERS TO BE CONSIDERED:

1. *Pending Decisional Matter: Infant Bath Seats—Final Rule:*

A live webcast of the Meeting can be viewed at <http://www.cpsc.gov/webcast/index.html>. For a recorded message containing the latest agenda information, call (301) 504-7948.

##### CONTACT PERSON FOR MORE INFORMATION:

Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814 (301) 504-7923.

Dated: May 3, 2010.

**Todd A. Stevenson,**  
*Secretary.*

[FR Doc. 2010-10834 Filed 5-4-10; 4:15 pm]

**BILLING CODE 6355-01-P**

---

#### DEPARTMENT OF DEFENSE

##### Office of the Secretary

##### Federal Advisory Committee; Defense Intelligence Agency Advisory Board; Closed Meeting

**AGENCY:** Defense Intelligence Agency, 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 Defense Intelligence Agency Advisory Board, and its subcommittees, will meet on June 15 and 16, 2010. The meeting is closed to the public.

**DATES:** The meeting will be held on June 15, 2010 (from 1:30 p.m. to 5:15 p.m.) and on June 16, 2010 (from 9 a.m. to 4:30 p.m.).

**ADDRESSES:** The meeting will be held at Bolling Air Force Base.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mark Harrison, (703) 647-5102, Alternate Designated Federal Official, DIA Office for Congressional and Public Affairs, Pentagon, 1A874, Washington, DC 20340.

Committee's Designated Federal Official: Mr. William Caniano, (703) 614-4774, DIA Office for Congressional and Public Affairs, Pentagon, 1A874 Washington, DC 20340. *William.Caniano@dia.mil.*

**SUPPLEMENTARY INFORMATION:****Purpose of the Meeting**

For the Advisory Board to review and discuss DIA operations and capabilities in support of current operations.

**Agenda**

June 15, 2010

Time	Topic	Presenter
1:30 p.m. ....	Convene Full Advisory Board for Administrative Issues	Mr. William Caniano, Designated Federal Official. Ms. Mary Margaret Graham, Chairman.
3 p.m. ....	Review and Discussion	
3:30 p.m. ....	Break	
3:45 p.m. ....	Subcommittee Business	
5:15 p.m. ....	Adjourn	

June 16, 2010

Time	Topic	Presenter
9 a.m. ....	Subcommittees Reconvene	Ms. Graham and LTG Ronald L. Burgess, Director, DIA.
12 p.m. ....	Lunch	
1 p.m. ....	Full Advisory Board Meeting for Review and Discussion	
3 p.m. ....	Break	LTG Ronald L. Burgess.
3:15 p.m. ....	Deliberations and Guidance	
4:30 p.m. ....	Adjourn	

Pursuant to 5 U.S.C. 552b, as amended and 41 CFR 102-3.155, the Defense Intelligence Agency has determined that all meetings shall be closed to the public. The Director, DIA, in consultation with his General Counsel, has determined in writing that the public interest requires that all sessions of the Board's meetings will be closed to the public because they will be concerned with classified information and matters covered by section 5 U.S.C. 552b(c)(1).

**Written Statements**

Pursuant to 41 CFR 102-3.105(j) and 102-3.140, and section 10(a)(3) of the Federal Advisory Board Committee Act of 1972, the public or interested organizations may submit written statements at any time to the DIA Advisory Board regarding its missions and functions. All written statements shall be submitted to the Designated Federal Official for the DIA Advisory Board. He will ensure that written statements are provided to the membership for their consideration. Written statements may also be submitted in response to the stated agenda of planned committee meetings. Statements submitted in response to this notice must be received by the Designated Federal Official at least five calendar days prior to the meeting which is the subject of this notice. Written statements received after that date may not be provided or considered by the Board until its next meeting. All submissions provided before that date

will be presented to the Board members before the meeting that is subject of this notice. Contact information for the Designated Federal Official is listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: May 3, 2010.  
**Mitchell S. Bryman,**  
*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2010-10669 Filed 5-5-10; 8:45 am]

**BILLING CODE 5001-06-P**

**DEPARTMENT OF DEFENSE****Office of the Secretary****Federal Advisory Committee; Military Leadership Diversity Commission (MLDC)**

**AGENCY:** Office of the Under Secretary of Defense for Personnel and Readiness, 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 Military Leadership Diversity Commission (MLDC) will meet May 24 through 26, 2010.

**DATES:** The meeting will be held: May 24, 2010—2 p.m. to 5:45 p.m.; May 25, 2010—8 a.m. to 4:45 p.m.; May 26, 2010—8 a.m. to 5:15 p.m.

**ADDRESSES:** The meeting will be held at the Hilton Seattle Airport and Conference Center, 17620 International Blvd., Seattle, WA 98188-4001.

**FOR FURTHER INFORMATION CONTACT:**

Master Chief Steven A. Hady, Designated Federal Officer, MLDC, at (703) 602-0838, 1851 South Bell Street, Suite 532, Arlington, VA. *E-mail: steven.hady@wso.whs.mil.*

**SUPPLEMENTARY INFORMATION:****Agenda**

May 24, 2010

2 p.m.—5:45 p.m.  
DFO opens meeting  
Commission Chairman opening remarks  
Dr. Martha Farnsworth Riche, former Director of the U.S. Bureau of the Census, briefs the MLDC on demographic trends  
Open discussion on metrics  
Open discussion on implementation and accountability  
DFO adjourns the meeting

May 25, 2010

8 a.m.—12:15 p.m.  
DFO opens the meeting  
Commission Chairman opening remarks  
Mr. Edmund D. Cooke, Jr. briefs the MLDC on legal issues related to diversity management  
Mr. Mario L. Barnes briefs the MLDC on legal issues related to diversity management  
Decision brief on legal implications  
DFO recesses the meeting