

April through November, outside of the pupping season) for hauled out pinnipeds in the Complex. Thus, pups or breeding adults will not be present during the planned activity days. If mothers and pups are observed, USFWS staff will avoid disturbing them by rescheduling surveys, if possible, or by refraining from activities that may cause disturbance (e.g., large movements or flushing).

Moreover, the USFWS's mitigation measures regarding vessel approaches and procedures that attempt to minimize the potential to harass the seals will minimize the potential for flushing and large-scale movements. Thus, the potential for large-scale movements and flushing leading to injury, serious injury, or mortality is low.

In summary, NMFS anticipates that impacts to hauled-out pinnipeds during the USFWS's planned research activities would be behavioral harassment of limited intensity (i.e., temporary flushing at most). NMFS does not expect stampeding, and therefore does not expect injury or mortality to occur (see *Mitigation Measures* for more details). Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the monitoring and mitigation measures, NMFS finds that the total marine mammal take from the USFWS's survey activities will have a negligible impact on the affected marine mammal species or stocks.

#### Small Numbers

As mentioned previously, NMFS estimates that the USFWS's planned activities could potentially affect, by Level B harassment only, two species of marine mammal under our jurisdiction. For each species, these estimates are small numbers (less than three percent of the affected stock of harbor seals and less than eight percent of the stock of gray seals) relative to the population size (Table 4). As stated before, the number of individual seals taken is also assumed to be less than the take estimate (number of exposures) since we assume that the same seals may be behaviorally harassed over multiple days.

Based on the analysis contained in this notice of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the mitigation and monitoring measures, NMFS finds that the USFWS's activities will take small numbers of marine mammals relative to the populations of 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. Therefore, NMFS has determined that the total taking of affected species or stocks would not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

#### Endangered Species Act (ESA)

NMFS does not expect that the USFWS's planned research activities will affect any species listed under the ESA. Therefore, NMFS has determined that a section 7 consultation under the ESA is not required.

#### National Environmental Policy Act (NEPA)

NMFS prepared an EA and analyzed the potential impacts to marine mammals that may result from the USFWS's monitoring and research activities. A FONSI was signed in February 2017. A copy of the EA and FONSI is available on our Web site at <http://www.nmfs.noaa.gov/pr/permits/incidental/research.htm>.

#### Authorization

NMFS has issued an IHA to the USFWS for the potential harassment of small numbers of two marine mammal species incidental to the seabird and shorebird monitoring and other research activities in the Complex, provided the previously mentioned mitigation, monitoring and reporting.

Dated: February 24, 2017.

#### Donna S. Wieting,

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

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**BILLING CODE 3510-22-P**

#### COMMODITY FUTURES TRADING COMMISSION

##### Sunshine Act Meetings

**TIME AND DATE:** 11:00 a.m., Thursday, March 9, 2017.

**PLACE:** Three Lafayette Centre, 1155 21st Street NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance, enforcement, and examinations matters. In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be

posted on the Commission's Web site at <http://www.cftc.gov>.

**CONTACT PERSON FOR MORE INFORMATION:** Christopher Kirkpatrick, 202-418-5964.

**Natise Allen,**

*Executive Assistant.*

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**BILLING CODE 6351-01-P**

#### DEPARTMENT OF DEFENSE

##### Department of the Army

#### Notice of Intent To Grant Exclusive Patent License to Diamond B Technology Solutions, LLC; Billings, MT

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The Department of the Army hereby gives notice of its intent to grant to Diamond B Technology Solutions, LLC; a corporation having its principle place of business at 3529 Gabel Rd., Billings, MT 59102, an exclusive license.

**DATES:** Written objections must be filed not later than 15 days following publication of this announcement.

**ADDRESSES:** Send written objections to U.S. Army Research Laboratory Technology Transfer and Outreach Office, RDRL-DPT/Thomas Mulkern, Building 321 Room 110, Aberdeen Proving Ground, MD 21005-5425.

**FOR FURTHER INFORMATION CONTACT:** Thomas Mulkern, (410) 278-0889, E-Mail: [ORTA@arl.army.mil](mailto:ORTA@arl.army.mil)

**SUPPLEMENTARY INFORMATION:** The Department of the Army plans to grant an exclusive license to Diamond B Technology Solutions, LLC in all fields of use relative to the following: "System to Evaluate Airborne Hazards", US Patent Application No.: 13/452,047, Filing Date April 20, 2012.

The prospective exclusive license may be granted unless within fifteen (15) days from the date of this published notice, the U.S. Army Research Laboratory receives written objections including evidence and argument that establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i). Competing applications completed and received by the U.S. Army Research Laboratory within fifteen (15) days from the date of this published notice will also be treated as objections to the grant of the contemplated exclusive license.

Objections submitted in response to this notice will not be made available to