

In-water construction activities will occur in relatively shallow coastal waters of Cobscook Bay. The project area is not considered significant habitat for marine mammals and therefore no adverse effects on marine mammal habitat are expected. Marine mammals approaching the action area will likely be traveling or opportunistically foraging. There are no rookeries or major haul-out sites nearby, foraging hotspots, or other ocean bottom structure of significant biological importance to marine mammals that may be present in the marine waters in the vicinity of the project area. The closest significant pinniped haul out is more than six nmi away, which is well outside the project area's largest harassment zone. The project area is not a prime habitat for marine mammals, nor is it considered an area frequented by marine mammals. Therefore, behavioral disturbances that could result from anthropogenic noise associated with breakwater replacement activities are expected to affect only small numbers of marine mammals on an infrequent basis. Although it is possible that some individual marine mammals may be exposed to sounds from in-water construction activities more than once, the duration of these multi-exposures is expected to be low since animals will be constantly moving in and out of the area and in-water construction activities will not occur continuously throughout the day.

Harbor and gray seals, harbor porpoise, Atlantic white-sided dolphins and minke whales as the potentially affected marine mammal species under NMFS' jurisdiction in the action area, are not listed as threatened or endangered under the ESA and are not considered strategic under the MMPA. Because of the low level of impact, even repeated Level B harassment of some small subset of the overall stocks is unlikely to result in any significant realized decrease in fitness to those individuals, and thus would not result in any adverse impact to the stocks as a whole. Additionally, Level B harassment will be reduced to the level of least practicable impact through use of mitigation measures described herein and, if sound produced by project activities is sufficiently disturbing, animals are likely to avoid the project area while the activity is occurring.

In summary, this negligible impact analysis is founded on the following factors: (1) The possibility of injury, serious injury, or mortality may reasonably be considered discountable; (2) The anticipated incidents of Level B harassment consist of, at worst, temporary modifications in behavior; (3) There is no known foraging or

reproductive habitat in the project area and the project activities are not expected to result in the alteration of habitat important to these behaviors or substantially impact the behaviors themselves; (4) There is no major haul out habitat within six nmi of the project area; (5) The project area is not a prime habitat for marine mammals, nor will the activity otherwise have adverse effects on marine mammal habitat; and (6) Mitigation measures are expected to be effective in reducing the effects of the specified activity to the level of least practicable impact. In addition, these stocks are not listed under the ESA or considered depleted under the MMPA. In combination, we believe that these factors, as well as the available body of evidence from other similar activities, demonstrate that the potential effects of the specified activities will have only short-term effects on individuals. The specified activities are not expected to have adverse effects on annual rates of recruitment or survival and will therefore not result in population-level impacts.

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, we preliminarily find that the total marine mammal take from the construction activities will have a negligible impact on the affected marine mammal species or stocks.

#### *Small Numbers*

The amount of take NMFS is authorizing is considered small, less than one percent relative to the estimated populations for harbor porpoises, Atlantic white-sided dolphins, and minke whales and 2.11 percent for harbor seals. 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 mitigation and monitoring measures, NMFS finds that small numbers of marine mammals will be taken relative to the populations of the affected species or stocks.

#### **Impact on Availability of Affected Species 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)**

No ESA-listed marine mammal species under NMFS' jurisdiction or their designated critical habitat are expected to be affected by these activities. Therefore, we have determined that a consultation under the ESA is not required. The applicant consulted with the NMFS' GARFO for federally listed fish species.

#### **National Environmental Policy Act (NEPA)**

NMFS prepared an EA and analyzed the potential impacts to marine mammals that will result from the EBRP. A Finding of No Significant Impact (FONSI) was signed January 2017. A copy of the EA and FONSI is available upon request (see **ADDRESSES**).

#### **Authorization**

NMFS has issued an IHA to ME DOT for the potential harassment of small numbers of marine mammals incidental to the EBRP in Eastport, ME, provided the previously mentioned mitigation, monitoring and reporting.

Dated: March 8, 2017.

#### **Donna S. Wieting,**

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

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**BILLING CODE 3510-22-P**

## **BUREAU OF CONSUMER FINANCIAL PROTECTION**

### **Credit Union Advisory Council Meeting**

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Notice of public meeting.

**SUMMARY:** This notice sets forth the announcement of a public meeting of the Credit Union Advisory Council (CUAC or Council) of the Consumer Financial Protection Bureau (CFPB or Bureau). The notice also describes the functions of the Council. Notice of the meeting is permitted by section 9 of the CUAC Charter and is intended to notify the public of this meeting.

**DATES:** The meeting date is Thursday, March 30, 2017, 3:15 p.m. to 4:45 p.m. eastern daylight time.

**ADDRESSES:** The meeting location is the Consumer Financial Protection Bureau, 1275 First Street NE., Washington, DC 20002.

**FOR FURTHER INFORMATION CONTACT:** Crystal Dully, Outreach and Engagement Associate, 202-435-9588, *CFPB\_CABandCouncils Events@cfpb.gov*, Consumer Advisory Board and Councils Office, External

Affairs, 1275 First Street NE.,  
Washington, DC 20002.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Under section 9(d) of the CUAC Charter, each meeting of the Council shall be open to public observation, to the extent that a facility is available to accommodate the public, unless the Bureau, in accordance with paragraph (4) of this section, determines that the meeting shall be closed. The Bureau also will make reasonable efforts to make the meetings available to the public through live recording. Notice of the time, place and purpose of each meeting, as well as a summary of the proposed agenda, shall be published in the **Federal Register** not more than 45 or less than 15 days prior to the scheduled meeting date. Shorter notice may be given when the Bureau determines that the Council's business so requires; in such event, the public will be given notice at the earliest practicable time. Minutes of meetings, records, reports, studies, and agenda of the Council shall be posted on the Bureau's Web site ([www.consumerfinance.gov](http://www.consumerfinance.gov)). The Bureau may close to the public a portion of any meeting, for confidential discussion. If the Bureau closes a meeting or any portion of a meeting, the Bureau will issue, at least annually, a summary of the Council's activities during such closed meetings or portions of meetings.

Section 2 of the CUAC Charter provides that pursuant to the executive and administrative powers conferred on the Consumer Financial Protection Bureau by section 1012 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), the Director established the Credit Union Advisory Council to consult with the Bureau in the exercise of its functions under the Federal consumer financial laws as they pertain to credit unions with total assets of \$10 billion or less.

Section 3(a) of the CUAC Charter states that the CFPB supervises depository institutions and credit unions with total assets of more than \$10 billion and their respective affiliates, but other than the limited authority conferred by section 1026 of the Dodd-Frank Act, the CFPB does not have supervisory authority regarding credit unions and depository institutions with total assets of \$10 billion or less. As a result, the CFPB does not have regular contact with these institutions, and it would therefore be beneficial to create a mechanism to ensure that their unique perspectives are shared with the Bureau. Small

Business Regulatory Enforcement Fairness Act (SBREFA) panels provide one avenue to gather this input, but participants from credit unions must possess no more than \$175 million in assets, which precludes the participation of many. Under section 3(b), the Advisory Council shall fill this gap by providing an interactive dialogue and exchange of ideas and experiences between credit union employees and Bureau staff. The Advisory Council shall advise generally on the Bureau's regulation of consumer financial products or services and other topics assigned to it by the Director. To carry out the Advisory Council's purpose, the scope of its activities shall include providing information, analysis, and recommendations to the Bureau. The output of Advisory Council meetings should serve to better inform the CFPB's policy development, rulemaking, and engagement functions.

**II. Agenda**

The Credit Union Advisory Council will discuss alternative data and consumer access to financial records. Persons who need a reasonable accommodation to participate should contact [CFPB\\_504Request@cfpb.gov](mailto:CFPB_504Request@cfpb.gov), 202-435-9EEO, 1-855-233-0362, or 202-435-9742 (TTY) at least ten business days prior to the meeting or event to request assistance. The request must identify the date, time, location, and title of the meeting or event, the nature of the assistance requested, and contact information for the requester. CFPB will strive to provide, but cannot guarantee that accommodation will be provided for late requests.

Individuals who wish to attend the Credit Union Advisory Council meeting must RSVP to [cfpb\\_cabandcouncils.events@cfpb.gov](mailto:cfpb_cabandcouncils.events@cfpb.gov) by noon, Wednesday, March 29, 2017. Members of the public must RSVP by the due date and must include "CUAC" in the subject line of the RSVP.

**III. Availability**

The Council's agenda will be made available to the public on Wednesday, March 15, 2017, via [consumerfinance.gov](http://consumerfinance.gov). Individuals should express in their RSVP if they require a paper copy of the agenda.

A recording and transcript of this meeting will be available after the meeting on the CFPB's Web site [consumerfinance.gov](http://consumerfinance.gov).

Dated: March 9, 2017.

**Leandra English,**

*Chief of Staff, Bureau of Consumer Financial Protection.*

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**DEPARTMENT OF DEFENSE**

**Department of the Air Force**

**U.S. Air Force Scientific Advisory Board Notice of Meeting**

**AGENCY:** Air Force Scientific Advisory Board, Department of the Air Force, Defense.

**ACTION:** Meeting notice.

**SUMMARY:** The United States Air Force Scientific Advisory Board plans to hold its Spring Board meeting in April. This meeting will be *closed* to the General Public.

**DATES:** The meeting date is Tuesday, April 11, 2017, from 8:00 a.m. to 11:30 a.m.

**ADDRESSES:** 25th AF Headquarters, 2 Hall Blvd., San Antonio, TX 78243-7072.

**FOR FURTHER INFORMATION CONTACT:** The Scientific Advisory Board meeting organizer, Major Mike Rigoni at [michael.j.rigoni.mil@mail.mil](mailto:michael.j.rigoni.mil@mail.mil) or 240-612-5506, United States Air Force Scientific Advisory Board, 1500 West Perimeter Road, Ste. #3300, Joint Base Andrews, MD 20762.

**SUPPLEMENTARY INFORMATION:** 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 the United States Air Force (USAF) Scientific Advisory Board (SAB) Spring Board meeting will take place on Tuesday, 11 April 2017 at the 25th Air Force Headquarters, located at 2 Hall Blvd. Ste. 201, San Antonio, TX, 78243-7072. In accordance with 5 U.S.C. 552b, as amended, and 41 CFR 102-3.155, the meeting will be closed to the general public because the Scientific Advisory Board will discuss classified information and matters covered by Section 552b of Title 5, United States Code, subsection (c), subparagraph (1).

Any member of the public that wishes to provide input to the Air Force Scientific Advisory Board must contact the Scientific Advisory Board meeting organizer at the phone number or email address listed in this announcement at least five working days prior to the meeting date. Please ensure that you