

that the construction and operation of the Northeast Gateway 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. Currently, NMFS is consulting with NMFS NER on to determine whether the modified activities with the inclusion of Algonquin Pipeline Lateral O&M activities would have any adverse impact to listed species.

NEPA

MARAD and the USCG released a Final EIS/Environmental Impact Report (EIR) for the proposed Northeast Gateway Port and Pipeline Lateral. A notice of availability was published by MARAD on October 26, 2006 (71 FR 62657). The Final EIS/EIR provides detailed information on the proposed project facilities, construction methods and analysis of potential impacts on marine mammal.

NMFS was a cooperating agency (as defined by the Council on Environmental Quality (40 CFR 1501.6)) in the preparation of the Draft and Final EISs. NMFS has reviewed the Final EIS and has adopted it. Therefore, the preparation of another EIS or EA is not warranted.

Preliminary Determinations

NMFS has preliminarily determined that the impact of operation of the Northeast Gateway LNG Port facility and the Algonquin Pipeline Lateral O&M activities may result, at worst, in a temporary modification in behavior of small numbers of certain species of marine mammals that may be in close proximity to the Northeast Gateway LNG facility and associated pipeline during its operation, maintenance, and repair. These activities are expected to result in some local short-term displacement and will have no more than a negligible impact on the affected species or stocks of marine mammals.

This preliminary determination is supported by proposed mitigation, monitoring, and reporting measures described in this document on this action.

As a result of the described proposed mitigation and monitoring measures, no take by injury or death would be requested, anticipated or authorized, and the potential for temporary or permanent hearing impairment is very unlikely due to the relatively low noise levels (and consequently small zone of impact).

While the number of marine mammals that may be harassed will depend on the distribution and

abundance of marine mammals in the vicinity of the LNG Port facility and the Pipeline Lateral, the estimated numbers of marine mammals to be harassed is small relative to the affected species or stock sizes. Please see Estimate of Take by Harassment section below for the calculation of these take numbers.

Proposed Authorization

NMFS proposes to issue an IHA to Northeast Gateway and Algonquin for conducting LNG Port facility and Pipeline Lateral operations and maintenance in Massachusetts Bay, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

Information Solicited

NMFS requests interested persons to submit comments and information concerning this proposed IHA and Northeast Gateway and Algonquin's application for incidental take regulations (see **ADDRESSES**). NMFS requests interested persons to submit comments, information, and suggestions concerning both the request and the structure and content of future regulations to allow this taking. NMFS will consider this information in developing proposed regulations to govern the taking.

Dated: February 26, 2009.

James H Lecky,

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

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BILLING CODE 3510-22-S

COMMISSION OF FINE ARTS

Notice of Meeting

Established By Congress 17 May 1910:
National Building Museum, 401 F Street, NW., Suite 312, Washington, DC 20001-2728, 202-504-2200, 202-504-2195 fax.

BAC: 6330-01.

Commission of Fine Arts

The next meeting of the U.S. Commission of Fine Arts is scheduled for 19 March 2009, at 10 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: <http://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 or call 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: February 23, 2009 in Washington, DC.

Thomas Luebke,

Secretary.

[FR Doc. E9-4578 Filed 3-5-09; 8:45 am]

BILLING CODE 6330-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Meeting of the Defense Department Advisory Committee on Women in the Services (DACOWITS)

AGENCY: Department of Defense.

ACTION: Notice.

SUMMARY: Pursuant to Section 10(a), Public Law 92-463, as amended, notice is hereby given of a forthcoming meeting of the Defense Department Advisory Committee on Women in the Services (DACOWITS). The purpose of the Committee meeting is to receive briefings and hear panels on women's roles in deployment, review 2009 topics, and develop protocols. The meeting is open to the public, subject to the availability of space.

DATES: March 23-24, 2009, 8:30 a.m.-5 p.m.

ADDRESSES: Double Tree Hotel Crystal City National Airport, 300 Army Navy Drive, Arlington, VA 22202.

FOR FURTHER INFORMATION CONTACT:

MSgt Robert Bowling, USAF, DACOWITS, 4000 Defense Pentagon, Room 2C548A, Washington, DC 20301-4000. Robert.bowling@osd.mil; Telephone (703) 697-2122; Fax (703) 614-6233.

SUPPLEMENTARY INFORMATION:

Meeting Agenda

Monday, March 23, 2009 8:30 a.m.-5 p.m.

- Welcome and announcements
- Women's roles in deployment panels
- Briefings
- Public Forum

Tuesday, March 24, 2009 8:30 a.m.-5 p.m.

- Review research questions
- Develop Protocol questions
- Discuss 2009 topics and schedule

Interested persons may submit a written statement for consideration by