

each working day. WSDOT also plans to use barge anchoring instead of dynamic positioning systems for construction vessels, thus further reducing noise input into the water column. Therefore, the underwater noise impacts from the proposed Manette Bridge replacement construction is expected to have a low level of noise intensity, and be of short duration and localized. These low intensity, localized, and short-term noise exposures, when received at distances of Level B behavioral harassment (i.e., 160 dB re 1  $\mu$ Pa (rms) from impulse sources and 120 dB re 1  $\mu$ Pa (rms) from non-impulse sources), are expected to cause brief startle reactions or short-term behavioral modification by the animals. These brief reactions and behavioral changes are expected to disappear when the exposures cease. Therefore, these levels of received underwater construction noise from the proposed Manette Bridge replacement project are not expected to affect marine mammal annual rates of recruitment or survival.

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 proposed mitigation and monitoring measures, NMFS preliminarily finds that the Manette Bridge replacement project will result in the incidental take of small numbers of Pacific harbor seals, California sea lions, and gray whales by Level B harassment only, and that the total taking from harassment will have a negligible impact on 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.

#### **Endangered Species Act (ESA)**

There are two marine mammal species and two fish species that are listed as endangered or threatened under the ESA with confirmed or possible occurrence in the study area: Eastern North Pacific Southern Resident killer whale, Eastern U.S. Steller sea lion, Chinook salmon, and steelhead trout. Under section 7 of the ESA, the Federal Highway Administration (FHWA) and WSDOT have consulted with NMFS Northwest Regional Office (NWRO) on the proposed Manette Bridge replacement project. In a memo issued with its August 3, 2009, Biological Opinions, NMFS NWRO stated that the proposed bridge replacement may effect, but is not likely

to adversely affect the listed marine mammal species and stocks.

The proposed issuance of an IHA to WSDOT constitutes an agency action that authorizes an activity that may affect ESA-listed species and, therefore, is subject to section 7 of the ESA. Moreover, as the effects of the activities on listed marine mammals and salmonids were analyzed during a formal consultation between the FHWA and NMFS, and as the underlying action has not changed from that considered in the consultation, the discussion of effects that are contained in the Biological Opinion and accompanying memo issued to the FHWA on August 3, 2009, pertains also to this action. In conclusion, NMFS has determined that issuance of an IHA for this activity would not lead to any effects to listed species apart from those that were considered in the consultation on FHWA's action.

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

NMFS is in the process of preparing an Environmental Assessment (EA) for the take of marine mammals incidental to the Manette Bridge replacement construction activities, and will make a final NEPA determination before issuing a final IHA.

Dated: March 16, 2010.

**James H. Lecky,**

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

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## **DEPARTMENT OF DEFENSE**

### **Department of the Air Force**

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

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

**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 United States Air Force Scientific Advisory Board (SAB) meeting will take place on Tuesday, April 13th, 2010, at the 11th Air Force Headquarters Building, 10480 22d Street, Elmendorf Air Force Base, Alaska, 99506. The meeting will be from 8 a.m.-12:15 p.m.

The purpose of the meeting is to hold the SAB quarterly meeting to review ongoing classified FY10 studies, assess pre-decisional study material, and conduct classified discussions on Elmendorf Air Force Base missions and how capabilities are used in the field; this knowledge will be applied to current and future studies.

Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102-3.155, the Administrative Assistant of the Air Force, in consultation with the Office of the Air Force General Counsel, has determined in writing that the public interest requires that all sessions of the United States Air Force Scientific Advisory Board meeting be closed to the public because they will be concerned with classified information and matters covered by sections 5 U.S.C. 552b(c)(1) and (4).

Any member of the public wishing to provide input to the United States Air Force Scientific Advisory Board should submit a written statement in accordance with 41 CFR 102-3.140(c) and section 10(a)(3) of the Federal Advisory Committee Act and the procedures described in this paragraph. Written statements can be submitted to the Designated Federal Officer at the address detailed below at any time. Statements being submitted in response to the agenda mentioned in this notice must be received by the Designated Federal Officer at the address listed below at least five calendar days prior to the meeting which is the subject of this notice. Written statements received after this date may not be provided to or considered by the United States Air Force Scientific Advisory Board until its next meeting. The Designated Federal Officer will review all timely submissions with the United States Air Force Scientific Advisory Board Chairperson and ensure they are provided to members of the United States Air Force Scientific Advisory Board before the meeting that is the subject of this notice.

**FOR FURTHER INFORMATION CONTACT:** The United States Air Force Scientific Advisory Board Executive Director and Designated Federal Officer, Lt Col Anthony M. Mitchell, 301-981-7135, United States Air Force Scientific Advisory Board, 1602 California Ave., Ste. #251, Andrews AFB, MD 20762, [anthonym.mitchell@pentagon.af.mil](mailto:anthonym.mitchell@pentagon.af.mil).

**Bao-Anh Trinh, YA-3,**

*Air Force Federal Register Liaison Officer.*

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