

ENVIRONMENTAL PROTECTION AGENCY**[ER-FRL-8798-8]****Environmental Impact Statements and Regulations; Availability of EPA Comments**

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at 202-564-7146 or <http://www.epa.gov/compliance/nepa/>.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated July 17, 2009 (74 FR 34754).

Draft EISs

EIS No. 20090290, ERP No. D-FTA-F54014-WI, Kenosha-Racine-Milwaukee Commuter Rail Extension, Alternative Analysis, U.S. COE Section 404 Permit, Funding, Kenosha, Racine, and Milwaukee Counties, WI.

Summary: EPA expressed environmental concerns about impacts to wetlands and natural areas, and requested additional information on hazardous waste, noise and vibration. Rating EC2.

EIS No. 20090296, ERP No. D-SFW-K90033-CA, Sears Point Wetland and Watershed Restoration Project, To Restore Tidal Wetlands and Rehabilitate Diked Wetlands, Sonoma County, CA.

Summary: EPA expressed environmental concerns about impacts to wetlands and waters from construction activities (trails, roads, and utilities) not related to wetland restoration and to air quality from construction diesel emissions. Rating EC2.

EIS No. 20090107, ERP No. DS-NRS-D36121-WV, Lost River Subwatershed of the Potomac River Watershed Project, Construction of Site 16 on Lower Cove Run and Deletion of Site 23 on Cullers Run in the Lost River Watershed, Change in Purpose for Site 16 and Updates Information Relative to Site 23, U.S. Army COE Section 404 Permit, Hardy County, WV.

Summary: EPA continues to have environmental concerns about impacts to a cold water stream and loss of wetland resources, and requested additional information on project need, current conditions of the study area and secondary impacts of a water distribution system. Rating EC2.

Final EISs

EIS No. 20090183, ERP No. F-NRC-D06006-PA, Generic—License Renewal of Nuclear Plants, Supplement 36 to NUREG-1437, Regarding Beaver Valley Power Station, Units 1 and 2, Plant Specific, Issuing Nuclear Power Plant Operating License for an Additional 20-Year Period, PA.

Summary: EPA has no objection to the proposed action.

EIS No. 20090218, ERP No. F-NRC-D06007-PA, GENERIC—License Renewal of Nuclear Plants, Supplement 37 NUREG-1437, Regarding Three Mile Island Nuclear Station, Unit 1, Dauphin County, PA.

Summary: EPA continues to have environmental concerns about construction impacts.

EIS No. 20090281, ERP No. F-BLM-J01083-WY, South Gillette Area Coal Lease Applications, WYW172585, WYW173360, WYW172657, WYW161248, Proposal to Lease Four Tracts of Federal Coal Reserves, Belle Ayr, Coal Creek, Caballo, and Cordero Rojo Mines, Wyoming Powder River Basin, Campbell County, WY.

Summary: No formal comment letter was sent to the preparing agency.

EIS No. 20090301, ERP No. FS-NRS-B36121-WV, Lost River Subwatershed of the Potomac River Watershed Project, Construction of Site 16 on Lower Cove Run and Deletion of Site 23 on Cullers Run in the Lost River Watershed, Change in Purpose for Site 16 and Updates Information Relative to Site 23, U.S. Army COE Section 404 Permit, Hardy County, WV.

Summary: EPA continues to have environmental concerns about wetland and cold water stream impacts, and requested additional information on current environmental conditions and the function of structures already in the watershed.

Dated: October 27, 2009.

Robert W. Hargrove,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E9-26218 Filed 10-29-09; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY**[ER-FRL-8598-7]****Environmental Impacts Statements; Notice of Availability**

Responsible Agency: Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 10/19/2009 through 10/23/2009

Pursuant to 40 CFR 1506.9.

EIS No. 20090359, Final EIS, FHW, MO, MO-63 Corridor Improvement Project, To Correct Roadway Deficiencies, Reduce Congestion and Provide Continuity along the MO-63 Corridor on the Existing Roadway and on New Location, Osage, Maries and Phelps Counties, MO, Wait Period Ends: 11/30/2009, Contact: Peggy Casey, 573-636-7104.

EIS No. 20090360, Draft EIS, NGB, VT, 158th Fighter Wing Vermont Air National Guard Project, Proposed Realignment of National Guard Avenue and Main Gate Construction, Burlington International Airport in South Burlington, VT, Comment Period Ends: 12/14/2009, Contact: Robert L. Dogan, 301-836-8859.

EIS No. 20090361, Final EIS, NOAA, 00, PROGRAMMATIC—Toward an Ecosystem Approach for the Western Pacific Region: From Species-Based Fishery Management Plans to Place-Based Fishery Ecosystem Plans, Bottomfish and Seamount Groundfish, Coral Reef Ecosystems, Crustaceans, Precious Corals, Pelagics, Implementation, American Samoa, Commonwealth of the Northern Mariana Islands, Hawaii, U.S. Pacific Remote Island Area, Wait Period Ends: 11/30/2009, Contact: William L. Robinson, 808-944-2200.

EIS No. 20090362, Draft EIS, DOE, WA, Hanford Site Tank Closure and Waste Management Project, Implementation, Richland, Benton County, WA, Comment Period Ends: 03/19/2010, Contact: Mary Beth Burandi 888-829-6347.

EIS No. 20090363, Draft EIS, SFW, TX, Hays County Regional Habitat Conservation Plan, Application for an Incidental Take Permit, Hays County, TX, Comment Period Ends: 01/28/2010, Contact: Allison Arnold, 512-490-0057 Ext. 242.

EIS No. 20090364, Final EIS, NPS, SD, Wind Cave National Park Project, Elk General Management Plan, Implementation, Custer County, SD, Wait Period Ends: 11/30/2009, Contact: Nick Chevance, 402-661-1844.

EIS No. 20090365, Draft EIS, COE, CO, Moffat Collection System Project, to Provide High Quality Dependable, and Safe Drinking Water to Over 1.1 Million Customers in the City and County of Denver, Application for an Section 404 Permit, City and County Denver, Adams, Boulder, Jefferson and Grand Counties, CO, Comment

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP): CDC Grants for Public Health Research Dissertation (Panel H), Funding Opportunity Announcement (FOA) PAR07-231, Initial Review

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), the Centers for Disease Control and Prevention (CDC) announces the aforementioned SEP:

Time and Date: 12 p.m.–3 p.m., December 3, 2009 (Closed).

Place: Teleconference.

Status: The meeting will be closed to the public in accordance with provisions set forth in Section 552b(c)(4) and (6), Title 5 U.S.C., and the Determination of the Director, Management Analysis and Services Office, CDC, pursuant to Public Law 92-463.

Matters To Be Discussed: The meeting will include the initial review, discussion, and evaluation of applications received in response to “CDC Grants for Public Health Research Dissertation, FOA PAR07-231, Panel H.”

Contact Person for More Information: Sheree Marshall Williams, PhD., MSc, Scientific Review Administrator, CDC, 1600 Clifton Road, NE., Mailstop D73, Atlanta, GA 30333, Telephone 404-639-7742.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.

Dated: October 23, 2009.

Elaine L. Baker,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. E9-26280 Filed 10-30-09; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2009-N-0664]

Neurological Devices Panel of the Medical Devices Advisory Committee; Notice of Postponement of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is postponing the meeting of the Neurological Devices

Panel of the Medical Devices Advisory Committee scheduled for November 20, 2009. This meeting was announced in the **Federal Register** of October 16, 2009 (74 FR 53274). The postponement is due to a scheduling conflict. A future meeting date will be announced in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Deborah Falls, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993, 301-796-5620, or FDA Advisory Committee Information Line, 1-800-741-8138 (301-443-0572 in the Washington, DC area), code 3014512513. Please call the Information Line for up-to-date information on this meeting.

Dated: October 27, 2009.

David Horowitz,

Assistant Commissioner for Policy.

[FR Doc. E9-26261 Filed 10-30-09; 8:45 am]

BILLING CODE 4160-01-S

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R2-ES-2009-N155; 20124-1112-0000-F2]

Hays County Regional Habitat Conservation Plan, Hays County, TX

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability: draft environmental impact statement, draft habitat conservation plan, permit application; and announcement of a public hearing.

SUMMARY: Hays County, Texas (Applicant), has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit (TE-220793-0) under the Endangered Species Act (Act) of 1973, as amended. The requested permit, which would be in effect for a period of 30 years if granted, would authorize incidental take of the following federally listed species: Golden-cheeked warbler (*Dendroica chrysoparia*) and black-capped vireo (*Vireo atricapilla*). The proposed take would occur in Hays County, Texas, as a result of activities including, but not limited to, public or private land development, transportation projects, or utility projects. Hays County has completed a draft Habitat Conservation Plan (dHCP) as part of the application package. We have issued a draft environmental impact statement (dEIS) that evaluates the impacts of, and alternatives to, possible issuance of an incidental take permit (ITP). We request

public comments on the application, dHCP, and dEIS, and we announce our plan to hold public hearings.

DATES: *Public meetings:* We will accept oral and written comments at a public hearing to be held on Wednesday, November 18, 2009, from 6 p.m. to 8 p.m. CDT at the San Marcos Activity Center, Room #1, 501 E. Hopkins Street, San Marcos, TX 78666.

Comment-period end: To ensure consideration, please send your written comments by February 1, 2010.

ADDRESSES: For where to review documents and submit comments, and the public meeting location, see Reviewing Documents and Submitting Comments in **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Mr. Adam Zerrenner, Field Supervisor, Austin Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, TX 78758; telephone 512-490-0057.

SUPPLEMENTARY INFORMATION: Under the National Environmental Policy Act (NEPA), we announce that we have gathered the information necessary to determine impacts and formulate alternatives for the EIS related to the potential issuance of an incidental take permit (ITP) to Hays County; and that the Applicant has developed an HCP which describes the measures to undertake to minimize and mitigate the effects of incidental take of federally listed species to the maximum extent practicable, under section 10(a)(1)(B) of the Act (16 U.S.C. 1531 *et seq.*).

Background

The initial notice of intent to prepare an EIS and hold public scoping meetings published in the **Federal Register** on May 16, 2008 (73 FR 28497). A summary of comments provided during the 2008 scoping periods, which included a public meeting held June 18, 2008, in San Marcos, Texas, is available on the Hays County Regional Habitat Conservation Plan Web site at <http://www.hayscountyhcp.com>.

The Hays County draft Regional Habitat Conservation Plan (dRHCP) and the conservation program described in the plan were developed in a process involving participants and stakeholders from potentially affected or interested groups in Hays County. The groups are organized into a Citizens Advisory Committee and a Biological Advisory Team that have overseen the development of the RHCP. The RHCP Web site contains information on meetings, documents, and the status of the process.

Section 9 of the Act and its implementing regulations prohibit the

“taking” of threatened or endangered species. However, under limited circumstances, we may issue permits to take listed wildlife species incidental to, and not the purpose of, otherwise lawful activities.

Proposed Action

The proposed action involves the issuance of an ITP by the Service for covered activities in Hays County, under section 10(a)(1)(B) of the Act. The activities that would be covered by the ITP are construction, use, or maintenance of public or private land development projects; construction, maintenance, or improvement of transportation infrastructure; installation or maintenance of utility infrastructure; construction, use, or maintenance of institutional projects or public infrastructure; and management activities in RHCP preserves necessary to manage habitat for the covered species. The requested ITP will cover Hays County, Texas. The requested term of the permit is 30 years.

To meet the requirements of a section 10(a)(1)(B) ITP, the Applicant has developed and will implement the dRHCP, which describes the conservation measures the Applicant has agreed to undertake to minimize and mitigate for incidental take of the golden-cheeked warbler and black-capped vireo to the maximum extent practicable, and anticipates that incidental take will not appreciably reduce the likelihood of the survival and recovery of these species in the wild.

Alternatives

We are considering three alternatives to the proposed action as part of this process:

1. *No Action*—No ITP would be issued. This alternative would require individuals to seek authorization through section 7 or section 10(a)(1)(B) to address incidental take resulting from their actions in Hays County or avoid taking actions that would result in incidental take of federally listed species.

2. *Moderate Preserve/Limited Take*—This alternative would create an RHCP for the golden-cheeked warbler and black-capped vireo, but would limit incidental take to no more than 3,600 acres of impact to habitat for these two species. A preserve system of 3,000 acres with a pre-determined location and configuration would mitigate for the impacts of the authorized take.

3. *Large-Scale Preserve System*—This alternative would create an RHCP for the golden-cheeked warbler and black-capped vireo, and would allow

incidental take of any potential habitat for the covered species during the term of the ITP outside of a predetermined 30,000-acre preserve.

Reviewing Documents and Submitting Comments

Please refer to TE-220793-0 when requesting documents or submitting comments.

You may obtain copies of the dEIS and dRHCP by going to the Hays County Regional Habitat Conservation Plan Web site at <http://hayscountyhcp.com/documents>. Alternatively, you may obtain compact disks with electronic copies of these documents by writing to Mr. Adam Zerrenner, Field Supervisor, 10711 Burnet Road, Suite 200, Austin, TX 78758; telephone 512-490-0057; facsimile 512-490-0974. The application, dRHCP, and dEIS will also be available for public inspection, by appointment, during normal business hours (8 a.m. to 4:30 p.m.) at the Austin office. During the public comment period (see **DATES**), submit your written comments or data to the Field Supervisor at the Austin address.

A limited number of printed copies of the dEIS and dRHCP are also available for public inspection and review at the following locations (by appointment only at government offices):

- Department of the Interior, Natural Resources Library, 1849 C St., NW., Washington, DC 20240;
- U.S. Fish and Wildlife Service, 500 Gold Avenue, SW., Room 4012, Albuquerque, NM 87102;
- San Marcos Public Library, 625 E. Hopkins Street, San Marcos, TX;
- Hays County Precinct 3 Office, 14306 Ranch Rd 12, Wimberley, TX; and
- Hays County Precinct 4 Office, 195 Roger Hanks Parkway, Dripping Springs, TX.

Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Room 4012, Albuquerque, NM 87103.

Public Meeting

A public meeting will take place on Wednesday, November 18, 2009, to be held at the San Marcos Activity Center (see **DATES**) from 6 p.m. to 8 p.m. CDT.

Public Availability of Comments

Written comments we receive become part of the public record associated with this action. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that the entire

comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority

We provide this notice under section 10(c) of the Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22) and NEPA (42 U.S.C. 4371 *et seq.*) and its implementing regulations (40 CFR 1506.6).

Dated: August 20, 2009.

Brian A. Millsap,

Acting Regional Director, Region 2,
Albuquerque, New Mexico.

[FR Doc. E9-26273 Filed 10-30-09; 8:45 am]

BILLING CODE 4510-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

New Melones Lake Area Resource Management Plan, Tuolumne and Calaveras Counties, CA

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of availability of the Draft Resource Management Plan/ Environmental Impact Statement (RMP/EIS) and notice of public meetings.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969 (as amended), the Bureau of Reclamation (Reclamation) has made available for public review and comment a Draft RMP/EIS for the New Melones Lake Area. The Draft RMP/EIS describes and presents the environmental effects of four alternatives, including no action, for future use of the project area for recreation and resource protection and management. The purpose of the public meetings is to provide the public with an opportunity to comment on management and environmental issues addressed in the Draft RMP/EIS. Written comments will be accepted from individuals and organizations on the Draft RMP/EIS.

DATES: Two public open houses will be held on Wednesday, December 2, 2009, one from 1 to 4 p.m. and the other from 6 to 9 p.m. in Sonora, California.

Submit written comments on the Draft RMP/EIS to Ms. Melissa Vignau at the address below by *January 4, 2010*.

ADDRESSES: The public open houses will be held at New Melones Visitor Center, 6850 Studhorse Flat Road, Sonora, California 95370.