

make its comments on EISs issued by other Federal agencies public. Historically, EPA has met this mandate by publishing weekly notices of availability of EPA comments, which includes a brief summary of EPA's comment letters, in the **Federal Register**. Since February 2008, EPA has been including its comment letters on EISs on its Web site at: <http://www.epa.gov/compliance/nepa/eisdata.html>. Including the entire EIS comment letters on the Web site satisfies the Section 309(a) requirement to make EPA's comments on EISs available to the public. Accordingly, after March 31, 2010, EPA will discontinue the publication of this notice of availability of EPA comments in the **Federal Register**.

*EIS No. 20100097, Final EIS, USFS, OR, EXF Thinning, Fuel Reduction, and Research Project, Proposal for Vegetation Management and Fuel Reduction within the Lookout Mountain Unit of the Pringle Falls Experimental Forest, Bend/Ft. Rock Ranger District, Deschutes National Forest, Deschutes County, OR, Wait Period Ends: 05/03/2010, Contact: Beth Peer 541-383-4769.*

*EIS No. 20100098, Final EIS, FHWA, WA, WA-502 Corridor Widening Project, Proposes Improvements to Five Miles of WA-502 (NE.-219th Street) between NE. 15th Avenue and NE. 102nd Avenue, Funding, Clark County, WA, Wait Period Ends: 05/03/2010, Contact: Chris Tams 360-759-1310.*

*EIS No. 20100099, Final EIS, FHWA, FL, Interstate 395 (I-395) Development and Environment Study Project, From I-95 to West Channel Bridges of the MacArthur Causeway at Biscayne Bay, City of Miami, Miami-Dade County, FL, Wait Period Ends: 05/03/2010, Contact: Linda K. Anderson 850-942-9650 Ext. 3053.*

*EIS No. 20100100, Draft EIS, BLM, OR, West Butte Wind Power Project, Construction and Operation of Access Roads and a Transmission Line, Application for Right-of-Way (ROW) Grant, Deschutes and Crook Counties, OR, Comment Period Ends: 05/17/2010, Contact: Steve Storo 541-416-6700.*

*EIS No. 20100101, Draft EIS, FTA, TX, D2 Downtown Dallas Transit Study, To Support Increased Demand and Implementation of the 2030 Transit System Plan (TSP), Dallas Area Rapid Transit (DART), in the City of Dallas, Dallas County, TX, Comment Period Ends: 05/17/2010, Contact: Lynn Hayes 817-978-0565.*

*EIS No. 20100102, Draft EIS, BLM, CA, Palen Solar Power Plant Project,*

*Construction, Operation and Decommission a Solar Thermal Facility on Public Lands, Approval for Right-of-Way Grant, Possible California Desert Conservation Area Plan Amendment, Riverside County, CA, Comment Period Ends: 07/01/2010, Contact: Holly Roberts 760-833-7149.*

*EIS No. 20100103, Draft EIS, FERC, 00, Apex Expansion Project, Proposal to Expand its Natural Gas Pipeline System, WY, UT and NV, Comment Period Ends: 05/17/2010, Contact: Julia Bovey 1-866-208-3372.*

*EIS No. 20100104, Draft EIS, USFS, NM, McKinley County Easement—Forest Roads 191 and 191D, Implementation, Cibola National Forest, McKinley County, NM, Comment Period Ends: 05/17/2010, Contact: Keith Baker 505-346-3820.*

*EIS No. 20100105, Draft EIS, USA, GA, Fort Stewart Training Range and Garrison Support Facilities Construction and Operation, Liberty, Long, Bryan, Evans and Tattnall Counties, GA, Comment Period Ends: 05/17/2010, Contact: Mike Ackerman 410-436-2522.*

*EIS No. 20100106, Draft EIS, BLM, CA, Granite Mountain Wind Energy Project, Proposed to Develop an up to 84-megawatt Wind Energy Plant and Associated Facilities on Public Land and Private Land, California Desert Conservation Areas Plan, San Bernardino County, CA, Comment Period Ends: 07/01/2010, Contact: Edythe Seehafer 760-252-6021.*

*EIS No. 20100107, Draft EIS, BLM, CA, Calico Solar Project, Proposed Solar Thermal Electricity Generation Facility Located Public Lands, Construction and Operation, Right-of-Way Grant, San Bernardino County, CA, Comment Period Ends: 07/01/2010, Contact: Jim Stobaugh 775-861-6478.*

#### Amended Notices

*EIS No. 20100018, Draft EIS, NPS, WV, New River Gorge National River Project, General Management Plan, Implementation, Fayette, Raleigh and Summers Counties, WV, Comment Period Ends: 04/02/2010, Contact: Deborah Darden 304-465-6509.*

*Revision to FR Notice Published 01/29/2010: Correction to Comment Period from 03/29/2010 to 04/02/2010.*

*EIS No. 20100054, Draft EIS, NASA, VA, Wallops Flight Facility, Shoreline Restoration and Infrastructure Protection Program, Implementation, Wallops Island, VA, Comment Period Ends: 04/19/2010, Contact: Joshua A. Bundick 757-824-2319.*

*Revision to FR Notice Published 02/26/2010: Correction to Comment Period from 04/12/2010 to 04/19/2010.*

Dated: March 30, 2010.

**Robert W. Hargrove,**  
Director, NEPA Compliance Division, Office of Federal Activities.

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8989-6]

### 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 35754).

#### Final Notice

In accordance with Section 309(a) of the Clean Air Act, EPA is required to make its comments on EISs issued by other Federal agencies public. Historically, EPA has met this mandate by publishing weekly notices of availability of EPA comments, which includes a brief summary of EPA's comment letters, in the **Federal Register**. Since February 2008, EPA has been including its comment letters on EISs on its Web site at: <http://www.epa.gov/compliance/nepa/eisdata.html>. Including the entire EIS comment letters on the Web site satisfies the Section 309(a) requirement to make EPA's comments on EISs available to the public. Accordingly, this is the final publication of this notice of availability of EPA comments in the **Federal Register**.

#### Draft EISs

*EIS No. 20090378, ERP No. D-COE-F09806-MN, NorthMet Project, Proposes to Construct and Operate an Open Pit Mine and Processing Facility, Located in Hoyt Lakes—Babbitt Area of St. Louis County, MN*

*Summary:* The project as proposed will have unsatisfactory impacts to surface water and groundwater from acid mine drainage and mobilization of

metals and sulfates. The project will also have significant wetland impacts that are not adequately mitigated. In addition, the EIS does not adequately evaluate the fate and transport of pollutants between groundwater, surface water and wetlands, nor does it discuss financial assurance for closure and post-closure care. Rating EU3.

EIS No. 20090411, ERP No. D-BLM-K65383-CA, Clear Creek Management Area Resource Management Plan (RMP), Implementation, Portion of San Benito County and Fresno County, CA.

*Summary:* EPA does not object to the proposed project because it will help protect human health and safety and significantly improve environmental resources in the project area. Rating LO.

EIS No. 20090451, ERP No. D-FHW-F40451-FL, St. Johns River Crossing Project, Improved Highway Corridor and Bridge Crossing the St. John River between Clay and St. Johns Counties, FL.

*Summary:* EPA expressed environmental objections about significant wetland and habitat resource impacts. EPA also had concerns about air quality, noise, surface water and floodplain impacts. Rating EO2.

EIS No. 20100017, ERP No. D-NOA-L91035-00, Amendment 21 to the Pacific Coast Groundfish Fishery Management Plan, (FMP), Allocation of Harvest Opportunity between Sectors, Implementation, WA, OR and CA.

*Summary:* EPA does not object to the proposed action. Rating LO.

EIS No. 20100027, ERP No. D-AFS-K65384-CA, Big Grizzly Fuels Reduction and Forest Health Project, Proposes Vegetation Treatments, Eldorado National Forest, Georgetown Ranger District, Georgetown, CA.

*Summary:* EPA expressed environmental concerns about air quality impacts and requested a commitment to implement BMPs. Rating EC2.

#### Final EISs

EIS No. 20100019, ERP No. F-DOE-C06012-NY, West Valley Demonstration Project and Western New York Nuclear Service Center Decommissioning and/or Long-Term Stewardship, (DOE/EIS-0226-D Revised) City of Buffalo, Erie and Cattaraugus Counties, NY.

*Summary:* While EPA has no objection with the proposed action, EPA indicated that Phase 2 actions and NEPA documentation will be reevaluated at the end of Phase 1.

EIS No. 20100036, ERP No. F-IBR-K65382-CA, New Melones Lakes Area Resource Management Plan, Implementation, Tuolumne and Calaveras Counties, CA.

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

EIS No. 20100039, ERP No. F-WAP-K08017-00, ADOPTION—Southwest Intertie Project, Construction and Operation, 500kV Transmission Line from the existing Midpoint substation near Shoshone, ID to a new substation site in the Dry Lake Valley of Las Vegas, NV area to a point near Delta, UT, Permits Approval and C.

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

EIS No. 20100041, ERP No. F-FHW-F40379-MI, US-31 Holland to Grand Haven Project, Transportation Improvement to Reduce Traffic Congestion and Delay, Ottawa County, MI.

*Summary:* EPA's previous issues have been resolved; therefore, EPA does not object to the proposed action.

EIS No. 20100042, ERP No. F-COE-K39121-CA, Natomas Levee Improvement Program Phase 4a Landside Improvement Project, Issuing of 408 Permission and 404 Permits, California Department of Water Resources (DWR) and the California Central Valley Flood Protection Board, Sutter and Sacramento Counties, CA.

*Summary:* EPA continues to have environmental concerns about flood risk impacts and the need for a PM 2.5 modeling assessment and a general conformity determination.

EIS No. 20100044, ERP No. F-AFS-K65368-CA, Lower Trinity and Mad River Motorized Travel Management, Proposed to Prohibit Cross-County Motor Vehicle Travel Off Designated National Forest Transportation System (NFTS) Roads and Motorized Trails, Six River National Forest, CA.

*Summary:* EPA continues to have environmental concerns about the scope of the travel management planning process and routes proposed in impaired watersheds. EPA recommended the action include current roads and trails with known impacts and a thorough evaluation of all impacts to water resources.

EIS No. 20100058, ERP No. F-FHW-F40445-IN, I-69 Evansville to Indianapolis, Indiana Project, Section 2, Revised to Update the Stream Impacts, Oakland City to Washington, (IN-64 to US 50), Gibson, Pike and Daviess Counties, IN.

*Summary:* EPA's previous issues have been resolved; therefore, EPA does not object to the proposed action.

Dated: March 30, 2010.

**Robert W. Hargrove,**  
Director, NEPA Compliance Division, Office of Federal Activities.

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-R03-OW-2009-0985; FRL-9133-4]

### Proposed Determination To Prohibit, Restrict, or Deny the Specification, or the Use for Specification (Including Withdrawal of Specification), of an Area as a Disposal Site; Spruce No. 1 Surface Mine, Logan County, WV

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** Pursuant to Section 404(c), the United States Environmental Protection Agency Region III (EPA) is requesting public comments on its proposal to withdraw or restrict use of Seng Camp Creek, Pigeonroost Branch, Oldhouse Branch, and certain tributaries to those waters in Logan County, West Virginia to receive dredged and/or fill material in connection with construction of the Spruce No. 1 Surface Mine (Spruce No. 1 Mine or the project).

An important part of EPA's mission is to ensure our environment and public health are protected and restored for current and future generations. Among ways that EPA carries out its mission is by ensuring appropriate implementation of the Clean Water Act. Section 404(c) of the Clean Water Act (CWA) authorizes the U.S. Environmental Protection Agency (EPA) to prohibit, restrict, or deny use of any defined area in waters of the United States for specification (including the withdrawal of specification) for the discharge of dredged and/or fill material whenever it determines, after notice and opportunity for public hearing, that use of such sites to receive dredged and/or fill material would have an unacceptable adverse impact on various resources, including fisheries, wildlife, municipal water supplies, and recreational areas. This authority is often referred to as EPA's authority to "veto" a CWA Section 404 permit to discharge dredged and/or fill material to waters of the United States.

The Spruce No. 1 Mine is one of the largest surface mining operations ever authorized in Appalachia. In connection