

vertical launch area and control center area. The proposed vertical launch area site is currently undeveloped and is located directly adjacent to the eastern terminus of Texas State Highway 4 (Boca Chica Boulevard) and approximately 3 miles north of the Mexican border on the Gulf Coast. It is located approximately 5 miles south of Port Isabel and South Padre Island. At the vertical launch area, the new facilities required would include an integration and processing hangar, a launch pad and stand with its associated flame duct, a water tower, a retention basin for deluge water, propellant storage and handling areas, a workshop and office area, and a warehouse for parts storage.

The command and control functions for a launch are required to be conducted at a safe separation distance from the actual launch pad. The control center area would be located inland, approximately 2 miles west of the vertical launch area and would include control center buildings, payload processing facilities, a launch vehicle processing hangar, generators and diesel storage facilities, and a satellite fuels storage facility. All facilities would be constructed through private funding, on currently undeveloped private property that would be purchased or leased by SpaceX. In addition, new underground power lines would be installed in the State Highway 4 Right-of-Way from the control center area to the vertical launch area.

Operations would consist of up to 12 launches per year with a maximum of two Falcon Heavy launches. All Falcon 9 and Falcon Heavy launches would be expected to have commercial payloads, including satellites or experimental payloads. In addition to standard payloads, the Falcon 9 and Falcon Heavy may also carry a capsule, such as the SpaceX Dragon capsule. All launch trajectories would be to the east over the Gulf of Mexico.

Alternatives under consideration include the Proposed Action and the No Action Alternative. Under the No Action Alternative, the FAA would not issue a license or experimental permit to SpaceX. The Draft EIS evaluates the direct, indirect, and cumulative environmental impacts of the Proposed Action and No Action Alternative on several environmental impact categories, including compatible land use (including farmlands and coastal resources); Section 4(f) properties; noise; visual resources and light emissions; historical, architectural, archaeological, and cultural resources; air quality; water resources (including wetlands, floodplains, surface waters,

groundwater, and wild and scenic rivers); biological resources (including fish, wildlife, and plants); hazardous materials, pollution prevention, and solid waste; socioeconomic, environmental justice, and children's environmental health risks and safety risks; energy supply and natural resources; and secondary (induced) impacts. Additional resources were also considered including airspace, health and safety, and ground traffic and transportation. The Proposed Action would include a significant encroachment on floodplains per DOT Order 5650.2, *Floodplain Management Protection*.

Issued in Washington, DC, on April 11, 2013.

**Daniel Murray,**

*Deputy Manager, Space Transportation Development Division.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on State Highway 99 (Segment C) in Texas

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA and Other Federal Agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project, Grand Parkway (State Highway 99) Segment C, from US 59 (S) to SH 288 in Fort Bend and Brazoria Counties, Texas. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before September 16, 2013. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gregory Punske, P.E., District Engineer, District B (South), Federal Highway Administration, 300 East 8th Street, Room 826 Austin, Texas 78701; telephone: (512) 536-5960; email: [gregory.punske@fhwa.dot.gov](mailto:gregory.punske@fhwa.dot.gov). The

FHWA Texas Division Office's normal business hours are 7:45 a.m. to 4:15 p.m. (central time) Monday through Friday. You may also contact Mr. Carlos Swonke, Environmental Affairs Division, Texas Department of Transportation, 118 E. Riverside Drive, Austin, Texas 78704; telephone: (512) 416-2734; email:

[Carlos.Swonke@txdot.gov](mailto:Carlos.Swonke@txdot.gov). The Texas Department of Transportation normal business hours are 8 a.m. to 5 p.m. (central time) Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the following highway project in the State of Texas: Grand Parkway (State Highway 99) Segment C from US 59 (S) to SH 288 in Fort Bend and Brazoria Counties; FHWA Project Reference Number: FHWA-TX-EIS-03-03-F. The project will be a 41.8 km (26 mi) long, four-lane controlled access toll road with intermittent frontage roads, grade-separated intersections with exit and entrance ramps at eight intersections, while the need for elevated directional interchanges will be determined during final design. It will begin at SH 288 in Brazoria County and then proceeds northwest through Fort Bend County and end at US 59. The purpose of the project is to efficiently link the suburban communities and major roadways, enhance mobility and safety, and respond to economic growth. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on August 8, 2012, in the FHWA Record of Decision (ROD) issued on March 29, 2013, and in other documents in the FHWA administrative record. The FEIS, ROD, and other documents in the FHWA administrative record file are available by contacting the FHWA or the Texas Department of Transportation at the addresses provided above. The FHWA FEIS and ROD can be viewed and downloaded from the Grand Parkway Association Web site at <http://www.grandpky.com/segments/c/>.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4335]; Federal-Aid Highway Act [23 U.S.C. 109].

2. Air: Clean Air Act, 42 U.S.C. 7401-7671(q).

3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].

4. Wildlife: Endangered Species Act [16 U.S.C. 1531–1544] Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)], Migratory Bird Treaty Act [16 U.S.C. 703–712].

5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) et seq.]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–(ll)]; Archeological and Historic Preservation Act [16 U.S.C. 469–469(c)].

6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

7. Wetlands and Water Resources: Clean Water Act, 33 U.S.C. 1251–1342; Land and Water Conservation Fund (LWCF), 16 U.S.C. 4601–4604.

8. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11514 Protection and Enhancement of Environmental Quality.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: April 4, 2013.

**Gregory S. Punske,**  
District Engineer.

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**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in California

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans), pursuant to 23 U.S.C. 327.

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans, that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a Locally Administered federal aid project (RPSTPLE 5914 (042) and (043)) being carried out by Lake County with NEPA

oversight being conducted by the State of California. The project takes place in Lake County, immediately adjacent to the town of Lakeport on South Main Street and Soda Bay Rd. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before September 16, 2013. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For Caltrans: Brandon Larsen, Senior Environmental Planner Office of Local Assistance, telephone (707) 445–6410, email [Brandon\\_Larsen@dot.ca.gov](mailto:Brandon_Larsen@dot.ca.gov). For Lake County: Lars Ewing, Assistant Public Works Director, telephone (707) 263–2341, email [Lars.Ewing@lakecountyca.gov](mailto:Lars.Ewing@lakecountyca.gov).

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans, has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following locally administered project in the State of California: The federal aid project is RPSTPLE 5914 (042) and (043). The Lake County Department of Public Works (DPW) proposes to add a center turning lane, construct Class II bicycle lanes, underground overhead utility lines, and improve utility infrastructure on South Main Street and Soda Bay Road in the Lakeport area of Lake County, California. The South Main Street and Soda Bay Road Widening and Bike Lanes Project consists of a 0.5-mile segment of South Main Street, from the Lakeport city limits to the State Route (SR) 175 extension, and a 0.75-mile segment of Soda Bay Road extending south from SR 175 to approximately 0.1 mile west of Manning Creek.

The goal of the project is to improve traffic flow and pedestrian safety along South Main Street and Soda Bay Road. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (FEA) for the project, approved on 12/19/12, in the FHWA Finding Of No Significant

Impact (FONSI) issued on 02/05/13, and in other documents in the FHWA project records. The FEA, FONSI, and other project records are available by contacting Caltrans at the addresses provided above.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. National Environmental Policy Act (NEPA)
2. Section 106 of the National Historic Preservation Act
3. Endangered Species Act
4. Civil Rights Act
5. E.O. 11990 Protection of Wetlands
6. E.O. 11988 Floodplain Management
7. E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations
8. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
9. Resource Conservation and Recovery Act (RCRA)

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: April 11, 2013.

**Gary Sweeten,**

Team Leader, Local Programs, Federal Highway Administration, Sacramento, California.

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Intent To Grant Buy America Waiver to Amtrak To Use Three Non-Domestic Component Parts in No. 32.75 136RE Special Turnouts Manufactured in the U.S. by voestalpine Nortrak, Inc.

**AGENCY:** Federal Railroad Administration (FRA), United States Department of Transportation (DOT).

**ACTION:** Notice of intent to grant Buy America waiver.

**SUMMARY:** FRA is issuing this notice to advise the public that it intends to grant the National Railroad Passenger Corporation (“Amtrak”) a waiver to purchase four (4) No. 32.75 136RE Special Turnouts (“Turnouts”) manufactured by voestalpine Nortrak,