

Administrator, U.S. Environmental Protection Agency, under the authority of Section 401 and Section 404 of the Clean Water Act. The Section 404(b)1 evaluations and other preliminary analyses indicate that the proposed project will result in no significant adverse impacts to the aquatic ecosystem, recreation, aesthetics, flood protection or economic values of the waterways. The U.S. Army Corps of Engineers, Baltimore District, has received a Section 401 water quality certification, dated 20 March 1995, from the Commonwealth of Pennsylvania for the levee raising project.

5. A Public Notice (PN) and Notice of Availability (NOA) were published in the Federal Register on November 1, 1994, which began a 45 day draft public review period. The NOA and draft document were sent to more than 500 congressional interests, state interests, federal, state and local agencies, public media, educational institutions, special interest groups, businesses, and individual interests. The Corps of Engineers received approximately 80 comments. Each comment was addressed in the Phase II GDM and FSEIS, in addition to individual response letters explaining how each comment was to be addressed in the final document. Based on the comments, it was determined that a public hearing was not needed. After the final public review period, a Record of Decision (ROD) will be signed and published in the Federal Register.

6. The FSEIS has been submitted for final review. Any person who has an interest in the project may request for a copy of the final Phase II GDM and FSEIS. Any requests must be submitted within 30 days of the date of this notice to: District Engineer, ATTN: CENAB-PL-RP, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland 21203-1715.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

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BILLING CODE 3710-41-M

Department of the Navy

Record of Decision for the Establishment of the United States Navy Mine Warfare Center of Excellence in the Corpus Christi Bay Area, Texas

SUMMARY: Pursuant to section 102(2) of the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality regulations implementing NEPA procedures (40 CFR Parts 1500-1508), the Department

of the Navy announces its decision to establish the Mine Warfare Center of Excellence (MWCE) in the Corpus Christi Bay area by collocating its Mine Warfare (MIW) and Mine Counter Measures (MCM) assets in proximity to each other at Naval Station (NAVSTA) Ingleside and Naval Air Station (NAS) Corpus Christi, Texas. The proposed action includes new construction at these installations and off-base, use or modification to existing facilities at the installations, and the establishment of offshore training and operating areas.

Congress directed the Navy to establish the MWCE at NAVSTA Ingleside in the FY94 Defense Appropriations Act. A Notice of Intent (NOI) was published in the Federal Register on November 19, 1993, indicating the Department of the Navy would prepare an Environmental Impact Statement (EIS) for the establishment of the United States Navy Mine Warfare Center of Excellence in the Corpus Christi Bay Area, Texas. Two public scoping meetings were held to determine the scope of significant issues to be examined in the EIS. The first meeting was held on December 7, 1993 in Flour Bluff, Texas, and the second meeting was held on December 8, 1993 in Corpus Christi, Texas. A Draft EIS (DEIS) was filed with the U.S. Environmental Protection Agency (EPA) and distributed to agencies and officials of federal, state, and local governments, citizen's groups and associations, media, public libraries, and interested parties for review and comments. The Notice of Filing and Notice of Public Availability appeared in the Federal Register on May 5, 1995. The period of public review and comment on the DEIS was from May 5, 1995 through June 19, 1995. Two public hearings were held during this period: the first on June 6, 1995 in Flour Bluff, Texas, and the second on June 7, 1995 in Ingleside, Texas. Comments on the DEIS were received in three forms: (1) Letters, (2) written comments received at the public hearings, and (3) oral statements made at the hearings. Comments included concerns about habitat impacts, terrestrial vegetation impacts, seagrass impacts, mitigation, water quality, landuse, wildlife impacts, and surfing impacts. Those comments and Navy responses were incorporated into the Final Environmental Impact Statement (FEIS), which was filed with the EPA on December 15, 1995 and distributed for public review.

Two letters of comments were received during public review of the FEIS. The Office of the Governor had no substantive comment and the EPA

reiterated its "lack of objection" rating given on the DEIS.

The EIS evaluated the reasonable facility alternatives to implementing the proposed action in the Corpus Christi Bay area and the environmental impacts of the construction, modification, and operation of the proposed facilities and establishment of offshore training and operating areas. In addition to the various facility alternatives discussed in the EIS, a "No Action" alternative was evaluated. In the "No Action" alternative, an MWCE would not be established leaving assets and facilities spread out at several locations. This alternative was eliminated because it would continue to degrade the Navy's ability to properly perform its expeditionary warfare mission in support of possible contingencies world-wide. This alternative also would not comply with Congressional direction.

New facility construction includes a Magnetic Silencing Facility (MSF), required to measure the magnetic signature of MIW ships, to be located at a site north of Jewell Fulton Canal near NAVSTA Ingleside. The MSF consists of two components: An electromagnetic roll (EMR) "crib" and a "check" range. The EMR "crib" requires 27 feet of water depth, navigable access to the pier, and a turning basin. The facility will consist of two parallel timber piers approximately 50 feet apart and 320 feet long that are 14 feet wide, an instrument building, and a generator building. The "check" range will consist of a Closed Loop Degaussing (CLDG) component built over the "crib" with minimum modification to the proposed pier configuration to accommodate all classes of MIW ships. Dredging of the MSF site will remove approximately 450,000 cubic yards (CY) of dredged material. The 50-year maintenance requirement could require dredging of approximately 720,000 CY. Dredge material will be disposed of at Navy's existing upland disposal site near the La Quinta Channel area. Dredging of the MSF will cause the loss of approximately 3.5 acres of seagrass. The Navy has prepared a mitigation plan to compensate for the loss of the seagrass area which has been approved in concept by the U.S. Army Corps of Engineers (USAEC).

The Aviation Mine Counter Measures (AMCM) Sled Facility, required to train helicopter pilots in the launching and recovery of magnetic influenced AMCM sleds, will be located on North Padre Island adjacent to the Padre Island National Seashore. The facility will include a landing pad, launch ramp, a staging area capable of holding and

maintaining the sleds, tiedown capability, maintenance/personnel support structure, security systems, and on-site wash rack. Mobile fueling capability will be provided for sled operations; however, no permanent fueling facilities will be constructed. Construction of the AMCM facility at North Padre Island will result in a removal of approximately 1.77 acres of ephemeral fresh to brackish wetland swales. The Navy will replace the wetlands at a ratio established through the permitting process.

A small craft pier will be constructed near the east end of the existing wharf at NAVSTA Ingleside where dredging is not required. The pier will be 600-foot by 30-foot, reinforced concrete construction and will include utilities. The function of the pier is to accommodate utility boats used in support of the mine warfare exercises and other assignments. A 32-foot wide concrete launching ramp extending from the existing wharf deck located adjacent to the east of the small craft pier will also be constructed.

Administrative Facilities required for the MWCE will be located in existing facilities at NAS Corpus Christi and NAVSTA Ingleside. Support for two MH-53E Sea Dragon helicopter squadrons will be accommodated by modifying existing hangars and support facilities at NAS Corpus Christi. New bachelor enlisted housing (approximately 119,130 square feet) will be constructed in a vacant site within the Community Facilities Area of NAS Corpus Christi to house approximately 722 enlisted personnel.

Mobile Mine Assembly Group (MOMAG) Unit Fifteen will use existing Hangar 3 (Building 760) at NAS Kingsville for administrative and operations space. Explosive Ordnance Disposal (EOD) Mobile Unit Six will reside in existing facilities located in the Housing Area to the southeast of the hospital at NAS Corpus Christi. An additional 200-foot by 50-foot "drive-through" building will be required to complete the storage needs for EOD equipment. An on-shore explosive pit will also be constructed in the southwest section of NAS Corpus Christi near the existing skeet/trap range for EOD training purposes.

Training and operating areas will be established in the Gulf of Mexico off North Padre Island, collocated with the AMCM Sled Facility, and within Mineral Management Service (MMS) Lease Blocks 732, 733, 734, 793, 799, and 816. This will include a permanent drill minefield and an Ordnance Detonation Area, required for the detonation of practice mines using a

maximum of 10 pounds C-4 explosive (equivalent to 8 pounds of TNT). This area (a one nautical mile by one nautical mile area) is in the southeast corner of MMS Lease Block 816. Surface restrictions in these areas will be established to allow for both daily MIW training and quarterly integrated training.

In selecting the preferred facility and operating site locations, various alternatives were considered with respect to environmental impacts, as well as other factors including cost. The evaluation criteria included a location's ability to meet a best balance of project need, physical, biological, and socioeconomic impacts. A brief summary of the alternatives considered and their rationale for the selection follows:

Six alternative sites in the coastal bend area of Texas were considered for the location of each of the two components ("crib" and "check" range) of the MSF. Because one of the operational requirements of the MSF is for the "check" range to be visible from the EMR "crib" instrumentation, a two step evaluation was used to select the site(s) for the two components. The initial step consisted of the evaluation of the six EMR component sites followed by the evaluation of the "check" range component sites which were operationally acceptable (visible) to the EMR. One EMR site was initially eliminated because it was outside of the acceptable operation distance for MCM-type ships and a second was eliminated because it did not provide access to the Gulf. The chosen EMR alternative (Jewell Fulton Canal) was selected because it represented the least potential adverse impacts to the environment. Once the Jewell Fulton Canal site was selected for the location of the EMR component, the CLDG component was determined to be the most acceptable "check" range alternative because it required no additional dredging and limited adverse impacts to bay waters.

The only site considered for the small craft pier was NAVSTA Ingleside because it already provides existing Navy homeport and support facilities unavailable at any other locations in the Corpus Christi Bay area.

Five alternatives initially were considered for the AMCM facility; of these, three were determined to be operationally unacceptable and one had the potential for major environmental impacts. The launch-from-a-ramp facility located on the beach was judged to be the most feasible alternative. The beach launch alternative considered three sites, of these the North Padre

Island site was determined to be the most operationally acceptable and would cause the least potential impact to the environment and public.

For the MOMAG facility, three sites other than the chosen NAS Kingsville site were considered: NAVSTA Ingleside, NAS Corpus Christi, and government facilities in San Antonio, Texas. NAS Kingsville had available administrative and operations space which could meet space requirements without new construction and also had existing support facilities.

Only NAS Corpus Christi had available space to meet EOD administrative and on-shore explosive pit requirements in acceptable landuse areas.

Three alternative sites were considered for the Very Shallow Water/Littoral Training Area: San Jose Island, Mustang Island, and North Padre Island. San Jose Island and Mustang Island were eliminated because these two sites contain enough impediments (navigation fairways, oil and gas pipelines, offshore platforms, and/or areas of heavy beach usage by the public) to make the areas operationally unacceptable. Thus, the North Padre Island site was selected as the location for the Very Shallow Water/Littoral Training Area.

All five of the areas considered for the Medium Water Depth Training and Operating Areas met the evaluations criteria (within reasonable operational distances and in areas of minimal or non-existent finfish habitat). The three chosen sites (MMS Lease Blocks 793, 799, and 816) were selected because they are adjacent to each other, making operations more convenient, and are currently unleased. The only areas considered for the Deep Water Training and Operating Areas were MMS Lease Blocks 732, 733, and 734. They were the only unleased deep water blocks within acceptable distances which met the criteria of having minimal or non-existent finfish habitat.

All practicable means to avoid or minimize environmental impacts of these facilities and operating areas have been adopted. Activities have been located in existing buildings as much as practicable, with some buildings requiring rehabilitation/remodeling. New facilities have been sited after extensive alternatives analysis, and the chosen sites result in the least environmental impact of the reasonable alternatives.

Impacts to water quality, air quality, benthic organisms, marine and natural resources will briefly occur during dredging and dredged material disposal activities and the various facility

construction activities. However, these short-term impacts are not considered significant within the context of the over-all project area and with implementation of specific construction measures described herein and in the EIS. Generally, construction of the various proposed facilities will incorporate erosion control measures consistent with the requirements of the National Pollution Discharge Elimination System (NPDES) General Permit for Construction Activity. Where necessary, a Notice of Intent (NOI) will be submitted to the EPA for any proposed facility which exceeds five acres of construction area. This process will include the preparation and implementation of a Storm Water Pollution Prevention Plan. All open portions of sites will be landscaped and revegetated following construction. During construction, noise-producing activities will be generally conducted during normal operating hours to limit disturbance and annoyance. During dredging and disposal of dredged material, the best available equipment and techniques will be used to minimize the quantity and area of distribution of suspended sediments. Dredging plans will be formulated to meet the requirements of the Federal Water Pollution Control Act (Clean Water Act) and necessary permits.

In accordance with Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act, all required permits from the USACE to perform work in navigable waters of the United States and for the placement of fill material in waters of the United States will be obtained prior to construction and operation of the proposed facilities. In addition to the submission of permit applications to allow work in jurisdictional waters, a permit application will be submitted to the USACE to establish surface restricted areas to allow for offshore training and operating in accordance with 33 CFR 334, Danger Zone and Restricted Area Regulations.

In accordance with the Coastal Barrier Resources Act of 1982, the U.S. Fish and Wildlife Service has determined that the construction of the proposed AMCM sled facility on North Padre Island qualifies for an exception under Section 6(a)(4) of that Act; that is, military activities essential to national security. In addition to the Coastal Barrier Resources Act, the proposed beach site is covered under the Texas Open Beaches Act. The policy of the State of Texas is that the public shall have free and unrestricted access to state-owned beaches. Section 61.022 of the Act provides an exemption for lawful

structures authorized by the Constitution or laws of the state or the United States. The Navy will coordinate with the local county government, the Texas General Land Office, and the Office of the Attorney General consistent with the Texas Open Beaches Act when acquiring beach front property and before construction of the ramp facility.

In compliance with the National Historic Preservation Act, potential impacts to cultural resources have been evaluated at the proposed sites. No sites listed on the National Register of Historic Places, outside of NAS Corpus Christi and NAS Kingsville, exist in the proposed area of operations. Any alterations of historic properties at either NAS Corpus Christi or NAS Kingsville, above or beyond normal maintenance, for proposed facilities will be consistent with existing cultural resources management plans and Section 106 of the National Historic Preservation Act. Underwater anomalies were identified at the proposed Jewell Fulton Canal EMR "crib" site and a single anomaly, which would be avoided during construction, near the proposed AMCM sled ramp. In the event that construction would disturb the anomalies, additional investigations to establish signature identity and determine potential National Register eligibility would be performed. The State Historic Preservation Office concurs with this procedure.

To ensure compliance with the Endangered Species Act and Marine Mammal Protection Act during training and operations, a Memorandum of Agreement between the National Marine Fisheries Service and the Department of the Navy is being finalized to implement a mitigation plan that would incorporate visual and electronic surveillance before, during, and after each planned detonation activity.

Impacts associated with the relocation of 9,697 personnel (both military and dependents) have been addressed and coordinated with state and local governments and agencies. A Navy housing study has projected that there will be a shortfall of affordable one- and two-bedroom family housing units. This projected deficit in one- and two-bedroom units will be particularly acute among junior enlisted personnel. The Secretary of the Navy has solicited proposals from qualified private developers interested in forming a limited partnership to develop, maintain, and manage a family housing project in which a maximum of 400 units of affordable housing will be made available to Navy families on a preferential basis.

Approximately 2,926 school age children are expected to move into the area. The Corpus Christi School District is expected to have the largest influx of approximately 1,201 school age children; however, this increase represents less than three percent of its present enrollment and only half of its available additional capacity. The Flour Bluff School District, which is projected to experience an increase of approximately 677 school aged children, is expected to experience the greatest impact because of its small size, proximity, and current crowded conditions. However, planning for 24 new buildings to provide additional capacity is now underway. This is expected to resolve overcrowding concerns for the next five years.

Pursuant to Executive Order 12898, Environmental Justice, potential environmental and economic impacts on minority and low income populations and communities were assessed. No disproportionate concentrations of minority or low income populations were identified in the area of impacts of the various facilities and operations. Additionally, the Navy has ensured that opportunities for community involvement (including minority and low income individuals and populations) in the NEPA process have been provided.

There are adequate utility capacities in the region to support the establishment of the MWCE. Potable water use in the region would increase about four percent through the turn of the century as a result of the establishment of the MWCE. Additional discharges to area wastewater treatment plants from proposed MWCE facilities is not expected to exceed facility capacities. Community support, such as police and fire protection, must be increased to accommodate the new residents; however, this is not expected to impose a significant burden on the communities.

Questions regarding the Environmental Impact Statement prepared for this action may be directed to: Commanding Officer, Southern Division, Naval Facilities Engineering Command, P.O. Box 190010, North Charleston, South Carolina 29419-9100 (Attention: Mr. Will Sloger, Code 064WS), telephone (803) 820-5797.

Dated: February 21, 1996.
 Duncan Holaday,
Deputy Assistant Secretary of the Navy
(Installations and Facilities)
 Dated: February 21, 1996.
 M.D. Schetzlsle,
LT JAGC, USNR, Alternate Federal Register
Certifying Officer.
 [FR Doc. 96-4479 Filed 2-27-96; 8:45 am]
 BILLING CODE 3810-FF-P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Fernald

AGENCY: Department of Energy.
ACTION: Notice of open meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) notice is hereby given of the following Advisory Committee meeting: Environmental Management Site-Specific Advisory Board (EM SSAB), Fernald.

DATES: Saturday, March 9, 1996: 8:30 a.m.-12:00 p.m.

ADDRESS: The Joint Information Center, 6025 Dixie Highway, Route 4, Fairfield, Ohio.

FOR FURTHER INFORMATION CONTACT: John S. Applegate, Chair of the Fernald Citizens Task Force, P.O. Box 544, Ross, Ohio 45061, or call the Fernald Citizens Task Force office (513) 648-6478.

SUPPLEMENTARY INFORMATION:

Purpose of the Board

The purpose of the Board is to make recommendations to DOE and its regulators in the areas of future use, cleanup levels, waste disposition and cleanup priorities at the Fernald site.

Tentative Agenda

Saturday, March 9, 1996.
 8:30 a.m.—Call to Order, Chair's Remarks
 8:40 a.m.—Status of Community Reuse Organization
 8:50 a.m.—Proposed Revisions to Task Force Charter
 9:05 a.m.—Committee Chairs' Reports
 9:20 a.m.—Natural Resource Damage Issues
 10:00 a.m.—Status of Legacy Waste Removal
 10:30 a.m.—Break
 10:45 a.m.—Overview of 10-year Cleanup Schedule
 11:15 a.m.—Groundwater Cleanup Issues
 11:45 a.m.—Opportunity for Public Input
 12:00 p.m.—Adjourn

A final agenda will be available at the meeting, Saturday, March 9, 1996.

Public Participation

The meeting is open to the public. Written statements may be filed with the Task Force chair either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact the Task Force chair at the address or telephone number listed above. Requests must be received 5 days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Official, Gary Stegner, Public Affairs Officer, Ohio Field Office, U.S. Department of Energy, is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of 5 minutes to present their comments. This notice is being published less than 15 days before the date of the meeting, due to programmatic issues that had to be resolved prior to publication.

Minutes

The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585 between 9:00 a.m. and 4:00 p.m., Monday-Friday, except Federal holidays. Minutes will also be available by writing to John S. Applegate, Chair, the Fernald Citizens Task Force, P.O. Box 544, Ross, Ohio 45061 or by calling the Task Force message line at (513) 648-6478.

Issued at Washington, DC on February 22, 1996.

Rachel Murphy Samuel,
Acting Deputy Advisory Committee
Management Officer.

[FR Doc. 96-4517 Filed 2-27-96; 8:45 am]

BILLING CODE 6450-01-P

Environmental Management Site-Specific Advisory Board, Department of Energy/Los Alamos National Laboratory

AGENCY: Department of Energy.
ACTION: Notice of open meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) notice is hereby given of the following Advisory Committee meeting: Environmental Management Site-Specific Advisory Board (EM SSAB), Los Alamos National Laboratory.

DATES: Tuesday, March 12, 1996: 6:30 pm-9:30 pm; 7:00 pm to 8:00 pm (public comment session).

ADDRESSES: Bureau of Indian Affairs/Northern Pueblos Agency Conference Room, San Juan Pueblo, PO 4259, Fairview Station, Espanola, New Mexico 87532.

FOR FURTHER INFORMATION CONTACT: Ms. Kimberly Roybal, Los Alamos National Laboratory Citizens' Advisory Board Support, Northern New Mexico Community College, 1002 Onate Street, Espanola, NM 87352, (800)753-8970, or (505)753-8970.

SUPPLEMENTARY INFORMATION

Purpose of the Board

The purpose of the Advisory Board is to make recommendations to DOE and its regulators in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda

Tuesday, March 12, 1996

6:30 pm—Call to Order and Welcome
 7:00 pm—Input from the Public
 8:00 pm—DOE/LANL Environmental Restoration Briefing
 8:30 pm—Sub-Committee Reports
 9:30 pm—Adjourn

Public Participation

The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Ms. Lisa Roybal, at the telephone number listed above. Requests must be received 5 days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Official is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Minutes

The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585 between 9:00 a.m. and 4 p.m., Monday-Friday, except Federal holidays. Minutes will also be available by writing to Herman Le-Doux, Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87185-5400.

Issued at Washington, DC on February 22, 1996.

Rachel M. Samuel,
Acting Deputy Advisory Committee
Management Officer.

[FR Doc. 96-4518 Filed 2-27-96; 8:45 am]

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