

DEPARTMENT OF DEFENSE**Office of the Secretary****U.S. Strategic Command Strategic Advisory Group**

AGENCY: Office of the Secretary, USSTRATCOM, Department of Defense.

ACTION: Notice.

SUMMARY: The Strategic Advisory Group (SAG) will meet in closed session on November 19 and 20, 1998. The mission of the SAG is to provide timely advice on scientific, technical, and policy-related issues to the Commander in Chief, U.S. Strategic Command, during the development of the nation's strategic war plans. At this meeting, the SAG will discuss strategic issues that relate to the development of the Single Operational Plan (SIOP). Full development of the topics will require discussion of information classified TOP SECRET in accordance with Executive Order 12958, April 17, 1995. Access to this information must be strictly limited to personnel having requisite security clearances and specific need-to-know. Unauthorized disclosure of the information to be discussed at the SAG meeting could have exceptionally grave impact upon national defense.

In accordance with section 10(d) of the Federal Advisory Committee Act, (5 U.S.C. App 2), it has been determined that this SAG meeting concerns matters listed in 5 U.S.C. 552b(c) and that, accordingly, this meeting will be closed to the public.

Dated: September 15, 1998.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 98-25158 Filed 9-18-98; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF DEFENSE**Department of the Navy****Record of Decision for the Transfer and Reuse of Naval Weapons Industrial Reserve Plant, Calverton, New York**

AGENCY: Department of the Navy, DOD.

ACTION: Notice of Record of Decision.

SUMMARY: The Department of the Navy, after carefully weighing the environmental implications of transferring Naval Weapons Industrial Reserve Plant (NWIRP) Calverton out of Navy ownership, announces its decision to transfer the property to the Town of Riverhead, NY; the New York State Department of Environmental

Conservation (NYSDEC); and the Department of Veterans Affairs.

FOR FURTHER INFORMATION CONTACT: Mr. Bob Ostermueller, Northern Division Naval Facilities Engineering Command (Code 202.2), Mail Stop 82, 10 Industrial Highway, Lester, PA 19113, telephone (610) 595-0759.

SUPPLEMENTARY INFORMATION: The text of the entire Record of Decision is provided as follows:

Pursuant to Public Law (PL) 103-C337 and 104-106, Section 102(2)C of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4331 *et seq.*) and the Council on Environmental Quality Regulations for implementing NEPA procedures (40 CFR 1500-1508), the Department of the Navy (Navy) announces its decision to transfer the Naval Weapons Industrial Reserve Plant Calverton (NWIRP Calverton) to the Town of Riverhead, NY; the New York State Department of Environmental Conservation (NYSDEC); and the U.S. Department of Veterans Affairs (VA). The transfer and subsequent reuse of these properties will be consistent with the preferred alternative as described in the Final Environmental Impact Statement (FEIS) prepared for this action.

Background

The transfer of this property has been authorized by two acts of legislation. Under PL 130-C-337, "the Secretary of the Navy may convey, without consideration, to the Community Development Agency of the Town of Riverhead, all right, title, and interest of the United States in and to a parcel of land, and improvements thereon, consisting of approximately 2,900 (2,923) acres and comprising a portion of the Naval Weapons Industrial Reserve Plant, Calverton, New York". Also, the legislation allows for the transfer of the remaining 3,137 acres, consisting of flight operations buffer zones, to the NYSDEC. Under PL 104-106, "the Secretary of the Navy may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of Veterans Affairs a parcel of real property consisting of approximately 150 acres located adjacent to the Calverton National Cemetery, Calverton New York, and comprising a portion of the buffer zone of the Naval Weapons Industrial Reserve Plant, Calverton NY".

Alternatives Considered

The Navy considered three alternatives for reuse of the 2,923 acres of NWIRP Calverton and a no action alternative where the 2,923 acres would

be retained as federal property. The transfer of 3,137 acres to the NYSDEC and the transfer of 150 acres to the VA are components of each of the three reuse alternatives. The transfer of 3,137 acres is not a component of the no action alternative and transfer of this property to the NYSDEC and the transfer of 150 acres to the VA are independent of the decision to transfer the 2,923 acre parcel to the Town of Riverhead.

Transfer of the property to Riverhead, and its subsequent implementation of the Calverton Enterprise Park Reuse Plan, the preferred reuse alternative, would result in the development of a multi-use enterprise park with a core industrial complex and a limited industrial air park, with other uses including a theme park and attractions; commercial recreation; family entertainment center; stadium; golf course; and open space. The 3,137-acre flight operation buffer zones would remain in their natural (undeveloped) state and would be transferred to the NYSDEC.

The second reuse alternative is the Calverton Enterprise Park/Raceway Alternative. This alternative would retain many of the land uses of the preferred alternative with the most significant difference being that an automobile raceway complex of approximately 808 acres would replace the airport (835 acres). The automobile raceway would occupy much of the terrain as the airport proposed in the reuse plan. This alternative retains the industrial business park use and the existing 10,000 ft runway.

The third reuse alternative is the Peconic Village Alternative and, although this alternative includes some of the land use features of the other two alternatives (the industrial business park, hotel conference center, golf courses and open space), the site would be developed primarily as an age-restricted residential community containing an estimated 688 units of assisted living and 1,350 units of senior housing to accommodate a total of 2,889 residents. Approximately 260 acres of new buildings and paved areas would be expected. Combined with existing development, it is estimated that a total of 690 acres would be developed as buildings and/or paved areas.

Navy also evaluated a no action alternative that would leave the property in caretaker status with the Navy maintaining the physical condition of the property, providing a security force, and making repairs essential to safety.

Environmental Impacts of the Preferred Alternative

There are no direct environmental impacts related to the transfer of the property. This ROD focuses on the indirect environmental impacts that would likely result from the Town of Riverhead implementing the preferred alternative plan. The development of the Enterprise Park which has been estimated to occur over a 20-year period, will result in significant new vehicular traffic in the region. Over 42,000 daily vehicular trips are expected, a significant increase over the amount of daily traffic generated at NWIRP Calverton prior to its closure in 1994 (2,820 daily trips). Roadway improvements will be necessary to accommodate this increase in traffic and are expected to be undertaken by the local and state governments as the need arises.

Similarly, the increase in traffic following development of the Enterprise Park will result in higher noise levels, particularly in the late evening hours. The higher noise levels will exceed Federal Highway Administration standards for certain locations. Expected noise levels from aviation uses at the Park will not be significant because the level of aviation activity will be low.

Construction of a new sewage treatment facility and extension of a potable water supply will be required to meet the utility demands of the Enterprise Park development. There will be a loss of vegetation and habitat as new development is added to the Enterprise Park. Wetlands are located on the site and may be impacted by new development. However, any new construction that may impact wetlands must comply with appropriate federal and state regulations governing development in or near wetlands.

There are three eligible historic buildings and several sites of archeologically sensitive land at NWIRP Calverton. The Navy, the New York State Historic Preservation Office (SHPO), and the Advisory Council on Historic Preservation (ACHP) have signed a Programmatic Agreement (PA) that will protect these resources.

The expected fiscal impact, after the 20-year development period, will result in estimated annual employee earnings of approximately \$140 million. Over 6,200 direct and indirect jobs will be created and local tax revenues are predicted to be about \$19 million annually.

In accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income

Populations, the indirect effects of the proposed transfer and reuse are not expected to cause disproportionate adverse environmental or economic impacts specific to any groups or individuals from minority or low-income populations residing in the region. All populations will be affected equally and in the same manner by the proposed action.

Mitigation

Implementation of the decision to transfer Navy property does not require Navy to perform any mitigation measures, beyond those discussed here. As appropriate, the Navy will incorporate notices in the conveyance documents indicating that wetlands or threatened/endangered species occur on the parcel. The Navy will also fulfill its responsibilities in the Programmatic Agreement, and include a restrictive covenant in the conveyance documents to protect archeological resources. Redevelopment of NWIRP Calverton in accordance with the preferred alternative will result in impacts to the environment that can be mitigated or lessened by various mitigation measures. The measures would be the responsibility of the Town of Riverhead or an applicant proposing redevelopment at NWIRP Calverton.

Reuse will cause significant traffic impacts at various intersections in the study area surrounding the NWIRP Calverton. Potential mitigation measures may include changing of traffic signal timing, geometric improvements, and regulatory measures. These measures could be implemented by the State, the Town of Riverhead or an applicant proposing redevelopment at NWIRP Calverton.

Most of the on-site ponds are associated with wetlands and would not be adversely affected by future development because the developer must comply with strong state and federal laws protecting wetlands. Local planning review procedures ensure that sediment control measures would be included in construction design plans to mitigate the potential for adverse effects on surface waters.

The Town of Riverhead or its developers will have to consult with the NYSDEC before development can occur in the sections of the parcel designated as Compatible Growth Area of the Pine Barrens.

Three state-listed species are in an area where commercial and recreational development is proposed. The Town of Riverhead or its developers must consult with NYSDEC, and mitigate as appropriate.

Comments Received on the Final EIS

The Navy received comment letters from the US Environmental Protection Agency (EPA), the Department of Veterans Affairs (VA), a real estate and development company, a commentator on behalf of the Montaukett Indian Tribe, and the local descendants of a former property owner. Several comments were editorial in nature. Substantive comments are categorized as follows:

Wetlands and State-Listed Threatened/Endangered Species

EPA requested that the Navy consider the use of conservation easements to ensure the protection of wetlands that may be impacted during the redevelopment of the site. EPA also recommended that the property deed transfers be conditioned to require mitigation for protection of state-listed threatened/endangered species. The Navy will provide notification of the existence of these natural features in the transfer documents, and identify the regulatory agencies that have jurisdiction over these natural resources.

Hazardous Materials and Installation Restoration

Two commentators requested that Navy commit to completing all sampling, studies, and remedial actions necessary to implement the planned reuses in a manner consistent with protection of human health and the environment including lead-based paint in soils. The Navy will follow procedures mandated in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) to identify the extent of contaminants and apply the appropriate remediation to protect human health and the environment consistent with the preferred land use for the site. Only after the remedial action is completed or after installation of the selected remedy which has been demonstrated to be operating properly and successfully, will the retained federal lands be transferred. With regard to the treatment of lead-based paint in soils, the Navy believes that the normal use and maintenance of lead-based paint does not constitute evidence of a release of a hazardous substance as defined by CERCLA that requires a response.

Native American Concerns

Comments were received on behalf of the Montaukett Tribe of Long Island concerning the "official status" (federal recognition) of the Tribe and suggested that the FEIS is defective in ways that pose risk of severe harm to the Montaukett Tribe. Of primary concern to the Tribe was the archeological

investigations conducted by the Navy for this project. The commentor was concerned that the North American Graves Protection and Repatriation Act (NAGPRA) was not considered. This law provides Indian Tribes, recognized by the Bureau of Indian Affairs (BIA), certain rights concerning the treatment of ancestral burial. Another commentor noted that it appeared that no tribal representatives had been contacted during the preparation of the environmental impact statement, and that the archeological survey conducted for this project appears to have not been adequately completed. In response to these concerns, the Navy solicited the identification of interested persons and/or issues that should be addressed in the EIS through the scoping process, the notice of which was published in the **Federal Register** and local area newspapers. Additionally, the Navy consulted with the BIA, state and local governments and other interested agencies during the preparation of the EIS. Regarding the protection of ancestral burials, the Navy, in conjunction with the SHPO, developed a Phase IA archeological survey which identified approximately 300 acres of NWIRP Calverton that may contain artifacts that may be eligible for listing on the National Register of Historic Places. A follow-on study, also developed with the SHPO, was conducted to complete further archeological investigations on the lands most likely to be developed through the reuse of the site. Results of these surveys and the Programmatic Agreement prepared for the treatment of cultural resources at NWIRP Calverton, which requires that future development on archeologically sensitive portions of NWIRP Calverton be preceded by appropriate archeological studies, will ensure archeological resources, including burial sites in accordance with NAGPRA, are protected. The Programmatic Agreement covers the entire NWIRP Calverton site and requires future development to be preceded by consultation with and approval by the SHPO.

Cultural Resources

A number of commentors were concerned about the protection of cultural and archeological resources. EPA requested that Navy incorporate provisions of the Programmatic Agreement, developed in compliance with National Historic Preservation Act, into this ROD. The Navy will fulfill its responsibilities designated in the Programmatic Agreement.

Environmental Justice

EPA requested information concerning how the Navy satisfied its responsibilities under Executive Order (EO) 12898 for Environmental Justice particularly with regard to the concerns of the Montaukett Tribe. The Tribe notified EPA that the Tribe would be disproportionately affected by the reuse of NWIRP Calverton by the loss of Tribal burial grounds that may be disturbed during redevelopment of the site. The FEIS states that the proposed transfer and reuse of the site are not expected to cause disproportionate adverse environmental impacts specific to any groups or individuals from minority or low income populations residing in the study area. The concern noted by the Montaukett Tribe with regard to the requirements of this EO on the future development of the site potentially impacting ancestral burial areas has been considered and is provided for in the Programmatic Agreement and attached archeology covenant that will be included in the deed.

Calverton National Cemetery

The VA commented that increased traffic will affect public access to the Calverton National Cemetery. The Navy acknowledges that the planned redevelopment of the NWIRP facility will result in additional vehicular traffic in the area. The FEIS identified traffic improvements that may be implemented by the state and local governments that will improve traffic conditions.

Conclusion

The Calverton Enterprise Park Reuse Plan has been identified by the Town of Riverhead as its preferred alternative reuse plan. In the development of this plan, the Town of Riverhead Planning Commission established the following goals for the reuse of the NWIRP site: maximize job creation; increase tax bases; and enhance regional quality of life. The Calverton Enterprise Park Reuse Plan responds to local and regional economic conditions and promotes economic recovery from the closure of the NWIRP Calverton. The resultant environmental impacts can be mitigated by the acquiring entity under the direction of federal, state and local requirements.

The transfer of property to NYSDEC will allow undeveloped, wooded land to remain in its natural state. The transfer of property to VA for use as a federal cemetery will ensure a land use consistent with the adjoining VA property, and will allow the continued service that VA provides to the community.

Although the "no action" alternative has less potential for causing adverse environmental impacts, this alternative would not promote local economic redevelopment of the NWIRP site and would not create new jobs. Additionally it would not take advantage of the property's physical characteristics and infrastructure.

Based on the analysis contained in the FEIS and support provided in the administrative record, I have decided, on behalf of the Department of Navy, to direct transfer of portions of NWIRP Calverton to the Town of Riverhead to be redeveloped consistent with the Calverton Enterprise Plan; to the New York State Department of Environmental Conservation; and to the Department of Veterans Affairs.

Dated: September 9, 1998.

Duncan Holaday,

*Deputy Assistant Secretary of the Navy,
(Installations and Facilities).*

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DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

SUMMARY: The Acting Deputy Chief Information Officer, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before November 20, 1998.

ADDRESSES: Written comments and requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, S.W., Room 5624, Regional Office Building 3, Washington, D.C. 20202-4651, or should be electronically mailed to the internet address Pat.Sherrill@ed.gov, or should be faxed to 202-708-9346.

FOR FURTHER INFORMATION CONTACT: Patrick J. Sherrill (202) 708-8196.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early