

or provide significant public benefits. NTIA, Rural Development, and the Federal Communications Commission will host a public meeting to discuss the broadband initiatives funded by the Act, including the new Broadband Technology Opportunities Program, the new Rural Development Broadband Program, and the development of a National Broadband Plan. The public meeting agenda and information about the new program will be available at NTIA's website at <http://www.ntia.doc.gov/broadbandgrants>, Rural Development's website at <http://www.usda.gov/rurdev>, and the FCC's website at <http://www.fcc.gov>. This will be the first of several Public Meetings.

Public attendance at the meeting is limited to space available. The meeting will be physically accessible to people with disabilities. Individuals requesting accommodations, such as sign language interpretation or other ancillary aids, are asked to indicate this to Barbara Brown at least two (2) days prior to the meeting. Members of the public will have an opportunity to ask questions at the meeting. The meeting will be streamed on the Web with captions and the archive will be made available on NTIA's website at <http://www.ntia.doc.gov/broadbandgrants> and Rural Development's website at <http://www.usda/rurdev>.

Dated: February 23, 2009.

**Bernadette McGuire-Rivera,**

*Associate Administrator, Office of Telecommunications and Information Applications.*

Dated: February 23, 2009.

**David P. Grah,**

*Associate General Counsel, Rural Development.*

Dated: February 23, 2009.

**P. Michele Ellison,**

*Acting General Counsel, Federal Communications Commission.*

[FR Doc. E9-4194 Filed 2-26-09; 8:45 am]

BILLING CODE 3510-60-S

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Notice of Availability of the Record of Decision for the Final Environmental Impact Statement for the Brazos River Harbor Navigation District's (Port Freeport) Proposed Widening of the Freeport Harbor Ship Channel

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DOD.

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Army Corps of Engineers, Galveston District announces the availability of the Record of Decision (ROD), for the Final Environmental Impact Statement (FEIS) for the Port Freeport's proposal to widen the Freeport Harbor Ship Channel. The FEIS was made available for public review and comment on January 11, 2008. Comments received during the FEIS comment period are addressed in the ROD. The ROD discloses the decision to issue a Department of the Army permit for the proposed project.

**DATES:** The waiting period for the FEIS ended February 11, 2008. The ROD was signed on February 3, 2009.

**ADDRESSES:** Questions about this action may be addressed to the USACE, Galveston District, Attn: Sam J. Watson, P.O. Box 1229, Galveston, TX 77553-1229; or by calling 409-766-3946.

#### SUPPLEMENTARY INFORMATION:

**Authority:** This Federal Action is in consideration of a Department of the Army Permit application for work under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 103 of the Marine Protection and Sanctuaries Act (MPRSA) (33 U.S.C. 1413).

**Background:** In April 2005, Port of Freeport submitted a Department of Army Permit Application to widen portions of the Freeport Harbor Jetty Channel and all of the Freeport Harbor Entrance Channel from 400 feet (ft) to 600 ft. It was determined that an Environmental Impact Statement would be required for the proposed project. Since the November 29, 2005 Scoping Meeting, the consulting firm of PBS&], under the direction of the Galveston District, U.S. Army Corps of Engineers (USACE), prepared an Environmental Impact Statement for the proposed project. The ROD is now available to the public.

**Availability of the ROD:** The ROD for the proposed Freeport Channel Widening project is being made available to Federal, State, and local agencies and all interested parties. The ROD can be viewed or downloaded at: <http://www.swg.usace.army.mil/reg/>.

**Location:** The project is located in the Freeport Harbor Channel, Brazoria County, TX. Specifically, the project site is located along the northern edge of the Freeport Harbor Jetty and Entrance Channels, between the towns of Surfside and Quintana, TX. The project can be located on the U.S. Geological Survey quadrangle map entitled Freeport, TX. Approximate UTM Coordinates: NAD 83, UTM 14N, 861095.730029, 3206475.762543.

**Project Description:** The project includes widening the Freeport Harbor Jetty Channel beginning at Channel Station 63+35 with a gradual widening, at the authorized depth, up to an additional 150 feet (ft) for about 1,835 ft to Channel Station 45+00. From that point to Channel Station 40+00 the widening would be less gradual from the additional 150 ft to an additional 200 ft. Through the rest of the Jetty Channel and to the end of the Freeport Harbor Entrance Channel (Channel Station - 260+00), the channel would be widened an additional 200 ft. The length of channel proposed for widening is about 6.1 miles, of which 5.7 miles would be widened by 200 ft. The project depth will remain at the authorized depth of 45 ft in the Jetty Channel and 47 ft in the Entrance Channel. The widening would generate approximately 3.2 million cubic yards (mcy) of new work dredged material. Approximately 2.9 mcy of the new work material would consist of clay material and about 300,000 cubic yards (cy) would consist of silty/sand material. The ocean dredged material disposal sites (ODMDS) previously designated for the existing Freeport Harbor Ship Channel, would be used for placement of the 2.9 mcy of clay/silt material and maintenance material. The 300,000 cy of silty/sand material would be used beneficially and placed on Quintana Beach in front of the Seaway upland confined placement area.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. E9-4197 Filed 2-26-09; 8:45 am]

BILLING CODE 3720-58-P

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Final Supplement to the Environmental Impact Statement To Evaluate Construction of Authorized Improvements to the Gulfport Harbor Federal Navigation Project in Harrison County, MS

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of availability.

**SUMMARY:** This notice of availability announces the public release of the Final Supplement to the Environmental Impact Statement (SEIS) to evaluate construction of authorized improvements to the Gulfport Harbor Federal navigation project in Harrison County, MS. The Mobile District, U.S. Army Corps of Engineers (Corps)

published in the **Federal Register**, March 31, 2006, (71 FR 16294) a Notice of Intent to Prepare a Draft SEIS to address the potential impacts associated with construction of authorized improvements to the Federal Gulfport Harbor navigation project in Harrison County, MS. The Corps published in the **Federal Register**, February 9, 2007, (72 FR 6224) a Notice of Availability of the Draft SEIS. Comments were received and incorporated into the Final SEIS. The Final SEIS will be used as a basis for ensuring compliance with the National Environmental Policy Act (NEPA). The Corps' proposed action in the Final SEIS includes widening the Federally authorized Mississippi Sound channel to 300 feet and the Bar channel to 400 feet. In addition, disposal of the associated dredged material would be placed beneficially in water depths of 25 feet or greater east of the Chandeleur Islands and material dredged from within the Ship Island Pass (littoral zone) would be placed in the existing littoral zone disposal area in water depths between 14 feet and 18 feet. Future maintenance material dredged from the navigation channel would be placed in open-water sites within Mississippi Sound utilizing thin-layer disposal methods, the existing littoral zone disposal area, and within the existing Ocean Dredged Material Disposal Sites.

**ADDRESSES:** To receive an electronic copy of the Final SEIS or to submit comments, contact U.S. Army Corps of Engineers, Mobile District, Planning Division, P.O. Box 2288, Mobile, AL 36628-0001. A copy of the full document may also be viewed at the Public Library in Gulfport, Mississippi.

**FOR FURTHER INFORMATION CONTACT:** Questions about the proposed action and the Final SEIS should be addressed to Ms. Jennifer L. Jacobson, Chief, Coastal Environment Team, phone (251) 690-2724, Mobile District, U.S. Army Corps of Engineers, P.O. Box 2288, Mobile, AL 36628 or e-mail address: [jennifer.l.jacobson@usace.army.mil](mailto:jennifer.l.jacobson@usace.army.mil).

**SUPPLEMENTARY INFORMATION:**

1. Gulfport Harbor is located in Harrison County, MS on Mississippi Sound about equidistant (80 miles) from New Orleans, LA, and Mobile, AL. The existing project was adopted by the River and Harbor Act approved July 3, 1930 (House Document number 692, 69th Congress, 2nd Session) and the River and Harbor Act approved June 30, 1948 (House Document Number 112, 81st Congress, 1st Session). Construction of the existing Federal project commenced in 1932, and was completed in 1950. The River and

Harbor Act approved July 3, 1958 (Senate Document Number 123, 84th Congress, 2nd Session) adopted the small boat harbor as part of the existing Federal project. Deepening improvements to the existing Federal project at Gulfport Harbor was authorized in the Supplemental Appropriations Act of 1985 (Pub. L. 99-88), which was approved on August 15, 1985. The project was also authorized in the Water Resources Development Act (WRDA) of 1986 (Pub. L. 99-662), which was approved November 17, 1986, and provided for development to deepen and widen the existing ship channel 36 feet by 300 feet in Mississippi Sound, and 38 feet by 400 feet across the bar, with changes in the channel alignment and entrance to the anchorage basin for safe and unrestricted navigation.

The 1976 Feasibility Report considered a number of improvement plans, such as widening the Mississippi Sound channel to 300 feet at the existing 30-foot depth and deepening the channel in 2-foot increments to a maximum depth of 36 feet. In addition, widening the channel across the bar into the Gulf of Mexico to 400 feet at the existing 32-foot depth and deepening the channel in 2-foot increments to a maximum depth of 38 feet were also evaluated. The Corps analyzed realignment of the Ship Island channel, adjustment of the turning basin's width, and enlargement of the channel entrance into the turning basin. A number of disposal options were considered including: open-water alongside of the channels, island creation within Mississippi Sound, and use of specially designed equipment to transport the dredged material to sites within the Gulf of Mexico. The 1976 Feasibility Report recommended enlarging the Bar channel to 38 feet by 400 feet from the 38-foot depth contour in the Gulf of Mexico for a distance of about 9.1 miles to a point in Mississippi Sound near the western end of Ship Island; and enlarging the Mississippi Sound channel to 36 feet by 300 feet for a distance of about 11.8 miles between the inner end of the Gulf Entrance channel and the turning basin at Gulfport; realigning the Bar channel through Ship Island Pass to a location generally parallel to and about 1,000 feet west of that presently authorized, with a deposition basin for littoral drift 38 feet deep, 300 feet wide and 2,000 feet long adjacent to the east side of the channel at the west end of Ship Island; and enlarging and adjusting the dimensions of the turning basin and channel entrance by extending the

southern limits of the basin seaward about 1,180 feet along the west pier and 2,300 feet along the west side of the Ship channel, decreasing the width of the turning basin from 1,320 feet, as presently authorized, to 1,120 feet, and deepening the basin and adjusted channel approach to 36 feet. Improvements of the Gulfport Harbor navigation project was initially authorized by the Fiscal Year 1985 Supplemental Appropriations Act (Pub. L. 99-88) in accordance with the 1976 Feasibility Report. As a result of this authorization, studies were initiated relative to the island construction within the Sound and the impacts of thin-layer disposal of new work material. This initial authorization was subsequently modified by the WRDA of 1986. A revised Draft Environmental Impact Statement (EIS), circulated in 1988, considered widening and deepening the existing Gulfport Harbor navigation channel to the authorized dimensions. In addition, five alignments for the channel segment through Ship Island Pass were also considered. Material from the construction and maintenance of the project were to be disposed of in the ocean sites. The WRDA of 1988 further modified the authorized project to include disposing of construction material via thin-layer disposal in Mississippi Sound under a demonstration program. The maintenance material would be disposed of in Mississippi Sound under a plan developed by the Secretary approved by the Administrator of the Environmental Protection Agency. The Corps published an EIS in June 1989 evaluating deepening and widening Gulfport Harbor with subsequent placement via thin-layer and ocean disposal. The Final SEIS uses the 1989 EIS as a reference during its evaluation of constructing Gulfport Harbor to the authorized project dimension. The Final SEIS evaluates any new conditions that were not previously addressed in the 1989 EIS.

2. Alternative scenarios considered include the "No action" alternative and widening to the Federally authorized dimension of 300 feet in the Mississippi Sound channel and 400 feet in the Bar channel. In addition, an array of disposal options were evaluated for placement of dredged material associated with construction of the project to its authorized dimension including future maintenance material. As a comment to the Draft SEIS, the Corps received requests from Louisiana Department of Natural Resources (DNR), dated June 19, 2007, Mississippi Department of Marine Resources, dated

June 29, 2007, and St. Bernard Parish, dated April 2, 2007, to consider beneficial use of dredged material associated with Gulfport Harbor construction within the vicinity of Chandeleur and Cat Islands. Based on these discussions, a new alternative has been evaluated in the Final SEIS. This alternative considers beneficial placement of material dredged during construction of Gulfport Harbor to its authorized dimension in water depths of 25 feet or greater east of the Chandeleur Islands. Future maintenance material dredged from the navigation channel would be placed in open-water sites within Mississippi Sound utilizing thin-layer disposal methods, the existing littoral zone disposal area, and within the existing Ocean Dredged Material Disposal Sites.

3. Public comments can be submitted through a variety of methods. Written comments may be submitted to the Corps by mail, facsimile, or electronic methods. The public comment period for the Final SEIS will extend through March 29, 2009.

Dated: February 18, 2009.

**Curtis M. Flakes,**

*Chief, Planning and Environmental Division.*

[FR Doc. E9-4203 Filed 2-26-09; 8:45 am]

BILLING CODE 3720-58-P

## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### Notice of Intent To Prepare a Draft Environmental Impact Statement for the Proposed Hawthorne Mill Project, Fairfield, Solano County, CA

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers (USACE), San Francisco District, has received applications for Department of the Army authorizations from Edenbridge, Incorporated (EI) to construct two projects in the City of Fairfield, Solano County, CA. One project, Hawthorne Mill East, is a mixed-residential development project and the second, Hawthorne Mill West, is a residential development project. Development of Hawthorne Mill East will require permanent placement of fill in 37.8 acres of waters of the U.S. Hawthorne Mill West would result in permanent impacts to 0.5 acres of waters of the U.S. In accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*), the USACE has determined that the

proposed actions may have a significant impact on the quality of the human environment and therefore requires the preparation of an Environmental Impact Statement (EIS). Although the two projects are separate projects with independent utility, the USACE and the City have elected to consider these two related projects in a single document to allow for concurrent processing of requested entitlements. A combined Environmental Impact Report (EIR)/EIS will be prepared with the USACE as the Federal lead agency and the City of Fairfield (City) as the local lead agency (under the California Environmental Quality Act, or CEQA).

The Hawthorne Mill East project is intended to become an integral part of the City's proposed train station by contributing to the creation of a populated, mixed-use transit hub and complementing the urban development principles as contemplated by the City. The proposed action is intended to: (1) Maximize long-term land use opportunities presented by the rail station by including a mix of land uses within walking distance of the station; (2) maximize pedestrian and bicycle access between residential and commercial development and the train station; (3) meet the City's regional housing needs requirements in a manner that minimizes pressure on regional highway facilities; (4) contribute to the clear identity of the train station as a comfortable, attractive, and vibrant public realm; and (5) provide appropriate protection of sensitive natural resources. The purpose of the Hawthorne Mill West project is to provide residential housing to fulfill the unmet needs of the City of Fairfield and to contribute to regional growth management by locating residential development on an infill site that is contiguous with existing development.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bryan Matsumoto, 415-503-6786, or electronic mail:

*bryan.t.matsumoto@usace.army.mil*; or Mr. David Feinstein, 707-428-7448, or electronic mail: *dfeinstein@ci.fairfield.ca.us*.

#### **SUPPLEMENTARY INFORMATION:**

1. *Description of Proposed actions:* The Hawthorne Mill project sites are located within the City of Fairfield, CA, north of Airbase Parkway, south of Cement Hill Road, and west of Peabody Road. The project sites are comprised of eleven Fairfield Assessor's parcels, which encompass 453.8 acres located at the southwest corner of Cement Hill Road and Peabody Road, on the north side of the adjacent Union Pacific Railroad right-of-way. The following

specific project components are being proposed:

a. *Hawthorne Mill East:* This portion of the project site will have two components: A transit oriented mixed-use development and a conservation area. The development area includes approximately 110 acres. The majority of the development would occur on the north side of McCoy Creek. As proposed, 59.3 acres will be devoted to development of approximately 501 residential units, while 6.5 acres will be devoted to high density residential units. Commercial uses, including two restaurants, are planned on 1.6 acres at the Peabody-Cement Hill Road intersection. Mixed use retail is planned for 2.4 acres along Cement Hill Road. Other land uses include: Parks and open space encompassing 5.3 acres; rights of way encompassing 26.9 acres; storm water and water quality features on 5.2 acres; and a community recreation center with clubhouse and pool on 1.7 acres. Access to the project site will be from three locations along Cement Hill Road. A single, clear span bridge over McCoy Creek will be provided between the high density and retail uses in the northwestern corner of the project site. The internal road system will be designed to promote pedestrian and bicycle traffic and direct connections provided to the planned train station. The conservation area includes approximately 273 acres which support 63.04 acres of wetlands, 2.155 acres of McCoy Creek, as well as 4.657 acres of aquatic areas associated with the McCoy Basin. The conservation area also supports a large population of the federally listed Contra Costa goldfields (*Lasthenia conjugens*). The conservation area would be preserved in perpetuity and would be managed for the benefit of the natural resources located on the site.

b. *Hawthorne Mill West:* This portion of the project site encompasses approximately 30 acres and will include 172 residential units occupying 18.3 acres. The development will also include 9.3 acres of rights of way, 0.5 acres of park/open space, and 1.4 acres for storm water and water quality features. Site access will be provided by an extended Portland Drive and will connect directly to adjacent residential developments to the west.

2. *Reasonable Alternatives:* In accordance with the requirements of Section 15124 of the State CEQA Guidelines and 40 CFR 1502.14, reasonable alternatives to the proposed action will be evaluated in the Draft EIR/EIS. The following alternatives have been preliminarily identified for consideration in the Draft EIR/EIS: (1)