

## II. What Action is the Agency Taking?

Under section 5 of FIFRA, 7 U.S.C. 136c, EPA can allow manufacturers to field test pesticides under development. Manufacturers are required to obtain an EUP before testing new pesticides or new uses of pesticides if they conduct experimental field tests on 10 acres or more of land or one acre or more of water.

Pursuant to 40 CFR 172.11(a), the Agency has determined that the following EUP application may be of regional and national significance, and therefore is seeking public comment on the EUP application:

*Submitter:* USDA's APHIS, (56228-EUP-UN).

*Pesticide Chemical:* Mammalian Gonadotropin Releasing Hormone (GnRH).

*Summary of Request:* USDA's APHIS, is requesting an EUP of GonaCon, an Immunocontraceptive Vaccine, containing the active ingredient GnRH, to investigate the efficacy of reproductive control, physiological side-effects and reproductive and social behavior on overabundant feral horses (*Equus caballus*) in the Theodore Roosevelt National Park in North Dakota. The proposed EUP program would be initiated in October and November 2009, during which time study horses will be vaccinated and released and then monitored for approximately 5 years. Approximately 28 mares will be vaccinated with 2.0 milliliter (ml) solution, which is equivalent to .06 ml active ingredient per horse or 1.68 ml active ingredient total for the study. The total area of the park consists of 19,000 hectares (ha) (~46,950 acres), however the area where the study will be conducted will be much smaller than this as the horses only inhabit the south unit of the park. North Dakota will be the only state in which the proposed program will be conducted.

A copy of the application and any information submitted is available for public review in the docket established for this EUP application as described under **ADDRESSES**.

Following the review of the application and any comments and data received in response to this solicitation, EPA will decide whether to issue or deny the EUP request, and if issued, the conditions under which it is to be conducted. Any issuance of an EUP will be announced in the **Federal Register**.

### List of Subjects

Environmental protection,  
Experimental use permits.

Dated: September 2, 2009.

**Lois Rossi,**  
*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. E9-21898 Filed 9-10-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8597-3]

### 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.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated July 17, 2009 (74 FR 34754).

### Draft EISs

EIS No. 20090208, ERP No. D-FHW-F40449-IL, Illinois 336 Corridor Project (Federal Aid Primary Route 315), Proposed Macomb Bypass in McDonough County, to I-474 west of Peoria in Peoria County, Funding, McDonough, Fulton and Peoria Counties, IL

*Summary:* EPA expressed environmental concerns about wetland, floodplain, air quality, and upland forest impacts. EPA also requested additional information on traffic levels. Rating EC2.

EIS No. 20090237, ERP No. D-UMC-E11070-NC, U.S. Marine Corps Grow the Force at MCB Camp Lejeune, MCAS New River, and MCAS Cherry Point, To Provide the Infrastructure To Support the Permanent Increases at these three Installations, U.S. Army Corps Section 404 and 10 Permits, City of Jacksonville, NC

*Summary:* EPA expressed environmental concerns about aquatic habitat, wetland, and water quality impacts. EPA recommended that the USMC consider a hybrid alternative to minimize impacts to wetlands and other jurisdictional waters. Rating EC2.

EIS No. 20090239, ERP No. D-AFS-L65574-OR, Big Summit Allotment Management Plan, Proposes to Reauthorize Cattle Term Grazing Permits, Construct Range Improvements, and Restore Riparian Vegetation on Five Allotments,

Lookout Mountain Ranger District, Ochoco National Forest, Crook County, OR

*Summary:* EPA expressed environmental concerns about impacts to water quality within creeks that are already on the Oregon State's 303(d) list and subsequent impacts to aquatic resources. Rating EC2.

EIS No. 20090242, ERP No. D-IBR-K39118-CA, Delta-Mendota Canal/California Aqueduct Intertie Project, Construction and Operation of a Pumping Plant and Pipeline Connection, San Luis Delta-Mendota Water Authority Project, Central Valley Project, Alameda and San Joaquin Counties, CA

*Summary:* EPA expressed environmental concerns about water supply reliability and the ability to meet water delivery targets. EPA recommended the FEIS describe efforts to better align contract obligations with existing and future water supplies; and explore reduced inflow and export scenarios. Rating EC2.

EIS No. 20090252, ERP No. D-NPS-D65041-DC, White-Tailed Deer Management Plan, To Develop a White-Tailed Deer Management Plan that Supports Long-Term Protection, Preservation and Restoration of Native Vegetation and other Natural and Cultural Resources in Rock Creek Park, Washington, DC

*Summary:* EPA does not object to the proposed project, but recommends that the project team continue to work with other agencies regarding deer management issues. Rating LO.

### Final EISs

EIS No. 20090258, ERP No. F-FRC-E05104-00, Catawba-Wateree Hydroelectric Project (FERC No. 2232), Application for Hydroelectric License, Catawba and Wateree Rivers in Burke, McDowell, Caldwell, Catawba, Alexander, Iredell, Mecklenburg, Lincoln and Gaston Counties, NC and York, Lancaster, Chester, Fairfield and Kershaw Counties, SC

*Summary:* EPA continues to have environmental concerns about impacts to aquatic species in the Catawba River below the Bridgewater development.

EIS No. 20090260, ERP No. F-COE-G39049-TX, Calhoun Port Authority's, Proposed Matagorda Ship Channel Improvement Project to Widen and Deepen Berthing Facilities, U.S. Army COE Section 10 and 404 Permits, Calhoun and Matagorda Counties, TX

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

EIS No. 20090282, ERP No. F-FRC-D05126-VA, Smith Mountain Pumped Storage Project (FERC No. 2210-169). Application for Hydropower License to continue Operating the 636-megawatt Pumped Storage Project, Roanoke River, Smith Mountain Pumped Storage Project (FERC No. 2210-169). Application for Hydropower License to continue Operating the 636-megawatt Pumped Storage Project, Roanoke River, Bedford, Campbell, Franklin, and Pittsylvania Counties, VA

*Summary:* EPA expressed environmental concerns about water temperature, aquatic life and wetland impacts. EPA requested additional information on avoidance, minimization, and mitigation measures for the above impacts.

EIS No. 20090293, ERP No. F-NPS-D61062-PA, White-Tailed Deer Management Plan, Development of a Deer Management Strategy that Supports Protection, Preservation, and Restoration of Native Vegetation, Implementation, Valley Forge National Historical Park, Chester and Montgomery Counties, PA

*Summary:* EPA does not object to the proposed project.

EIS No. 20090261, ERP No. FS-GSA-D81027-MD, U.S. Food and Drug Administration (FDA) Headquarters Consolidation, Master Plan Update, Federal Research Center at White Oak, Silver Spring, Montgomery County, MD

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

Dated: September 8, 2009.

**Kenneth Mittelholtz,**  
Deputy Director, NEPA Compliance Division,  
Office of Federal Activities.

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8597-2]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>

Weekly receipt of Environmental Impact Statements

Filed 08/31/2009 Through 09/04/2009 Pursuant to 40 CFR 1506.9

EIS No. 20090310, Draft Supplement, AFS, ID, Small-Scale Suction

Dredging in Lolo Creek and Moose Creek Project, Updated Information to Analysis Three Alternatives, Clearwater National Forest, North Fork Ranger District, Clearwater and Idaho Counties, ID, *Comment Period Ends:* 10/26/2009, *Contact:* Doug Gober 208-476-4541

EIS No. 20090311, Final EIS, USN, WA, Naval Base Kitsap—Bangor, Construct and Operate a Swimmer Interdiction Security System (SISS), Silverdale Kitsap County, WA, *Wait Period Ends:* 10/13/2009, *Contact:* Shannon Kasa 619-53-3889

EIS No. 20090312, Draft EIS, COE, OH, Cleveland Harbor Dredged Material Management Plan, Operations and Maintenance, Cuyahoga County, OH, *Comment Period Ends:* 10/26/2009, *Contact:* Frank O'Connor 716-879-4131

EIS No. 20090313, Draft EIS, AFS, CA, Freds Fire Reforestation Project, Implementation, EL Dorado National Forest, Placerville and Pacific Ranger Districts, El Dorado County, CA, *Comment Period Ends:* 10/26/2009, *Contact:* Robert Carroll 530-647-5386

EIS No. 20090314, Draft EIS, FHW, IL, TIER 1—Elgin O'Hare—West Bypass Study, To Identify Multimodal Transportation Solutions, Cook and DuPage Counties, IL, *Comment Period Ends:* 10/26/2009, *Contact:* Matt Fuller 217-492-4625

EIS No. 20090315, Draft EIS, FTA, CA, Crenshaw Transit Corridor Project, Proposes to Improve Transit Services, Funding, Los Angeles County Metropolitan Transportation Authority (LACMTA), Los Angeles County, CA, *Comment Period Ends:* 10/26/2009, *Contact:* Roderick Diaz 213-922-3018

EIS No. 20090316, Final EIS, FTA, 00, PROGRAMMATIC—Streamlining the Processing of Experimental Permit Applications, Issuing Experimental Permits for the Launch and Reentry of Useable Suborbital Rockets, *Wait Period Ends:* 10/13/2009, *Contact:* Daniel Czelusniak 202-267-5924

EIS No. 20090317, Draft EIS, USA, VA, Fort Monroe US Army Garrison Base Realignment and Closure (BRAC) 2005 Disposal and Reuse of Surplus Nonreverting Property, Fort Monroe, VA, *Comment Period Ends:* 10/26/2009, *Contact:* Bob Ross 703-602-2878

EIS No. 20090318, Draft EIS, USA, WA, Fort Lewis Army Growth and Force Structures Realignment, Implementation, Fort Monroe and Yakima Training Center, Kittitas, Pierce, Thurston and Yakima Counties, WA, *Comment Period Ends:*

10/26/2009, *Contact:* B. Van Hoesen 253-966-1780

EIS No. 20090319, Final EIS, USA, AK, U.S. Army Alaska (USARAK) Project, Proposes the Stationing and Training of Increased Aviation Assets, Fort Wainwright, Fairbank, AK, *Wait Period Ends:* 10/13/2009, *Contact:* Jennifer Shore 703-602-4238

### Amended Notices

EIS No. 20090304, Final EIS, AFS, 00, Inyo National Forest Motorized Travel Management Project, Implementation, Inyo, Mono, Fresno, Madera and Tulare Counties, CA and Mineral and Esmeralda Counties, NV, *Wait Period Ends:* 10/05/2009, *Contact:* Susan Joyce 760-873-2516

Revision to FR Notice Published 09/04/2009: Correction to Counties and States

EIS No. 20090309, Final EIS, FTA, MO, East Corridor Project, Proposes Commuter Rail Transit from downtown Denver to International Airport (DIA), Denver, Adams, Arapahoe, Jefferson and Douglas Counties, CO, *Wait Period Ends:* 10/05/2009, *Contact:* David Beckhouse 720-963-3306

Revision to FR Notice Published 09/04/2009: Correction to Title and Federal Agency.

Dated: September 8, 2009.

**Ken Mittelholtz,**  
Deputy Director, NEPA Compliance Division,  
Office of Federal Activities.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8956-1]

### Notice of a Project Waiver of Section 1605 (Buy American Requirement) of the American Recovery and Reinvestment Act of 2009 (ARRA) to the Kennebec Water District in Waterville, ME

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

**ACTION:** Notice.

**SUMMARY:** The EPA is hereby granting a project waiver of the Buy American requirements of ARRA Section 1605 under the authority of Section 1605(b)(2) [manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality] to the Kennebec Water District (KWD) (also known as the "Water District") in Waterville, Maine for the purchase of