

APPENDIX A
NOTICE OF AVAILABILITY
NOTICE OF INTENT
DISTRIBUTION LIST
SCOPING SUMMARY REPORT

SUPPLEMENTARY INFORMATION:**I. Funding Opportunity Description**

This reimbursement opportunity is available to fishing vessel owners and/or operators that have purchased an approved E-MTU device in order to comply with fishery regulations developed in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Public Law 94-265). Only those vessel owners and/or operators purchasing an E-MTU for compliance with fishery management regulations applicable to the Reef Fish Fishery of the Gulf of Mexico are eligible for this funding opportunity. The reimbursable expense is the purchase price of the least expensive E-MTU type-approved for the Reef Fish Fishery of the Gulf of Mexico for which the owner and/or operator holds a valid commercial fishing permit.

II. Eligibility

To be eligible to receive reimbursement, vessel owners and/or operators must first purchase an E-MTU type-approved for in the Reef Fish Fishery of the Gulf of Mexico for which the vessel owner and/or operator holds a valid commercial fishing permit. The vessel owner and/or operator must also have the E-MTU properly installed on the vessel and activated utilizing a type-approved communications provider. Upon completion of the installation and activation process, the vessel owner and/or operator must contact the VMS Support Center by calling 888-219-9228 to ensure the vessel is properly registered in the VMS system. OLE does not consider a vessel in compliance until the E-MTU signal has been received and processed by OLE.

Vessel owners and/or operators must not be in arrears with a payment owed to the Agency for a civil monetary penalty. However, affected vessel owners and/or operators may become eligible for the reimbursement if the outstanding penalty is paid in full within 30 days of the denial of the reimbursement. After payment, vessel owners and/or operators must contact the VMS Support Center and provide documentation to support the defrayment of the penalty to receive a confirmation code for reimbursement purposes.

III. Process

Vessel owners and/or operators that have purchased an E-MTU, and have validated their compliance with the applicable regulations through OLE, may contact the PSMFC, 205 SE Spokane Street, Suite 100, Portland, OR 97202, phone 503-595-3100, fax 503-

595-3232, for a reimbursement application. Once the application is received and completed by the vessel owner and/or operator, it must be returned to PSMFC along with proof of eligibility in order to qualify for an award. The required proof of eligibility must include: proof of a valid commercial fishing permit for the Reef Fish Fishery of the Gulf of Mexico; proof of purchase and the purchase price of a type-approved E-MTU; and a valid compliance confirmation code issued by OLE.

Vessel owners and/or operators are not restricted as to which type-approved E-MTU device they can purchase. However, the amount of the reimbursement will be limited to the cost of the least expensive E-MTU type-approved for the permitted fishery. Vessel owners and/or operators are encouraged to compare the features of all E-MTU devices type-approved for the Reef Fish Fishery of the Gulf of Mexico and explore finance options prior to making a purchase decision. Vessel owners/operators are limited to the reimbursement of the cost of purchasing E-MTU per permitted vessel.

Dated: October 26, 2006.

William T. Hogarth,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. 06-8980 Filed 10-26-06; 2:50 pm]

BILLING CODE 3510-22-S

DEPARTMENT OF DEFENSE**Office of the Secretary****Membership of the Office of the Secretary of Defense Performance Review Board**

AGENCY: Department of Defense.

ACTION: Notice.

This notice announces the appointment of the members of the Performance Review Board (PRB) of the Office of the Secretary of Defense, the Joint staff, the U.S. Mission to the North Atlantic Treaty Organization, the Defense Advance Research Projects Agency, the Defense Commissary Agency, the Defense Security Service, the Defense Security Assistance Agency, the Missile Defense Agency, the Defense Field Activities and the U.S. Court of Appeals of the Armed Forces. The publication of PRB membership is required by 5 U.S.C. 4314(c)(4).

The Performance Review Board (PRB) provides fair and impartial review of Senior Executive Service performance appraisals and makes recommendations

regarding performance ratings and performance awards to the Secretary of Defense.

EFFECTIVE DATES: October 27, 2006.

FOR FURTHER INFORMATION CONTACT:

Sandra Burrell, Executive and Political Personnel Division, Directorate for Personnel and Security, Washington Headquarters Services, Office of the Secretary of Defense, Department of Defense, The Pentagon, (703) 693-8347.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 4314(c)(4), the following executives are appointed to the office of the Secretary of Defense PRB: specific PRB panel assignments will be made from this group. Executives listed will serve a one-year renewable term, effective October 27, 2006.

Office of the Secretary of Defense

Chairperson: Nancy Spruill

Robert Nemetz, Mike Kern, Mary George, Cheryl Roby, Robert Newberry, David Pauling, William Lowry, Anne O'Connor, Thomas Kuster, Paul Koffsky, Joseph Nogueira, Frank Anderson, Joseph Angello, David Epstein, Eric Coulter, Jeanne Fites, Dennis Clem, Ellen Embrey, James Russell, Joyce France, Jennifer Buck, Tom Lavery, Bruce Bade, Ken Handelman, Alan Liotta, Bob Salesses, Todd Harvey.

Dated: October 24, 2006.

C.R. Choate,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 06-8970 Filed 10-30-06; 8:45 am]

BILLING CODE 5001-06-M

DEPARTMENT OF DEFENSE**Department of the Navy****Notice of Availability and Notice of Public Hearing of the Draft Environmental Impact Statement for an Annex to the Fort Rosecrans National Cemetery at Marine Corps Air Station Miramar, San Diego, CA**

AGENCY: Department of the Navy, DoD.

ACTION: Notice of availability and public meeting.

SUMMARY: In accordance with Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), as implemented by the Council on Environmental Quality Regulations (40 CFR parts 1500-1508), the Department of the Navy (DON), Marine Corps Air Station Miramar (MCAS Miramar), and Department of Veterans Affairs (VA) announce the availability of the Draft Environmental

Impact Statement (DEIS) that evaluates the potential environmental effects of the land use agreement between the DON and the VA National Cemetery Administration (NCA) for the proposed annex to the existing Fort Rosecrans National Cemetery at Point Loma in San Diego, CA. The DEIS also evaluates the potential effects of construction and operation of the proposed cemetery annex. The annex would be located at MCAS Miramar, in San Diego, CA.

The purpose of the proposed action is to provide needed burial space on federal land for military veterans in the San Diego area. The DEIS addresses the proposed site (Site 2), one on-site development alternative (Site 4), and the No Action Alternative.

The DEIS evaluates the potential environmental effects associated with each of the alternatives. Issues addressed in the DEIS include land use, socioeconomic/environmental justice, utilities, public services, visual resources, cultural resources, biological resources, soils and geology, water resources, public health and safety, traffic/circulation, air quality, and noise. Impact analyses include an evaluation of direct, indirect, short-term, and cumulative impacts.

DATES: All written comments must be received on or before December 11, 2006. A public meeting will be held on Thursday, November 16, 2006, from 6 p.m. to 8 p.m. at the Holiday Inn Select Miramar, 9335 Kearny Mesa Road, San Diego, CA.

ADDRESSES: Written comments should be directed to: Ms. Hiphil S. Clemente (Code OPCE.HC), Naval Facilities Engineering Command, Southwest, 1220 Pacific Highway, San Diego, CA 92132.

FOR FURTHER INFORMATION CONTACT: Ms. Hiphil S. Clemente, Naval Facilities Engineering Command, Southwest at telephone 619-532-3781, fax 619-532-4160, or e-mail: hiphil.clemente@navy.mil.

SUPPLEMENTARY INFORMATION: The VA operates the Fort Rosecrans National Cemetery, located on the Point Loma Submarine Base. It is the only national cemetery in San Diego County and has been closed to casketed burials since 1966. It is scheduled to be closed to cremated remains burials by 2008 and has no additional land available for expansion. The NCA has identified a need for additional burial space option for 253,000 San Diego-area eligible military veterans for the next 20 to 30 years.

A Notice of Intent to prepare the DEIS was published in the **Federal Register** on October 4, 2005. A public scoping meeting was held on November 2, 2005,

at the Holiday Inn Select located at 9335 Kearny Villa Road in San Diego, CA.

The DEIS addresses the proposed site (Site 2), one on-site development alternative (Site 4), and the No Action Alternative. The Site 2 Alternative is located in the northwestern corner of MCAS Miramar. This site is approximately 323 acres and has access to Miramar Road to the north and Nobel Drive to the northwest. The site is bounded by Miramar Road to the north, the commuter/freight railway to the south and east, and the western boundary of MCAS Miramar to the west. The Site 4 Alternative is located in the south-central portion of MCAS Miramar in the former Camp Elliott area and is approximately 175 acres. The site is completely surrounded by freeways with State Route 163 to the west, State Route 52 to the south, and Interstate 15 to the east. Kearny Villa Road traverses the site in a north-south direction. The DEIS identifies the Site 2 Alternative as the Preferred Alternative.

The DEIS has been distributed to various federal, state, and local agencies, elected officials, special interest groups, and interested parties. The DEIS is also available for public review at the following local libraries:

Scripps Miramar Ranch Library, 10301 Scripps Lake Drive, San Diego, CA.

Mira Mesa Branch Library, 8405 New Salem Drive, San Diego, CA.

San Diego Central Library, 820 E Street, San Diego, CA.

The public review period begins with the publication of this Notice of Availability and ends 45 days after. All comments must be received on or before December 11, 2006. A public meeting will be held on Thursday, November 16, 2006, from 6 p.m. to 8 p.m. at the Holiday Inn Select Miramar, 9335 Kearny Mesa Road, San Diego, California. The public meeting will follow an informal open house format. The public is invited to attend the meeting at their convenience during the meeting hours and can view project-related displays and speak with DON and VA representatives. A court reporter will be available at the meeting to accept oral comments.

Dated: October 26, 2006.

Lynette M. Breutzman,
Paralegal Specialist, Judge Advocate
General's Office, Alternate Federal Register
Liaison Officer.

[FR Doc. E6-18248 Filed 10-30-06; 8:45 am]

BILLING CODE 3810-FF-P

ELECTION ASSISTANCE COMMISSION

Information Collection Activity; Proposed Information Collection; Comment Request

AGENCY: U.S. Election Assistance Commission (EAC).

ACTION: 30-Day Notice of Information Collection Under Review.

SUMMARY: The U.S. Election Assistance Commission has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on August 1, 2006, at 71 FR 43477. The notice allowed for a 60-day public comment period. Fourteen comments were received on this information collection, and modifications were made to improve and clarify the information collection based on those comments. The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until November 27, 2006. This process is conducted in accordance with 5 CFR 1320.10. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Written comments must be submitted on or before November 27, 2006.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to: OMB Reviewer: Alexander T. Hunt, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503, (202) 395-7316.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please, write to the above address or call Mrs. Juliet Thompson-Hodgkins or Ms. Laiza N. Otero at (202) 566-3100.

SUPPLEMENTARY INFORMATION:

[Federal Register: October 12, 2005 (Volume 70, Number 196)]
[Notices]

[Page 59321-59322]

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[DOCID:fr12oc05-55]

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Intent To Prepare an Environmental Impact Statement
(EIS) for an Annex to the Fort Rosecrans National Cemetery at Marine
Corps Air Station Miramar, San Diego, CA

AGENCY: Department of the Navy, DOD.

ACTION: Notice.

SUMMARY: In accordance with Section 102(2)(c) of the National
Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4332(2)(c)), as
implemented by the Council on Environmental Quality Regulations (40 CFR
parts 1500-1508), the Department of the Navy, Marine Corps Air Station
Miramar (MCAS Miramar) and Department of Veterans Affairs intend to
prepare an environmental impact statement (EIS) and conduct a public
scoping meeting for the proposed development and operation of a
national veteran's cemetery at MCAS Miramar in San Diego, California.
The cemetery will be an annex to the Department of Veterans Affairs
Fort Rosecrans National Cemetery.

DATES: All written scoping comments must be received by Friday,
November 18, 2005. A public meeting to receive comments on the scope of
the EIS will be held on Wednesday, November 2, 2005, from 6 p.m. to 8
p.m.

ADDRESSES: Written comments should be directed to: Ms. Hiphil S.
Clemente (Code OPCE.HC), Southwest Division, Naval Facilities
Engineering Command, 1220 Pacific Highway, San Diego, California,
92132. The public scoping meeting will be held at the Holiday Inn
Select Miramar, 9335 Kearny Mesa Road, San Diego, CA.

FOR FURTHER INFORMATION CONTACT: Ms. Hiphil S. Clemente, Southwest
Division, Naval Facilities Engineering Command at telephone 619-532-
3781, fax 619-532-4160, or E-mail: hiphil.clemente@navy.mil.

SUPPLEMENTARY INFORMATION: The Department of Veterans Affairs operates
the Fort Rosecrans National Cemetery, located on the Point Loma
Submarine Base. It is the only national cemetery in San Diego County
and has been closed to casketed burials since 1966. It will be closed
to cremated remains burials by 2008. About 7 acres of additional land
was acquired from the Point Loma Submarine Base in 2002. The National
Cemetery Administration constructed columbarium niches to provide a
limited number of cremation burial options to the San Diego veteran

population. Demand for these columbarium niches as a burial option has been high, resulting in Fort Rosecrans National Cemetery being ranked the tenth busiest national cemetery, according to interment workload within the National Cemetery Administration. Accordingly, with this high demand, these columbarium niches are rapidly being depleted at this cemetery and will only provide space until 2008. No additional land is available for expansion at Fort Rosecrans or Point Loma Submarine Base.

The Department of Veterans Affairs National Cemetery Administration has identified a need for additional burial space for the 253,000 San Diego area military veterans. The Department of the Navy offered four potential sites at MCAS Miramar for consideration.

A Siting Study was prepared by the Department of the Navy and Department of Veterans Affairs to evaluate the suitability of the four potential MCAS Miramar cemetery sites. Based on the Siting Study, two sites were determined feasible for use and will be evaluated in detail in the EIS.

The proposed action is development and operation of a national veterans cemetery at MCAS Miramar as part of an annex to the Department of Veterans Affairs Fort Rosecrans National Cemetery. The proposal includes a land use agreement between the Department of the Navy and Department of Veterans Affairs for development and operation of the cemetery. The proposed site, identified as Site 2, is a 327-acre site located in the northwestern corner of MCAS Miramar across Miramar Road. The site is bounded by Miramar Road to the north, the commuter railway to the south and east, and the western boundary of MCAS Miramar to the west.

An alternative site, identified as Site 4, is a 279-acre site located in the south-central portion of MCAS Miramar in the former Camp Elliott area. The site is completely surrounded by freeways with State Route 163 to the west, State Route 52 to the south, and Interstate 15 to the east. Kearny Villa Road traverses the site in a north-south direction.

The EIS will evaluate potential environmental effects associated with action alternatives and the no action alternative. Potential issues include, but are not limited to, biological resources, historic and archaeological resources, geology and soils, hydrology, air quality, explosive safety and traffic. Relevant and reasonable measures that could alleviate environmental effects will be considered.

The Department of the Navy and the Department of Veterans Affairs will jointly undertake necessary consultations with regulatory entities pursuant to the Endangered Species Act, Clean Water Act, National Historic Preservation Act, and any other applicable law or regulation. Consultation will include but is not limited to the following Federal, state, and local agencies: U.S. Fish and Wildlife Service; State Historic Preservation Officer; U.S. Army Corps of Engineers; U.S. Environmental Protection Agency; San Diego Regional Water Quality Control Board; California Department of Transportation; San Diego Air Pollution Control District; California Department of Toxic Substance Control; and the County of San Diego, Department of Environmental Health.

The public scoping period begins with the publication of this Notice of Intent and ends November 18, 2005. All scoping comments must be received by November 18, 2005. A public scoping meeting will be held on Wednesday, November 2, 2005, from 6 p.m. to 8 p.m. at the Holiday Inn Select Miramar, 9335 Kearny Mesa Road, San Diego, California. The public scoping meeting will follow an informal open house format. The

public is invited to attend the meeting at their convenience during the meeting hours and can view project-related displays and speak with Department of the Navy and Department of Veterans Affairs representatives. A

[[Page 59322]]

court reporter will be available at the meeting to accept oral comments.

Dated: October 4, 2005.

I.C. Le Moyne Jr.,
Lieutenant, Judge Advocate General's Corps, U.S. Navy, Alternate
Federal Register Liaison Officer.

[FR Doc. 05-20436 Filed 10-11-05; 8:45 am]

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CALIFORNIA AIR RESOURCES BOARD
EIR REGIONAL IMPACT DIVISION
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SACRAMENTO, CA 95812

CALIFORNIA TRANSPORTATION COMMISSION
QUALITY ADVISORY COMMITTEE
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WASHINGTON DC 20590

WATER RESOURCES CONTROL BOARD
DIVISION OF WATER QUALITY
STATE OF CALIFORNIA
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SACRAMENTO, CA 94244-2130

U.S. FISH AND WILDLIFE SERVICE
CARLSBAD FIELD OFFICE
C/O HEIDI CROWELL
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CARLSBAD, CA 92008

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SAN DIEGO OFFICE
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**SUMMARY REPORT FOR PUBLIC SCOPING MEETING
FOR THE
ANNEX TO THE FORT ROSECRANS NATIONAL CEMETERY
DRAFT ENVIRONMENTAL IMPACT STATEMENT
AT MARINE CORPS AIR STATION MIRAMAR,
SAN DIEGO, CALIFORNIA**

November 2005

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
SUMMARY MATRIX TABLE OF ISSUES RAISED DURING SCOPING PROCESS (VIA WRITTEN AND VERBAL COMMENTS)	S-1
SECTION 1 – WRITTEN COMMENTS RECEIVED DURING THE SCOPING PROCESS	1-1
A. Number of Letters Received by Category	1-1
B. General Summary of Comments Organized by Categories	1-1
1. Federal Agencies	1-2
2. Local Agencies	1-3
3. Individuals	1-3
SECTION 2 – PUBLIC SCOPING MEETINGS	2-1
A. Overview of Scoping Meetings	2-1
APPENDIX A. Comment Letters	

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**SUMMARY MATRIX TABLE
FREQUENCY OF ISSUES RAISED DURING THE SCOPING PROCESS***

ISSUE AREAS	Federal Agencies	State Agencies	Local Agencies	Local Organizations	Individuals	Total
Scoping Process					2	2
Hydrology/Water Quality		2				2
Biological Resources	1					1
Alternative Site	1					1

* Note that some issues may be raised more than once by the same agency, organization, or individual during the scoping process.

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SECTION 1
WRITTEN COMMENTS RECEIVED
DURING THE PUBLIC SCOPING PERIOD

A. NUMBER OF LETTERS RECEIVED BY CATEGORY

A total of five written comment letters, including those submitted at the public scoping meetings, were received during the public scoping period for the Draft Environmental Impact Statement (EIS). All of the letters are included in Appendix A.

1. Federal Agencies (1)

U.S. Fish and Wildlife Service

2. Local Agencies (2)

City of San Diego (2)

3. Individuals (2)

Steve Arends

No Name Submitted

B. GENERAL SUMMARY OF COMMENTS ORGANIZED BY CATEGORIES

1. Federal Agencies

U.S. Fish and Wildlife Service

The Carlsbad Fish and Wildlife Office of the U.S. Fish and Wildlife Service (USFWS) submitted one letter during the public scoping period, received on November 18, 2005. The USFWS stated that the proposed project may result in potentially significant environmental impacts to biological resources that exist at both alternative project sites, including federally endangered and threatened species and their habitat, vernal pools, and sensitive habitat. Additionally, both alternatives contain existing mitigation sites. The USFWS recommends that the EIS consider inclusion of a third environmentally superior alternative.

The USFWS requested that the EIS provide the following specific information:

- (1) A complete discussion of the need and purpose of the project, including discussion of a third environmentally superior alternative
- (2) A complete project description, including all practicable alternatives that have been considered to reduce project impacts to wetland areas and other fish and wildlife resources, and reduced footprints that would further minimize and avoid impacts
- (3) A discussion assessing consistency of the project with the Integrated Natural Resources Management Plan (INRMP), especially designated Management Areas
- (4) A description and acreages of potentially affected sensitive habitats and mitigation areas (5) A description of biological resources associated with each habitat, including both qualitative and quantitative assessments
- (6) A list and detailed discussion of federally proposed listed or candidate species, state-listed and candidate species, and locally sensitive species including, but not limited to, narrow endemic species that are on or near the proposed project sites
- (7) An assessment of direct, indirect, and cumulative project impacts to fish and wildlife species and associated habitats, for all project components
- (8) An analysis of how the project may affect in fragmentation and isolation of aquatic and terrestrial wildlife and plants and a local and regional scale
- (9) Consideration of specific compensation plans, through preservation, restoration, or revegetation of affected habitat types consistent with INRMP guidelines, to offset unavoidable project-related impacts, including a proposal for compensating for cumulative impacts
- (10) An analysis of the consequences of the project on the hydrology of any and all riparian, wetland, and vernal pool communities within the sphere of influence of the project
- (11) Methods to prevent soil erosion and siltation of habitats off-site, during and post-construction, particularly adjacent to the project site

-
- (12) Methods to prevent discharge and disposal of toxic and/or caustic substances on the project site, especially during construction
 - (13) Methods to prevent introduction of non-native invasive plants to adjacent sensitive habitats
 - (14) A thorough analysis of noise and light impacts on wildlife, including avian species, and measures to be taken to mitigate any adverse impacts resulting from increased noise and light levels
 - (15) A thorough discussion of the effects of the 2003 Cedar Fire on sensitive habitat within MCAS Miramar

2. Local Agencies

City of San Diego

The City of San Diego submitted two letters during the public scoping period. One letter dated November 3, 2005, from the Water Department requested that the EIS discuss the availability of and the potential use of recycled water. The letter also discussed the City's commitment to and the benefits of using recycled water as well as the current use of recycled water at the MCAS Miramar golf course. The letter also requested that reclaimed water be considered during the development of the cemetery, for irrigation and restroom facilities. The second letter dated November 10, 2005, identified Site 2 as being located adjacent to the City of San Diego's Multi-Habitat Planning Area. This letter requested that the Draft EIS discuss how the project would be consistent with the City's Multiple Species Conservation Program (MSCP) and incorporate the MSCP Land Use Adjacency Guidelines (MSCP Subarea, section 1.4.3) as appropriate. Additionally, the letter identified that the City of San Diego Water Department recommends using recycled water for landscaping. The City would also like their significance thresholds to be used for mitigation. The City of San Diego Development Services also requested a copy of the Draft EIS.

3. Individuals

Steve Arends

Mr. Arends complimented the scoping meeting for assuring that the VA cemetery project would progress promptly and that DOD and USDVA are addressing the negative environmental issues. He also commented that what remains a critically important issue is the necessary federal funding for the project, and that the appropriators in Congress must ensure that the federal dollars are ensured since the initial construction has been delayed. He also stated that the veterans in San Diego County and all of southern California would prefer that construction had begun yesterday.

Unnamed Individual

This individual indicated that is good to make it clear that burial options locally are closing rapidly. This individual also indicated that it might be good to indicate how the environment and habitat have improved through cemetery care.

SECTION 2 PUBLIC SCOPING MEETINGS

A. OVERVIEW OF SCOPING MEETINGS

The scoping meeting was held in an open house format. The open house included eight stations (Sign in, NEPA Process Schedule, Project Description and Alternatives, Biological Resources, Cultural Resources, Traffic, Court Reporter, and Comment Table) where people could obtain information and ask questions. Each station was staffed with the appropriate military and/or civilian personnel.

Approximately 10 people attended the open house on November 2, 2005, held at the Holiday Inn Select located at 9335 Kerney Villa Road in San Diego, California. No one gave formal verbal testimony to the court reporter. Two people provided written comments.

ATTENDANCE FOR NOVEMBER 2, 2005 PUBLIC SCOPING MEETING AT THE HOLIDAY INN SELECT IN THE CITY OF SAN DIEGO

Attendance:

Total signed-in attendance:	8
Estimated Attendance:	10
Total formal comments to court reporter:	0

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APPENDIX A
COMMENT LETTERS



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92011

In Reply Refer To:
FWS-SDG-4652.1

NOV 18 2005

Ms. Jennifer Dunaway
Environmental Business Line Team Leader
Department of the Navy
1220 Pacific Highway
San Diego, California 92132-5190

Subject: Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS) for an Annex to the Fort Rosecrans National Cemetery at Marine Corps Air Station (MCAS) Miramar, San Diego, California

Dear Ms. Dunaway:

The U.S. Fish and Wildlife Service (Service) has reviewed the NOI, dated October 12, 2005, and received by the Service on November 16, 2005, for the preparation of an EIS for the subject proposed project. The proposed action is the development and operation of a national veteran's cemetery at MCAS Miramar as part of an annex to the Department of Veteran's Affairs Fort Rosecrans National Cemetery. The EIS, as presently proposed, will evaluate two alternative sites and the no action alternative.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service is also responsible for administering the Endangered Species Act of 1973, as amended (Act). Section 7 of the Act requires Federal agencies to consult with the Service if their actions may affect a listed threatened or endangered species. Section 9 of the Act prohibits the "take" (e.g., harm, harass, pursue, injure, or kill) of Federally listed wildlife species. "Harm" (i.e., "take") is further defined to include habitat modification or degradation where it kills or injures wildlife by significantly impairing essential behavioral patterns including breeding, feeding, or sheltering. "Take" can only be permitted pursuant to the pertinent language and provisions in Section 7 and Section 10(a) or through a special rule under Section 4(d) of the Act.

The proposed project could have significant environmental impacts to biological resources on-site, including federally endangered and threatened species and their habitat. For example, coastal sage scrub exists on both sites and is occupied by the federally threatened coastal California gnatcatcher (*Poliopstila californica californica*; gnatcatcher). Also, both alternative sites contain extensive vernal pool complexes (and their watersheds) potentially occupied by several federally listed species and other sensitive species. Both alternative sites contain vernal pool areas which were set aside to offset impacts associated with previous MCAS Miramar

TAKE PRIDE
IN AMERICA

Ms. Jennifer Dunaway (FWS-SDG-4652.1)

2

activities. According to the MCAS Miramar Integrated Natural Resources Management Plan (INRMP), both sites consist of extensive areas designated as Level 1 and Level 2 Management Areas. According to the INRIMP, Level 1 areas "receive the highest conservation priority" and Level 2 areas are designated to maintain, and where feasible, enhance populations of gnatcatchers and other sensitive species while maintaining maximum compatible use for operational requirements. Also, the INRIMP notes that wildlife corridors exist along the western and southern edges of the preferred (Site 2) alternative site.

The Service recommends that a third environmentally superior alternative be developed for consideration in the EIS, given that both proposed alternatives support federally listed species, include sensitive habitats such as Diegan coastal sage scrub and vernal pools, and contain existing mitigation sites. The Service is available to work with the Navy on the development of such an alternative.

The Service offers the following specific information and recommendations to assist you in planning for the preservation of sensitive wildlife species and habitat types within the project area and to assist you in complying with pertinent Federal statutes and laws. In order to facilitate the evaluation of the proposed project from the standpoint of fish and wildlife protection, we request that the EIS contain the following information:

1. A complete discussion of the need and purpose for the project, including each of the project alternatives. As stated above, a third, environmentally superior alternative should also be developed and discussed.
2. A complete description of the proposed project, including all practicable alternatives that have been considered to reduce project impacts to wetland areas, other sensitive habitat types, and fish and wildlife resources. Alternatives should include development proposals with reduced footprints that would further minimize and avoid impacts to sensitive species and habitat types on-site.
3. Include a discussion assessing consistency of this project with the INRMP, especially in terms of designated Management Areas.
4. Specific acreage and description of the types of wetland, coastal sage scrub, and other sensitive habitats, including existing mitigation areas, that may be affected by the proposed project or project alternatives. Maps and tables should be included to summarize such information. A similar analysis should be conducted for the Management Areas, as described in the INRMP.
5. A description of the biological resources associated with each habitat type. These descriptions should include both qualitative and quantitative assessments of the resources present on the proposed project site and alternative sites, and include complete species lists for all biological resources on-site.

Ms. Jennifer Dunaway (FWS-SDG-4652.1)

3

6. A list of federally proposed listed or candidate species, state listed and candidate species, and locally sensitive species including, but not limited to, narrow endemic species that are on or near the proposed project sites. A detailed discussion of these species, including information pertaining to their local status and distribution, should also be included.
7. An assessment of direct, indirect, and cumulative project impacts to fish and wildlife species and associated habitats. All facets of the project (e.g., construction, implementation, operation, night lighting) should be included in this assessment. The Service is particularly interested in any potential or real impacts to currently listed, proposed, and narrow endemic species that are found within or adjacent to the project site.
8. An analysis of how project induced impacts may affect fragmentation and isolation of aquatic and terrestrial wildlife and plants at a local and regional scale. A thorough analysis of the effects of the proposed alternative sites on wildlife corridors within MCAS Miramar and connecting to off-site preserves should be included.
9. Specific compensation plans should be considered to fully offset unavoidable project related impacts, including proposals for compensating for the cumulative impacts of direct and indirect habitat loss, degradation, or modification. Project impacts should be compensated through the preservation, restoration, or revegetation of affected habitat types consistent with INRMP guidelines. If restoration or revegetation is proposed, the objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Restoration and revegetation plans should be prepared by persons with specific expertise on southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used; (c) a schematic layout depicting the mitigation area; (d) time of year that planting will occur; (e) a description of the irrigation methodology to be employed; (f) measures to control exotic vegetation on-site; (g) a detailed monitoring program which includes provisions for replanting areas where planted materials have not survived; and (h) identification of the agency that will guarantee successful creation of the mitigation habitat and provide for the conservation of the restoration site in perpetuity.
10. An analysis of the consequences of the project on the hydrology of any and all riparian, wetland, and vernal pool communities within the sphere of influence of the project. Of particular importance is an analysis of the adequacy of proposed means to convey major flood or runoff flows without impacting or adding pollutants to vegetation off-site. This analysis should include the watersheds associated with vernal pools on site and adjacent to the site.
11. Include methods to prevent soil erosion and siltation of habitats off-site, particularly adjacent to the project site. Also, include erosion control methods during and post-construction.


Ms. Jennifer Dunaway (FWS-SDG-4652.1)

4

12. Identification of methods to be employed to prevent discharge and disposal of toxic and/or caustic substances, including oil and gasoline, on the project site, especially during construction.
13. Identification of methods to be employed to prevent the introduction of non-native invasive plants to adjacent sensitive habitats.
14. A thorough analysis of noise and light impacts on wildlife, including avian species, and measures to be taken to mitigate any adverse impacts resulting from increased noise and light levels.
15. A through discussion of the effects of the 2003 Cedar Fire on sensitive habitats within MCAS Miramar. The preferred alternative site is proposed within one of the few locations within MCAS Miramar which did not burn during the Cedar Fire; and there should be a discussion of the potential importance of this site as a refuge for breeding gnatcatchers.

The Service appreciates the opportunity to comment on the referenced NOL. If you have any questions pertaining these comments and recommendations, please contact Mr. Chris Otahal of my staff at (760) 431-9440.

Sincerely,



Therese O'Rourke

Assistant Field Supervisor

cc: Michael J. Mulligan, Deputy Regional Manager, California Department of Fish and Game



THE CITY OF SAN DIEGO

November 3, 2005

VIA MAIL AND FACSIMILE TO (619) 532-2518

Department of the Navy
Department of Defense
Southwest Division, Naval Facilities Engineering Command
1220 Pacific Highway
San Diego, CA 92132-5190

Attention: Ms. Hiphil S. Clemente

Dear Ms. Clemente :

Subject: Notice of Intent to Prepare an Environmental Impact Statement for the Fort Rosecrans National Cemetery at Marine Corps Air Station Miramar, San Diego, CA

The City of San Diego (City) Water Department Capital Improvements Program (CIP) has reviewed the above referenced notice and provides the following comment.

The draft Environmental Impact Statement (EIS) should discuss the availability and potential use of recycled water. The City Water Department is strongly committed to the use of recycled water. In San Diego, water is too precious a resource to be used just once. To meet future water demands and avoid shortages, while reducing our dependence on imported water, the City has built two water reclamation plants to treat wastewater to a level suitable for irrigation, construction (such as for soil compaction, dust control, etc.) and other non-drinking, or non-potable purposes, including toilets. Recycled water, also referred to as reclaimed water, gives San Diego a dependable, year-round, locally controlled water resource.

Using recycled water is cost-effective, reliable and good for the environment. Reclaimed water is approved for nearly all uses except drinking. Careful monitoring by State health officials and water quality-control agencies ensures that the City's recycled water meets all federal, state and local water quality standards.

Currently, the golf course at the Marine Corps Air Station at Miramar uses recycled water. The City urges you to also consider the use of reclaimed water during development of the new cemetery, for irrigation and for use in restroom facilities.



Water Department

600 B Street, Suite 700, MS 907 • San Diego, California 92101-4506
Tel (619) 533-4242 • Fax (619) 533-5278

Page 2
Department of the Navy
November 3, 2005

Thank you for the opportunity to review the Notice of Intent to prepare and EIS. Please contact me at 619-533-7402 should you require additional information.

Sincerely,

A handwritten signature in black ink that reads "Jennifer A. Casamassima". The signature is written in a cursive style with a large, stylized initial "J".

Jennifer A. Casamassima
Water Reuse Program Manager

chr

cc: Marsi Steirer, Deputy Water Department Director
Dai Nguyen, Associate Mechanical Engineer, Water Policy and Strategic Planning
Division
CIP RMU – General – 7.0



THE CITY OF SAN DIEGO

November 10, 2005

Ms. Hiphil S. Clemente
Southwest Division
Naval Facilities Engineering Command
1220 Pacific Highway
San Diego, CA 92132

Subject: City of San Diego Comments on the Notice of Intent to Prepare an Environmental Impact Statement (EIS) for an Annex to the Fort Rosecrans National Cemetery at Marine Corps Air Station (MCAS) Miramar, San Diego, CA

Dear Ms. Hiphil Clemente:

The City of San Diego's has reviewed the Notice of Intent to Prepare an EIS for an Annex to the Fort Rosecrans National Cemetery at Marine Corps Air Stations Miramar, and we offer the following comments:

Planning Department/Multiple Species Conservation Program Section – Jeanne Krosch (619-236-6545)

The proposed site (site 2) is located adjacent to the City of San Diego's Multi-Habitat Planning Area (MHPA). Please discuss in the Draft EIS how the project would be consistent with the City's Multiple Species Conservation Program (MSCP) and incorporate the MSCP Land Use Adjacency Guidelines (MSCP Subarea, section 1.4.3) as appropriate.

Water Department - Dai Nguyen (619-533-4243)

The City of San Diego's Water Department recommends using recycled water for landscaping.

Please contact the above-named individual if you have any questions on these comments. We ask that you please address these issues in the draft EIS and use our significance thresholds for mitigation. Also, please provide us a copy of the draft.



Page 2 of 2
Ms. Hiphil S. Clemente
November 10, 2005

Sincerely,

Allison Sherwood for
Robert J. Manis
Assistant Deputy Director
Land Development Review Division

WRITTEN COMMENTS

Annex to the
Rosecrans National Cemetery
at Marine Corps Air Station Miramar
Environmental Impact Statement

11/2/05

Excellent Scoping session today for those interested in assuring that this very important VA Cemetery project progresses promptly. Seems that the requisite environmental issues are being addressed by DoD & USDOA. What remains critically important is the necessary federal funding to complete construction. Our appropriators in Congress must ensure that the federal dollars are assured since initial construction has been delayed. The veterans in San Diego County, and all of Southern California, would like to have had construction begun yesterday!

Yours for vets,

Steve Arends
Vice-Chair

San Diego County Veterans Advisory Council
(and California rep on the VFA's
National Legislative Committee)

Send Comments to:

Hiphil Clemente
Naval Facilities Engineering Command Southwest
(Address on back)

Comments must be postmarked by: November 18, 2005

WRITTEN COMMENTS

Annex to the
Rosecrans National Cemetery
at Marine Corps Air Station Miramar
Environmental Impact Statement

GOOD TO MAKE IT CLEAR THAT
BURIAL OPTIONS LOCALLY ARE CLOSING
RAPIDLY

YOU MIGHT INDICATE HOW THE
ENVIRONMENT AND HABITAT HAVE
IMPROVED THROUGH CEMETERY CARE

Send Comments to:

Hiphil Clemente
Naval Facilities Engineering Command Southwest
(Address on back)

Comments must be postmarked by: November 18, 2005

