

Border Protection, Office of Field Operations, Cargo and Conveyance Security ("CCS"), 1300 Pennsylvania Ave. NW., Suite 2.3D, Washington, DC 20229-1015 or by email to FTZtest@cbp.dhs.gov. The Executive Director, CCS, will issue a written decision on the proposed action within 30 working days after receiving a timely filed appeal from the test participant. If no timely appeal is received, the proposed notice becomes the final decision of the agency as of the date that the appeal period expires.

Except in the case of willful misconduct, or where a test participant's conduct may cause immediate harm to the public health, interest, or safety, a proposed discontinuance of a test participant's participation privileges will not take effect until the time to file an appeal has expired. In the case of willful misconduct, or where a test participant's conduct may cause immediate harm to the public health, interest, or safety, the Director, Cargo Security and Control, OFO, may immediately discontinue a participant's test privileges upon written notice to the test participant. The notice will contain a description of the facts or conduct warranting the immediate action.

The test participant will be offered the opportunity to appeal the decision within ten (10) calendar days of receipt of the written notice providing for immediate discontinuance. The appeal must be submitted to U.S. Customs and Border Protection, Office of Field Operations, CCS, 1300 Pennsylvania Ave. NW., Suite 2.3D, Washington, DC 20229-1015 or by email to FTZtest@cbp.dhs.gov. The immediate discontinuance will remain in effect during the appeal period. The Executive Director, CCS, will issue a decision in writing on the discontinuance within 15 working days after receiving a timely filed appeal from the test participant. If no timely appeal is received, the notice becomes the final decision of the Agency as of the date that the appeal period expires.

Test Evaluation Criteria

The following is a non-exhaustive list of evaluation factors that CBP may use to assess the merits of the FTZ test:

1. Workload impact;
2. Policy and procedure accommodations;
3. Cost savings;
4. Trade compliance impact;
5. System efficiency;
6. Operational efficiency; or
7. Other issues raised by public comment or by the test participants.

Results of the FTZ test will be formulated at the conclusion of the test and will be made available to the public upon request.

Dated: June 3, 2013.

David A. Murphy,

Acting Assistant Commissioner, Office of Field Operations.

[FR Doc. 2013-13464 Filed 6-6-13; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5681-N-23]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for use to assist the homeless.

FOR FURTHER INFORMATION CONTACT:

Juanita Perry, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7266, Washington, DC 20410; telephone (202) 402-3970; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, and suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to

HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for "off-site use only" recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Theresa Ritta, Office of Enterprise Support Programs, Program Support Center, HHS, room 12-07, 5600 Fishers Lane, Rockville, MD 20857; (301) 443-2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1-800-927-7588 for detailed instructions or write a letter to Ann Marie Oliva at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (i.e., acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: *Agriculture*: Ms. Brenda Carignan, Department of Agriculture, Reporters Building, 300 7th Street SW., Room 337, Washington, DC 20024, (202) 401-0787; *Air Force*: Mr. Robert Moore, Air Force Real Property Agency, 2261 Hughes Avenue, Suite 156, Lackland AFB, TX, 78236-9852, (210) 395-9512; *Army*: Ms. Veronica Rines, Office of the Assistant Chief of Staff for Installation Management, Department of Army, Room 5A128, 600 Army Pentagon, Washington, DC 20310, (571) 256-8145; *COE*: Mr. Scott Whiteford, Army Corps of Engineers, Real Estate, CEMP-CR, 441 G Street NW., Washington, DC 20314; (202) 761-5542; *GSA*: Mr. Flavio Peres, General Services Administration, Office of Real Property Utilization and Disposal, 1800 F Street NW., Room 7040 Washington, DC 20405, (202) 501-0084; *Interior*: Mr. Michael Wright, Acquisition & Property Management, Department of the Interior, 1801 Pennsylvania Ave. NW., 4th Floor, Washington, DC 20006; (202) 254-5522; *NASA*: Mr. Frank T. Bellinger, Facilities Engineering Division, National Aeronautics & Space Administration, Code JX, Washington, DC 20546, (202) 358-1124; *Navy*: Mr. Steve Matteo, Department of the Navy, Asset Management Division, Naval Facilities Engineering Command, Washington Navy Yard, 1330 Patterson Ave. SW., Suite 1000, Washington, DC 20374; (202) 685-9426; (These are not toll-free numbers).

Dated: May 30, 2013.

Mark Johnston,

Deputy Assistant Secretary for Special Needs.

TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM FEDERAL REGISTER REPORT FOR 06/07/2013

Suitable/Available Properties

Buildings

Alaska

Commercial Lot w/2 Story Structure
412 Washington Ave.
Seward AK 99664
Landholding Agency: GSA
Property Number: 54201320010
Status: Surplus
GSA Number: 9-I-AK-0803AB
Directions: GSA is the disposal agency; NPD/
DOI is the landholding agency
Comments: 3,538 sf.; restaurant
Multi-Family Lot
212 Fifth Ave.
Seward AK 99664
Landholding Agency: GSA
Property Number: 54201320014

Status: Surplus
GSA Number: 9-I-AK-0805AB
Directions: Disposal agency: GSA;
Landholding agency: NPS/DOI
Comments: 1,070 sf.; residential; fair conditions; mold, asbestos, & lead
Arkansas
DeQueen Lake 44348
706 DeQueen Lake Road
DeQueen AR 71832
Landholding Agency: COE
Property Number: 31201320010
Status: Excess
Comments: Off-site removal only; 260 sf.; public shelter; very poor conditions
Colorado
Ranger Residence & Storage
Cherry Creek Lake Project
Englewood CO 80111
Landholding Agency: COE
Property Number: 31201320006
Status: Excess
Directions: House 52 x 58 = 1,456 sf; storage 52 x 21 = 1,092 sf.
Comments: Off-site removal only; house & shed vacant for 7 yrs.; bldgs., used sporadically since 1959; poor conditions; asbestos; secured area; coordination w/ state of CO & Cherry Creek State Park Mng.

Georgia

Building #CSS1
5625 Anderson Hwy
Hartwell GA 30643
Landholding Agency: COE
Property Number: 31201320007
Status: Unutilized
Comments: Off-site removal only; 351.99 sf.; poor conditions;

Hawaii

Bldg. 133 & Antenna Tower 133A
Kamehaine Dr., Waimanalo Ridge
Hawaii Kai HI 96825
Landholding Agency: GSA
Property Number: 54201320012
Status: Surplus
GSA Number: 9-N-HI-811
Directions: Disposal agency: GSA;
Landholding agency: Navy
Comments: Off-site removal only; 735 sf. for bldg. 133; poor conditions; contamination present; located w/in secured area; contact GSA for more info.

Illinois

Facility 6803
Outdoor Playing Court
Great Lakes IL 60088
Landholding Agency: Navy
Property Number: 77201320003
Status: Unutilized
Comments: Off-site removal for basketball equipment; vacant since September 2011; contact Navy for more details

Iowa

Storage Shed
Prairie Ridge Park
Rathbun Lake
Mystic IA 52574
Landholding Agency: COE
Property Number: 31201320015
Status: Unutilized
Comments: Off-site removal only; 80 sf; one plus months vacant; deteriorated

Storage Shed
Rolling Cove Park
Mystic IA 52574
Landholding Agency: COE
Property Number: 31201320016
Status: Unutilized
Comments: Off-site removal only; 80 sf; one plus months vacant;
Bridge View Park
null
Mystic IA 52594
Landholding Agency: COE
Property Number: 31201320017
Status: Unutilized
Comments: Off-site removal only; 80 sf; one plus months vacant; deteriorated
Storage Shed
Buck Breek Area
Mystic IA 52594
Landholding Agency: COE
Property Number: 31201320018
Status: Unutilized
Comments: Off-site removal only; 80 sf; one plus months vacant; deteriorated.

Kansas

Marion Reservoir
2105 N Pawnee
Marion KS 66861
Landholding Agency: COE
Property Number: 31201320002
Status: Unutilized
Directions: 43407, 43408, 43414, 43415, 43354
Comments: Off-site removal; sf varies. extremely poor conditions due to age & exposure to weather elements; contact COE for more information.

Council Grove Lake
945 Lake Road
Council Grove KS 66846
Landholding Agency: COE
Property Number: 31201320012
Status: Unutilized
Directions: 44628, 44651, 44652, 44576, 44577, 44620, 44623, 44639, 44640, 44634, 44624, 44688, 44689, 44691, 44614, 44616
Comments: Off-site removal only; size varies, moderate conditions; restricted access; contact COE for more information

Maine

Two Trailers
Acadia Nat'l Park
Bar Harbor ME 04609
Landholding Agency: Interior
Property Number: 61201320020
Status: Unutilized
Comments: Off-site removal only; removal may be difficult; 768 sf. for each; residential; 15 yrs. vacant; repairs a must; contact Interior for more details

Maryland

Tract 101-09; Toll House
Monocracy Nat'l Battlefield
Fredrick MD 21703
Landholding Agency: Interior
Property Number: 61201320021
Status: Excess
Comments: Off-site removal only; relocation may be difficult; 1,080 sf.; 10+ yrs. vacant; very poor conditions; contact Interior for more details

Montana

Abbott Bay Toilet

Flathead National Forest
Flathead MT
Landholding Agency: Agriculture
Property Number: 15201320021
Status: Excess
Directions: Infra #5021
Comments: Off-site removal only; 97 sf;
located in remote location; deteriorated;
abandoned for a number of years.

New Mexico
Building 623515B065
07560 Jornada Experimental Range
Las Cruces NM 88005
Landholding Agency: Agriculture
Property Number: 15201320023
Status: Excess
Comments: 768 sf; plant genetics lab; good
condition; located in NM State University.

New York
Building 240
Hill Rd. AFRL Rome Research Site
Rom NY 13441
Landholding Agency: GSA
Property Number: 54201320007
Status: Excess
GSA Number: ny0938
Comments: 134,855 sf; military office & lab
bldg.; 10 plus years vacant; significant
deterioration; asbestos; access must be
coordinated w/local airforce personnel.

Oklahoma
Pine Creek Lake Office Compound
Rt. 1, Box 400
Valliant OK 74764
Landholding Agency: COE
Property Number: 31201320001
Status: Unutilized
Comments: Off site removal only; 12sf;
storage flammable materials, poor
conditions.

Eufaula Lake
102 E BK 200 Rd.
Stigler OK 74462
Landholding Agency: COE
Property Number: 31201320003
Status: Unutilized
Directions: 44147, 44152, 44268
Comments: Off-site removal only; sf varies,
poor conditions; contact COE for more
information.

Keystone Lake
23115 West Wekiwa Road
Sand Springs OK 74063
Landholding Agency: COE
Property Number: 31201320011
Status: Unutilized
Directions: 43568, 43451, 43452, 43567
Comments: Off-site removal only; sf. varies.
poor conditions; contact COE for more
information.

Eufaula Lake Office
102 E BL 200 Road
Stigler OK 74462
Landholding Agency: COE
Property Number: 31201320014
Status: Unutilized
Comments: Off-site removal only; 24 sf; water
well; poor conditions

Pennsylvania
Blue Marsh Lake Former Sewage
1268 Palisades Drive
Leesport PA 19533
Landholding Agency: COE
Property Number: 31201320020
Status: Unutilized
Comments: Off-site removal only; 678 sf;
sewage treatment plant; 16 yrs. vacant;
repairs/renovations needed.

Texas
Pat Mayse Lake
12 mi North of Paris
Powderly TX 75473
Landholding Agency: COE
Property Number: 31201320004
Status: Unutilized
Directions: 43008, 43007, 43004
Comments: Off-site removal; sf. varies; poor
conditions, contact COE for more
information.

Water Well House
3800 Comanche Gap Road
Harker Heights TX 76548
Landholding Agency: COE
Property Number: 31201320008
Status: Unutilized
Comments: Off-site removal only; 36 sf. (est.);
poor conditions

Water Well House (BN-26674)
6509 Owl Creek Park Rd.
Temple TX 76502
Landholding Agency: COE
Property Number: 31201320009
Status: Unutilized
Comments: Off-site removal only; 36 sf. (est.);
poor conditions

Pat Mayse Lake
12 mi North of Paris
Powderly TX 75473
Landholding Agency: COE
Property Number: 31201320013
Status: Unutilized
Comments: Off-site removal only; support
bldg. for radio tower common; fair
conditions; contact Pat Mayse personnel
for escort access.

Lake Texoma
351 Corps Road
Denision TX 75020
Landholding Agency: COE
Property Number: 31201320019
Status: Unutilized
Directions: 58096, 58023
Comments: Off-site removal only; poor
conditions; contact COE for more info.

Utah
Building 00234
Dugway Proving Ground
Dugway UT 84022
Landholding Agency: Army
Property Number: 21201320046
Status: Underutilized
Comments: Off-site removal only; no future
Army use; 3,110 sf.; military housing; 53
yrs.-old; repairs needed; secured area;
contact Army for more info.

West Virginia
Tract #105-05
3011 New River Rd.
Hinton WV 25951
Landholding Agency: Interior
Property Number: 61201320007
Status: Excess
Directions: Tommy Ray & Cynthia Mullen's
House; Shed #1; Shed #2; carport; Cinder
Block Utility Bldg.
Comments: Off-site removal only; relocation
may be difficult; sf. varies; 6 yrs. vacant;

structurally sound; lead, mold, & asbestos
present; contact Interior for more details

Tract #155-29
Rt. 41 nxt. to Prince Post Office
Prince WV 25907
Landholding Agency: Interior
Property Number: 61201320009
Status: Excess
Directions: Hazel Summerville House &
Garage
Comments: Off-site removal only; relocation
may be difficult; sf. varies; 7 yrs. vacant;
overgrown by vegetation; structurally
sound; contact Interior for more details

Tract #155-11
Prince St.
Prince WV 25907
Landholding Agency: Interior
Property Number: 61201320010
Status: Excess
Directions: Barbra Wood House & Shed #1
Comments: Off-site removal only; relocation
may be difficult; overgrown by vegetation;
sf. varies; structurally sound; 5 yrs. vacant;
contact Interior for more details

Tract #105-38
2901 New River Rd.
Hinton WV 25951
Landholding Agency: Interior
Property Number: 61201320012
Status: Excess
Directions: Betty Jane Adkins House; Cinder
Block Bldg.
Comments: Off-site removal only; relocation
may be difficult; sf. varies; 7 yrs. vacant;
repairs a must; contact Interior for more
details

Tract #161-37; Billy Joe
Adkins House
312 Silverbell Dr.
Terry WV 25864
Landholding Agency: Interior
Property Number: 61201320014
Status: Excess
Comments: Off-site removal only; relocation
may be very difficult; overgrown by
vegetation; 1,150 sf.; 10 yrs. vacant; repairs
a must; contact Interior for more details

New River Gorge Nat'l River
1303 New River Rd.
Hinton WV 25951
Landholding Agency: Interior
Property Number: 61201320015
Status: Excess
Directions: Tract #102-38 Steven & Mary Pat
Duncan House; Shed #1; Shed #2
Comments: Off-site removal only; relocation
may be difficult; sf. varies; 6 yrs. vacant;
structurally sound; contact Interior for
more details

New River Gorge Nat'l River
2319 New River Rd.
Hinton WV 25951
Landholding Agency: Interior
Property Number: 61201320017
Status: Excess
Directions: Tract 104-49 (Mr. & Mrs. Herron
House); Shed #1; Shed #2; Carport;
Cinderblock Bldg.
Comments: Off-site removal only; may be
difficult to relocate; sf. varies; 4-6 yrs.
vacant; structurally sound; contact Interior
for more details

New River Gorge Nat'l River
Misty River Rd./Rt. 27/2

Hinton WV 25951
Landholding Agency: Interior
Property Number: 61201320018
Status: Excess
Directions: Tract 176-06; Glenwood Corp.
Cabins #1, #2, & #3
Comments: Off-site removal only; removal may be difficult; sf. varies; 5 yrs. vacant; structurally sound; contact Interior for more details

Tract #161-05
Bobby Harrah House
Lot 9 Silverbell Dr.
Terry WV 25864
Landholding Agency: Interior
Property Number: 61201320019
Status: Excess
Comments: Off-site removal only; relocation may be difficult; residential; 7 yrs. vacant; structurally sound but uninhabitable; repairs a must; contact Interior for more details

Tract 161-17
Johnny & Brenda Adkins House
Lot 51 Silverbell Dr.
Terry WV 25864
Landholding Agency: Interior
Property Number: 61201320022
Status: Excess
Comments: Off-site removal only; may be difficult to relocate due to current conditions; 670 sf.; residential; 10 yrs. vacant; leaking roof/water damage; contact Interior for more info.

Land

Alaska

Commercial Lot
5th Ave. btw. Adams St. & Wash. St.
Seward AK 99664
Landholding Agency: GSA
Property Number: 54201320013
Status: Surplus
GSA Number: 9-I-AK-0802-AB
Directions: Disposal agency: GSA;
Landholding agency: NPS/DOII
Comments: Approx. 150' x 100' sf.; restaurant

Unsuitable Properties

Buildings

California
3 Buildings
Doolittle, Camp Beale & Grass Valley
Beale CA
Landholding Agency: Air Force
Property Number: 18201320003
Status: Unutilized
Directions: 1299, 3296 & 5775
Comments: Located on base w/controlled access; public access denied & no alter. method w/out compromising nat'l sec.
Reasons: Secured Area

Maryland

Antietam National Battlefield
Tract #04-109; Mumma Farm
18440 Shepardstown Pike
Sharpsburg MD 21782
Landholding Agency: Interior
Property Number: 61201320016
Status: Excess
Comments: Documented deficiencies; structure is collapsing; structurally unsound; any movement will result in entire structure completely collapsing

Reasons: Extensive deterioration
179NS
Halligan Road
Annapolis MD 21401
Landholding Agency: Navy
Property Number: 77201320004
Status: Unutilized
Comments: Public access denied & no alternative method w/out compromising nat'l sec.
Reasons: Secured Area
Montana
Patrol Ridge Common.
null
Flathead MT
Landholding Agency: Agriculture
Property Number: 15201320022
Status: Excess
Directions: Infra #3801
Comments: Inaccessible; requires helicopter transport to access
Reasons: Other—isolated area Not accessible by road

New Jersey
Building 7434
Madison Rd.
JBMDL NJ 08640
Landholding Agency: Air Force
Property Number: 18201320004
Status: Unutilized
Comments: Public access denied & no alternative method to gain access w/out compromising nat'l security
Reasons: Secured Area

Rhode Island

Building 64
1 Simonpietri Dr.
Newport RI 02841
Landholding Agency: Navy
Property Number: 77201320005
Status: Excess
Comments: Public access denied & no alternative method to gain access without compromising Nat'l security
Reasons: Secured Area

Virginia

3 Buildings
West Taylor St.
Hampton VA 23681
Landholding Agency: NASA
Property Number: 71201320003
Status: Unutilized
Directions: 119C, 1192D, & 1192E
Comments: Public access denied & no alternative method to gain access w/out compromising nat'l security
Reasons: Secured Area
Office Facility Bldg. 1229
NASA Langley Research Ctr.
Hampton VA 23681
Landholding Agency: NASA
Property Number: 71201320004
Status: Unutilized
Comments: Public access denied & no alternative method to gain access w/out compromising nat'l security
Reasons: Secured Area

Washington

14 Buildings
3rd Division Drive
JBLM WA 98433
Landholding Agency: Army

Property Number: 21201320045
Status: Unutilized
Directions: 03177, 03174, 03181, 03196, 03173, 03175, 03186, 03189, 03190, 03191, 03193, 03194, 03195, 03197
Comments: Secured military cantonment; public access denied & no alter. method w/out compromising nat'l sec.
Reasons: Secured Area

West Virginia

Tract #128-01; House in Prince
Rail Yard
77 Quinnimont Station Rd.
Prince WV 25907
Landholding Agency: Interior
Property Number: 61201320006
Status: Excess
Comments: Documented deficiencies; bldg. has completely collapsed; structurally unsound; uninhabitable
Reasons: Extensive deterioration
Tract #122-30; Adkins Squatter
House
R/R 7/2 Hump Mountain Rd.
Meadow Creek WV 25977
Landholding Agency: Interior
Property Number: 61201320008
Status: Excess
Comments: Documented deficiencies; completely overgrown by vegetation; bldg. is collapsing; uninhabitable; structurally unsound; any movement will result in complete collapse of bldg.
Reasons: Extensive deterioration
Tract 112-36; James A. Walrath
R/R 7/2 Hump Mountain Rd.
Meadow Creek WV 25977
Landholding Agency: Interior
Property Number: 61201320011
Status: Excess
Comments: Documented deficiencies; bldg. is collapsing; uninhabitable; any movement will result in complete collapse

Reasons: Extensive deterioration
Tract #161-15
Lot 1 & 1A Terry Rd.
Terry WV 25864
Landholding Agency: Interior
Property Number: 61201320013
Status: Excess
Directions: Campbell House & Shed
Comments: Documented deficiencies; bldgs. are collapsing; movement of any kind will result in completely collapse
Reasons: Extensive deterioration

Land

California

Land Parcel II CIVIL. 174-SD
Naval Base
San Diego CA
Landholding Agency: Navy
Property Number: 77201320006
Status: Excess
Comments: Public access denied & no alternative method to gain access w/out compromising nat'l security
Reasons: Secured Area

Louisiana

NASA Michoud Assembly Facility
13800 Old Gentilly Rd.
New Orleans LA
Landholding Agency: GSA
Property Number: 54201320011

Status: Surplus

GSA Number: 7-Z-LA-0427-AB

Directions: GSA is the disposal agency;

NASA is the landholding agency

Comments: Four above ground tanks which storages 500+ gallons of flammable materials residing on an adjacent property owned by Delgado Community College who operates a firefighter training school

Reasons: Within 2000 ft. of flammable or explosive material

[FR Doc. 2013-13238 Filed 6-6-13; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R3-ES-2013-N102;

FXES1112030000F2-134-FF03E15000]

Final Environmental Impact Statement, Habitat Conservation Plan, and Implementing Agreement, NiSource Inc.

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), are advising the public of the availability of the Final Environmental Impact Statement (FEIS) associated with an application received from NiSource Inc. (hereafter "NiSource") for an incidental take permit (hereafter "ITP") pursuant to Section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (ESA). If issued, the ITP would authorize NiSource to take 10 federally listed species over a 50-year period. For record of decision availability, see DATES. For directions on how to review the FEIS and related documents, see ADDRESSES.

DATES: The Record of Decision will be available no sooner than July 8, 2013.

ADDRESSES: *Document availability:* Documents and other information submitted with the application are available for review, subject to the requirements of the Privacy Act of 1974 (5 U.S.C. 552a.) and Freedom of Information Act, by either of the following methods:

- *Internet:* You may obtain an electronic copy of the FEIS and related documents on the Internet at: <http://www.fws.gov/midwest/endangered/permits/hcp/r3hcps.html>.

- *U.S. Mail:* You may obtain an electronic copy of the FEIS and related documents on compact disk by submitting a request in writing to the U.S. Fish and Wildlife Service within 30-days of the date of publication of this notice, see **FOR FURTHER INFORMATION CONTACT.**

- *In-Person:* Printed copies of the documents are available for public inspection and review (by appointment only), at the office listed under **FOR FURTHER INFORMATION CONTACT.**

FOR FURTHER INFORMATION CONTACT: Thomas J. Magnuson, Regional HCP Coordinator, U.S. Fish and Wildlife Service, 5600 American Blvd. West, Suite 990, Bloomington, Minnesota 55437-1458; 612-713-5467.

SUPPLEMENTARY INFORMATION: We are advising the public of the availability of the Final Environmental Impact Statement (FEIS) associated with an application received from NiSource ITP pursuant to the ESA. If issued, the ITP would authorize NiSource to take 10 federally listed species over a 50-year period.

NiSource prepared a multi-species habitat conservation plan (MSHCP) to cover a suite of activities associated with operation, maintenance, and construction of their existing natural gas pipeline system in the States of Delaware, Indiana, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia.

The Service was the lead Federal agency for preparation of the FEIS. The Federal Energy Regulatory Commission (FERC), the U.S. Army Corps of Engineers (USACE), the U.S. Department of Agriculture (USDA) Forest Service (FS) Eastern Region and Southern Region, and the National Park Service (NPS) Southeast Region served as cooperating agencies.

Background

NiSource, Inc., headquartered in Merrillville, Indiana, is engaged in natural gas transmission, storage, and distribution, as well as electric generation, transmission, and distribution. NiSource, Inc.'s wholly owned pipeline subsidiaries, Columbia Gas Transmission, LLC; Columbia Gulf Transmission LLC; Crossroads Pipeline Company; Central Kentucky Transmission Company; and NiSource Gas Transmission and Storage Company (companies referred to collectively as "NiSource"), are interstate natural gas companies whose primary operations are subject to the Natural Gas Act (15 U.S.C. 717) and fall under the jurisdiction of the Federal Energy Regulatory Commission (FERC) and the U.S. Department of Transportation (USDOT). NiSource is seeking authorization under the ESA to take species in the course of engaging in otherwise lawful gas transmission and storage operations.

On July 16, 2009, NiSource filed an application with the Service for a Section 10(a)(1)(B) ITP for 10 ESA listed species known to occur within NiSource's operating territory. These species include the Indiana bat (*Myotis sodalis*), bog turtle (*Glyptemys muhlenbergii*), Madison Cave isopod (*Antrolana lira*), clubshell mussel (*Pleurobema clava*), northern riffleshell mussel (*Epioblasma torulosa rangiana*), fanshell mussel (*Cyprogenia stegaria*), James spiny mussel (*Pleurobema collina*), sheepsnose mussel (*Plethobasus cyphus*), Nashville crayfish (*Orconectes shoupi*), and American burying beetle (*Nicrophorus americanus*). The MSHCP was prepared to cover a 50-year timeframe.

The Covered Land for the MSHCP and requested ITP includes 12 counties in Maryland, Ohio, Pennsylvania, and West Virginia; and a 1-mile-wide corridor associated with 15,562 miles of existing NiSource right-of-way within the 14 aforementioned States.

The Covered Activities, or those NiSource activities that fall under the purview of the MSHCP and requested ITP, include a wide range of operation, maintenance, and new construction activities that are specific to NiSource Inc.'s wholly owned pipeline subsidiaries and to the Covered Land specified in the MSHCP.

The MSHCP evaluated 42 species that could potentially occur within the NiSource Covered Land, and that could potentially be impacted by NiSource Covered Activities. However, after analysis of the 42 species and the Covered Land, it was concluded that NiSource Covered Activities will have no impact on 32 of the 42 species evaluated. Therefore, NiSource is requesting incidental take for the remaining 10 species, for which take could be minimized, but not avoided.

In addition to the 42 species evaluated in the MSHCP, 46 additional ESA-listed, proposed, or candidate species are either known to occur or potentially occur within the NiSource Covered Land. Potential impacts to these species are discussed in the FEIS and in the Service's Biological Opinion.

NEPA Compliance

Issuance of an ITP by the Service to NiSource is a Federal action that may affect the quality of the human environment and therefore is subject to review under the National Environmental Policy Act (NEPA). To comply with the NEPA, the Service prepared an FEIS. The FEIS analyzes and discloses potential impacts that could result from issuance of an ITP to NiSource and through subsequent