In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the County of Chautauqua.

Issued in Garden City, New York on September 2, 1999.

Philip Brito,

Manager, New York Airports District Office, Eastern Region.

[FR Doc. 99–25355 Filed 9–28–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[FHWA Docket No. FHWA–99–5012]

Nationwide Differential Global Positioning System; Programmatic Environmental Assessment

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of a final programmatic environmental assessment (PEA).

SUMMARY: The Secretary of Transportation (Secretary) has been authorized by Congress, pursuant to section 346 of the U.S. Department of Transportation (DOT) and Related Agencies Appropriations Act, 1998, to establish, operate, and manage a nationwide system to be known as the Nationwide Differential Global Positioning System (NDGPS) as soon as practicable, to integrate the NDGPS stations into the Continuously Operating Reference Station (CORS) system of the National Geodetic Survey of the Department of Commerce, and to investigate the use of the NDGPS reference stations for the Global Positioning System Integrated Precipitable Water Vapor System of the National Oceanic and Atmospheric Administration (NOAA) of the Department of Commerce. A final PEA for the NDGPS program has been prepared to support this program. The FHWA envisions at this time that the NDGPS program will require the construction of at least 67 transmitter sites and maybe as many as 100, but no new sites will result in significant impacts to the environment.

FOR FURTHER INFORMATION CONTACT: Mr. James A. Arnold, Office of Operations Research and Development, HRDO, (202) 493–3265, Federal Highway Administration, Turner-Fairbank Highway Research Center, 6300 Georgetown Pike, McLean, VA 22101–2296, or for legal issues: Mr. Robert J. Black, Office of the Chief Counsel, HCC–31, (202) 366–1359, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 8 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of the PEA for the NDGPS program is available at *http://www.navcen.uscg.mil/*.

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512–1661. Internet users may reach the Office of the Federal Register's home page at: *http://www.nara.gov/fedreg* and the Government Printing Office's database at: *http://www.access.gpo.gov/nara*.

Background

The Secretary has delegated his authority under section 346 of the DOT Appropriations Act for FY 1998, Public Law 105–66, October 27, 1997, 111 Stat. 1425, at 1449, to the Commandant of the United States Coast Guard (USCG), the Federal Railroad Administration (FRA), and the FHWA. The FHWA is the lead agency and the USCG and the FRA are cooperating agencies for the implementation of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C) and 23 CFR part 771. In accordance with NEPA, the FHWA has prepared a final PEA for the NDGPS program.

The NDGPS service would augment existing satellite-based Global Positioning System range information with a differential correction broadcast from ground-based reference stations transmitting from known positions, thereby providing users with more precise radio navigation and positioning information for public safety, transportation, scientific, and environmental applications. Federal agencies implementing the proposed NDGPS service are the DOT's Office of the Secretary of Transportation (OST), the FHWA, the FRA, the NOAA, the U.S. Air Force (USAF), the U.S. Army Corps of Engineers (USACE), and the USCG.

The NDGPS involves the expansion of an existing network of USCG local area Differential Global Positioning System (DGPS) reference stations currently covering United States coastal areas and major inland waterways. To expand this existing DGPS service nationwide, the installation of additional reference stations with low-frequency transmit antennas is required on suitable 11-acre land parcels located principally in the interior portions of the continental Unites States and Alaska. Sites will typically be on level ground and away from tall structures. Three deployment alternatives for the additional NDGPS reference stations were considered in the draft PEA.

Alternative A consists of conversion of 32 decommissioned USAF Ground Wave Emergency Network (GWEN) sites for use as NDGPS reference stations and the transfer of GWEN equipment from remaining GWEN sites to 28 new NDGPS site locations. Seven additional sites would receive similar new equipment, for a total of 67 NDGPS reference stations. The GWEN transmit antennas to be used are typically 299 feet tall guyed towers and will be operated at an effective radiated power (ERP) of no more than 500 Watts.

Alternative B consists of the installation of new equipment at 32 existing GWEN relay node sites, as well as at 35 new sites. The resulting NDGPS reference stations would be physically similar to the reference stations of Alternative A.

Alternative C is to identify 80 to 100 new sites and install equipment similar to USCG local area DGPS stations. These reference stations would utilize either 90 feet or 120 feet tall towers and operate at an ERP of no more than 170 Watts. The NDGPS is expected to be fully operational in the United States by the year 2002. During the selection of sites for the NDGPS reference stations, the FHWA and cooperating agencies will consult with key regulatory agencies and apply environmental site-selection criteria to avoid potentially significant impacts. If a potentially significant environmental impact is unavoidable during the selection of sites for the NDGPS reference stations, specific mitigation measures will be implemented to decrease the impact to a less than significant level. Provided that environmental site-selection criteria and specific mitigation measures identified in the draft PEA are implemented for the NDGPS, no significant environmental impacts are anticipated to occur under any of the proposed action alternatives. If planned mitigation measures for potentially significant impacts cannot be implemented at a specific site, or a site-specific impact is encountered that was not anticipated and addressed in the draft PEA, then additional appropriate NEPA analysis and documentation will be prepared by the FHWA for that specific reference station. In addition, if any sites would be used as a publicly-owned park, recreation area, wildlife and waterfowl refuge, or significant

historic site, a section 4(f) analysis [1] will be conducted. Impacts to historic properties would likewise require consultation with the Advisory Council on Historic Preservation.

Discussion of Comments

Interested persons were invited to comment on the NDGPS draft PEA, FHWA Docket No. FHWA–99–5012 by April 2, 1999 (64 FR 10336, March 3, 1999). There were 11 commenters to this docket; four were Federal agencies, four were State agencies, two were from Indian tribes, and one was a private citizen. The major comments relative to the final PEA are discussed below.

State Historic Preservation Offices and Indian tribes were primarily concerned about the impact these sites may have if the location of new sites were in areas where they operate. There are no plans to locate sites on Indian reservations. If a site were planned to be located on a historic property that an Indian tribe attached religious and cultural significance to, section 106 consultation would be conducted. In the case of State Historic Preservation Offices, the FHWA will consult with them to identify any potential impact. Before each site is installed or, in the case of the GWEN sites, modified, each organization that has jurisdiction will be contacted for individual site review.

Federal agencies that responded were generally satisfied with the analysis and mitigation measures presented in the draft PEA concerning:

—Potential environmental impacts on geology and soil,
—Water quality,
—Ecologically sensitive areas,
—Air quality,
—Noise,
—Land use,
—Plant and wildlife,
—Cultural resources,
—Hazardous materials,
—Environmental justice concerns,
—Recreation,
—Radio frequency environment, and
—Impacts on human health.

Federal agencies that noted certain exceptions to the draft PEA include the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (the Service), each of which raises particular concerns that are addressed below.

The NMFS expressed concerns over impacts to anadromous salmonids and other flora and fauna in the Pacific Northwest and other areas of the country. No sites are planned near or in wetlands of any sort. As the system is deployed and more precise locations are identified for new sites, careful consideration of siting will be used to ensure NDGPS reference stations will not be located in wetlands unless no other practicable alternative exists. This is unlikely given the flexibility of selecting sites. If, in the unlikely instance where no other practicable alternative exists, we will follow the procedures outlined by the NMFS and work with them to ensure minimal impact on marine species.

Additionally, the FHWA expects the NDGPS service to have a positive impact on anadromous salmonids and other threatened or endangered species. A prototype site in Appleton, Washington, has been operating for approximately two years and has been used for many environmental related projects. One project in particular demonstrates the impact of the NDGPS service on the chinook salmon (Oncorhynchus tshawytscha). This project, highlighted in the January 1999 issue of ''GPS World,'' involved mapping the gravel nests (called redds) of the chinook salmon. Using the NDGPS service from Appleton, the mapping was performed much quicker and with greater accuracy than other available techniques. While the benefits of the study were not described in the article, an increase in the knowledge of the spawning habitats of the chinook will allow for greater understanding of the impacts of human actions on their ecosystem. This same technique can be used to map other endangered or threatened species, increasing our understanding and ability to mitigate any potential negative effects.

The Service is concerned about the NDGPS projects' potential impacts on threatened and endangered species with specific emphasis on the potential for migratory bird strikes on the towers. Additional concerns involving threatened and endangered species arise from the effects of ground disturbance and copper leaching from the ground plane of existing sites and new sites.

In an effort to minimize impacts to threatened and endangered species, site selection criteria will be used to identify sites away from these species whenever possible. In the event that a site must be located near threatened or endangered species and a ''may affect'' determination is made, a section 7 consultation with the Service will occur as provided in section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536).

It is important to note that the PEA is intended to be a framework that could be used to select locations that offer zero impact in a number of areas, including threatened and endangered species. Toward this end, the potential effects on threatened or endangered species has been included in the document as one of the criteria that will be addressed at the site-specific level.

Bird strikes at towers is an issue that is larger then the NDGPS project. It is important to note that projections of telecommunications and High Definition Television (HDTV) over the next ten years may produce as many as 5,000 additional towers per year. The Service identifies the towers, lights, and guy wires as known to pose potential hazards to migratory birds flying at low altitudes, particularly night-time neotropical migrating songbirds. The available literature highlights this as a problem, but does not offer mitigation techniques that have been proven to work everywhere. In fact, the literature indicates that this is not a problem everywhere, but is a site-specific problem. This indicates that site selection can be used as the first mitigation technique. This process includes, but is not limited to selecting sites away from known migratory paths, reducing or eliminating visual cues that could funnel birds toward the sites, locating sites in valleys, and not locating sites between nesting and foraging areas.

It is also important to note that additional techniques are available to reduce the impact of the sites even further. These include bird deterrent devices, alternative lighting techniques, and visual cues on the facility itself. Logically, these techniques should have the effect of reducing the likelihood of avian collisions. Unfortunately, for many of the techniques, there is little evidence or studies supporting this conclusion. The literature also indicates that telecommunication towers are not the only threat to migrating birds. Bird strikes also occur at tall buildings and other similar structures. In fact, any tall structure seems to pose a risk of bird strikes.

The Service recommends that the NDGPS project implement a pilot project to incorporate state-of-the-art mitigation techniques to reduce bird strikes along with a five-year monitoring program. Given the current interest in telecommunications facilities, especially telecommunication towers, a study, as recommended, could provide

[1] Section 4(f) of the U.S. DOT Act of 1966 (49 U.S. Code 303) states that a DOT action requiring the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance or land from a historic site of national, state, or local significance will be analyzed for its impact and approval granted only if there is no feasible and prudent alternative to the use of such land, and the action includes all possible planning to minimize harm resulting from the use.

data sufficient to meet needs of many organizations. In an effort to address this issue, we have opened discussions with the Service and are currently examining technologies for implementation on the NDGPS facilities. It is unclear at this point how best to address all the issues, but discussions will continue until solutions are found.

The Service also recommends limiting tower height to 200 feet, preferably no higher than 120 feet. Based on the site-specific nature of this issue, it would be unwise to limit all new facilities to 120 feet. However, there are likely to be locations where this is warranted and, where conditions dictate, shorter towers will be used. Again, this will be based on site-specific criteria and the agency would consider tradeoffs between coverage, potential impact, and system costs.

Additional concerns were raised about the effects of ground disturbance. An example is provided for the desert tortoise. To the maximum extent possible, we are using existing sites where ground disturbance has already occurred. Additionally, one of the main criteria for site selection is not to enter critical habitats of endangered or threatened species, as discussed above. In the unlikely event this proves necessary, we will consult with the Service, as well as local organizations, to determine what is the best way to proceed in order to minimize or eliminate any potential disturbance of these species. Again, it is not expected that the agency will enter the habitat of any threatened or endangered species.

As for the desert tortoise, the only site where there is any possibility of impact is at the Fenner, California, GWEN facility. We have already requested informal consultation at this site in order to minimize or eliminate any impact.

The Service also raises concerns over the effects of copper leaching from the ground plane of the antenna into ground water. In order to determine the potential impact of this situation, several existing GWEN sites have been tested for copper levels in the ground water. No migration of copper off the sites has been found. These sites presented the potential for copper leaching from the ground plane into nearby ground water supplies and then into waterways due to high water tables and the acidity of the ground water. These sites have been installed for approximately 10 years. Based on the length of time these sites have been in place and no leaching of copper into the ground water near the site has occurred to date, we do not expect copper leaching to be a problem. To ensure this is the case, we will continue to examine sites that pose a potential impact, based on the specific site criteria of temperature, pH, salinity, and ground water level. We will first attempt to avoid such areas and when this is not possible or where GWEN sites are located in these areas we will monitor the ground water copper levels and apply appropriate mitigation techniques, ensuring copper from the ground plane does not affect the flora and fauna.

Finally, comments were received from a private citizen that had two main focuses. These issues concerned the FRA and its roles as program sponsor and as regulatory organization for the rail industry, as well as several issues related to the draft PEA. Since the roles of the FRA as program sponsor and as regulatory organization are not pertinent to the docket, they are not addressed here. These issues have been forwarded to the FRA its their consideration. The private citizen's comments that are pertinent to the PEA are addressed in this notice. These are discussed in the following paragraphs and include the coverage area of the system, the potential for ''child shocks,'' remote monitoring of the facility for safety of air traffic, and information telephone numbers.

The private citizen is concerned with the coverage area of the NDGPS service. Once the system is established, coverage verification will be performed to ensure adequate coverage of the U.S. If inadequate coverage is observed, there is the potential for additional sites to be installed. In an effort to eliminate this potential, several studies have been performed to determine the coverage area for each beacon. These include measuring coverage of existing broadcast facilities operated by the U. S. Coast Guard and the Federal Aviation Administration (''Field Strength Measurements of DGPS and FAA Beacons in the 285–325 kHz Band'' [2] and ''Site Selection Plan and Installation Guidelines for a Nationwide Differential GPS Service'' [3] available at: http://www.tfhrc.gov/) and validation of the propagation model using the measured coverage data collected.

It is important to note that the coverage of each beacon is primarily a function of ground conductivity. Ground conductivity was measured under a program sponsored by the Federal Communications Commission when AM broadcast stations were being installed to ensure that there would not be any co-channel interference. This data, as well as actual field data from aviation beacons and existing USCG/DGPS beacons, were combined to form the most accurate propagation and interference model currently available. This model, while still conservative in estimating coverage, is also conservative in estimating interference. In other words, there is greater potential for better coverage and less interference than the model would indicate. This reduces the potential to require additional sites and have a greater impact on the environment.

The private citizen is also concerned about the potential for ''child shocks'' when a child comes into contact with the tower, either directly or by tossing a conducting material onto the tower. The commenter is correct in that the tower is in fact the antenna and is emitting Radio Frequency (RF) energy. This does present a potential danger, but this danger has been mitigated by an eight-foot chain-link fence that is topped with barbed wire and signs are posted on the fence to indicate the potential for injury. Additionally, the tower is eight to ten feet inside the fence. The description in the draft PEA did not provide this additional detail and will be added to the final version. Based on the number of injuries (none to date) to anyone coming in contact with the tower, no injuries are expected in the future. Additionally, most sites are also located in relatively remote areas, reducing any possibility of injury even further.

The private citizen also questions how the tower light is monitored. The tower light and other critical elements at each installation, are monitored remotely 24 hours a day, 365 days a year by the USCG. Additionally, in the event of a failure, there are two separate lights located at the top of each tower that are hardened to resist failure from lighting and other phenomenon that the tower is exposed to. This creates a redundant system. Finally, current operating procedures require a 24-hour response time from service technicians to correct any problem at the site.

Finally, the private citizen stated that the telephone number for the ''GPS Status Recording (24 hour)'' is inaccurate. The phone number published in the DOT telephone directory is incorrect. The correct number is (703) 313–5907. Action has been taken to place the correct number in the next edition of the DOT telephone

[2] Prepared for the FHWA by the U.S. Dept. of Commerce, National Telecommunications and Information Administration, Boulder, CO 80303, November 1, 1996.

[3] Prepared for the FHWA by the U.S. Dept. of Commerce, National Telecommunications and Information Administration, Boulder, CO 80303, August 5, 1997.

directory. Additionally, to speak directly to someone about NDGPS, a more appropriate number to call is (703) 313–5900. This is the ''Navigation Information Service (24 Hour Watch).'' This number is answered by trained USCG personnel who will answer questions concerning all navigation systems in which the Coast Guard has a role. Additionally, the ''24 Hour Watch'' would have provided specific answers to U.S. Coast Guard monitored DGPS systems, including both the Maritime and Nationwide DGPS services. All these numbers, located on the same page, can be found in the DOT telephone directory.

Conclusion

Changes have been made to the NDGPS PEA addressing each of the above comments. The FHWA looked at the three separate deployment alternatives for deployment of the NDGPS service in this PEA. Based on the comments received and further investigation, no single alternative alone would successfully fulfill the objectives of the system. The FHWA therefore proposes to employ a combination of the three alternatives. We believe that at least 67 sites and perhaps as many as 100 will be constructed for the NDGPS service, and, as discussed above, none of these sites would have a significant environmental impact. Each site will be considered against the programmatic data and if the potential for impact is imminent, the appropriate mitigation measures and environmental documentation will be developed and made available for review and comment. If there is a question as to whether a proposed site could have a significant impact, the FHWA will be responsible for the appropriate NEPA documentation.

Based on the comments received and available mitigation techniques, a finding of no significant impact at the programmatic level is assessed for the NDGPS.

Authority: 23 U.S.C. 315, sec. 346, Pub. L. 105–66, 111 Stat. 1425, 1449 (1997); and 49 CFR 1.48.

Issued on: September 22, 1999.

Kenneth R. Wykle,

Federal Highway Administrator.

[FR Doc. 99–25353 Filed 9–28–99; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Transportation Equity Act for the 21st Century; The National Corridor Planning and Development Program and the Coordinated Border Infrastructure Program

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Public workshops.

SUMMARY: The FHWA invites metropolitan planning organizations (MPO), Federal and State government agencies, and the public to attend one or any of five public workshops on the National Corridor Planning and Development Program (NCPD) and the Coordinated Border Infrastructure Program (CBI) and their application process. The NCPD and the CBI programs are funded by a single funding source. These programs provide funding for planning, project development, construction and operation of projects that serve border regions near Mexico and Canada and high priority corridors throughout the United States. States and MPOs are, under the NCPD program, eligible for discretionary grants for: Corridor feasibility; corridor planning; multistate coordination; environmental review; and construction. Border States and MPO are, under the CBI program, eligible for discretionary grants for: Transportation and safety infrastructure improvements, operation and regulatory improvements, and coordination and safety inspection improvements in a border region.

At each of the workshops, we will provide: An overview of the NCPD/CBI programs; details on the types of information DOT/FHWA is requesting; facts about how we will use this information; technical information for submitting data; advice on how to complete the application, should you choose to apply; and we will be requesting information about ways to improve and evaluate the programs in the future.

DATES: The workshops will be conducted between 8:30 a.m. and 4:30 p.m. on the first day and between 8:30 a.m. and 3:30 p.m. (local time) on the second day of the meetings at the following locations and dates:

1. October 12 and 13, 1999, Hunt Valley, MD, Embassy Suites Hotel, 213 International Circle, Hunt Valley, MD 21030.

2. October 19–20, 1999, Chicago, IL, Ambassador West Hotel, 1300 N. State Parkway, Chicago, IL.

3. October 25–26, Atlanta, GA; Renaissance Atlanta Hotel Downtown, 590 West Peachtree Street, Atlanta, GA 30308.

4. November 15–16, 1999, Seattle, WA (Tentative), Cavanaughs on Fifth Avenue, 1415 Fifth Avenue, Seattle, WA 98101.

5. November 18–19, 1999, Phoenix, AZ (Tentative), Wyndham Metro Center, 10220 N. Metro Parkway East, Phoenix, AZ 85051.

A registration fee of $75 is payable to Harrington-Hughes & Associates, Inc., 733 15th Street, NW., Suite 700, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Specifics on registration and hotel accommodation information are available by calling Barbara Murdock of Harrington-Hughes & Associates, Inc., at (202) 289–7285. For workshop issues: Lisa Williams, Office of Intermodal and Statewide Programs, HEPS, (202) 366–6798; or for program issues: Martin Weiss, Office of Intermodal and Statewide Programs, HEPS, (202) 366–5010; Federal Highway Administration, 400 Seventh Street SW., Washington D.C. 20590.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded using a computer with a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512–1661. Internet users may reach the Office of Federal Register's home page at: *http://www.nara.gov/fedreg* and the Government Printing Office's web page at *http://www.access.gpo.gov/nara.*

Internet users may access a number of documents and links concerning the NCPD and CBI programs through the home page of the Corridor/Border Programs: *http://www.fhwa.dot.gov/hep10/corbor/corbor.html.*

Background

On August 30, 1999, at 64 FR 47222, the FHWA published implementation guidance for the national corridor planning and development program and the coordinated border infrastructure program.

Sections 1118 and 1119 of the Transportation Equity Act for the 21st Century (TEA–21), Public Law 105–178, 112 Stat.107, at 161, establish the NCPD and CBI programs, respectively. These programs respond to substantial interest dating from, as early as, 1991. In that year, the Intermodal Surface Transportation Efficiency Act (ISTEA), Public Law 102–240, 105 Stat. 1914, designated a number of high priority corridors. Subsequent legislation