

of NEPA (40 CFR Parts 1500–1508), and Air Force policy and procedures (32 CFR Part 989), the National Guard Bureau is issuing this notice to advise the public of its intent to prepare an EIS to evaluate the potential environmental impacts that could result from the proposed realignment of a portion of National Guard Avenue, and construction of a new main gate at the 158th Fighter Wing (158 FW) installation at Burlington International Airport.

A recent evaluation of infrastructure security at the installation identified several vulnerabilities revealing a potential threat to mission-critical resources. Realignment of a segment of National Guard Avenue would remedy some of these vulnerabilities, and protect mission-critical resources. Work conducted would be in compliance with anti-terrorism/force protection (AT/FP) standoff criteria. Preliminary studies indicate that potential significant adverse effects to wetlands and to sensitive Native American sites may result from realignment of the roadway. In addition to the road segment realignment, the 158 FW would also construct a new main gate along a portion of the realigned roadway, construct a new Security Forces facility, which would be collocated with the new main gate, and construct an internal roadway loop that would improve vehicular safety and circulation to a portion of the installation.

In addition to the proposed action, another action alternative will evaluate the potential impacts of an alternative roadway alignment for National Guard Avenue, and redesigning the main gate in its current location to meet AT/FP criteria. The Security Forces and internal roadway loop would remain as described under the Proposed Action. The no-action alternative will also be analyzed in the EIS.

The National Guard Bureau will conduct a scoping meeting to solicit public input concerning the proposal. The scoping process will help identify issues to be addressed in the environmental analysis. Comments will be accepted at any time during the environmental impact analysis process. However, to ensure the Air Force has sufficient time to consider public input in the preparation of the Draft EIS, comments should be submitted to the address below by 16 April 2009.

Notices will be posted and published in the Burlington Free Press. The scoping meetings will be held at the South Burlington High School, Cafeteria #2, 550 Dorset Street, South Burlington, VT 05403, on 16 April 2009, from 6–9 p.m.

FOR FURTHER INFORMATION CONTACT: Please direct any written comments or requests for information to Robert Dogan, NGB/A7AM, at Conaway Hall, 3500 Fetchet Avenue, Andrews Air Force Base, Maryland 20762–5157; (301) 836–8859; or fax (301) 836–7428.

Bao-Anh Trinh,

Air Force Federal Register Liaison Officer.

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DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of Department of the Navy Report to the Council on Environmental Quality on the Use of Alternative Arrangements

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The Department of the Navy (Navy) announces the availability of its report to the Council on Environmental Quality (CEQ) on the value and effectiveness of the Alternative Arrangements for the U.S. Navy's Composite Training Unit Exercises (COMPTUEXs) and Joint Task Force Exercises (JTFEXs) that occurred between January 15, 2008 and January 23, 2009, in the Southern California (SOCAL) Operating Area. The full text of the Navy's report to the CEQ is available for public viewing on the Web site established for the SOCAL Range Complex Environmental Impact Statement (EIS) at <http://www.socalrangecomplexeis.com>.

SUPPLEMENTARY INFORMATION: On January 15, 2008, the Navy accepted alternative arrangements approved by the CEQ, for implementing the procedural provisions of the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.* for five COMPTUEXs and four JTFEXs that occurred between January 15, 2008 and January 23, 2009 in the SOCAL Operating Area. These alternative arrangements specifically addressed the use of mid-frequency active (MFA) sonar and its effects on marine mammals during Navy exercises in the SOCAL Operating Area.

The Secretary of the Navy's decision memorandum documenting the Navy's acceptance of these alternative arrangements was published in the **Federal Register** on January 24, 2008. The decision memorandum provided that, after the conclusion of the alternative arrangements, and no later than March 23, 2009, the Navy would provide a report to the CEQ that

reviewed the value and effectiveness of the approved alternative arrangements.

This notice announces the public availability of the Navy's report to the CEQ. The full text of the report is available for public viewing on the Web site established for the SOCAL Range Complex EIS at <http://www.socalrangecomplexeis.com>.

Dated: March 25, 2009.

A. M. Vallandingham,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

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DEPARTMENT OF EDUCATION

Intent To Repay to the Northwest Indian College Funds Recovered as a Result of a Final Audit Determination

AGENCY: Department of Education.

ACTION: Notice of intent to award grantback funds.

Education (Secretary) intends to repay to the Northwest Indian College (NWIC) an amount that represents approximately 57 percent of the amount of funds recovered by the Department of Education (Department) as a result of final audit determinations for audit findings covering fiscal years 1999–2001. The Department's recovery of funds followed resolution of the audit disallowances identified in a September 30, 2004 Program Determination Letter (PDL) issued by the Office of Vocational and Adult Education (OVAE) for the period of July 1, 1999 through November 26, 2001. The PDL sought recovery of \$316,096. On December 1, 2004, NWIC appealed the monetary findings in the September 30, 2004 PDL to the Department's Office of the Administrative Law Judges (OALJ). Following discussions and exchanges of information between the parties, on March 27, 2006, the parties entered into a Repayment Agreement (Agreement) that fully resolved the issues in the proceeding and under which NWIC agreed to repay the Department \$316,096. The NWIC has repaid the full amount in accordance with the Agreement.

This notice describes NWIC's plan for the use of a portion of the repaid funds and the terms and conditions under which the Secretary intends to make grantback funds available to NWIC.

This notice invites comments on the proposed grantback.

DATES: We must receive your comments on or before April 29, 2009.