

regarding the application and environmental review process for the Port Dolphin project can be found on the public docket at <http://www.regulations.gov> (Document ID: USCG-2007-28532).

#### Decision Process

Provisions of the Act require the Maritime Administrator to render his decision on a deepwater port license application within 90 days from the date of the final public hearing. The final public hearing for the Port Dolphin project was held on July 28, 2009. In rendering a decision, the Maritime Administrator must either: (1) Approve the application as it is proposed, (2) approve the application "subject to certain conditions", or (3) deny the application. This Record of Decision, approves the Port Dolphin Energy Deepwater Port License Application, "subject to certain conditions," which have been designed to ensure that Port Dolphin Energy utilizes the best available technology in the operation of its port, exercises care to preserve and enhance the environment, and protect Florida's coastal communities and natural resources. Further, the Record of Decision describes the framework by which the Maritime Administrator must base his decision as defined by the nine approval criteria prescribed by the Act. These nine approval criteria ensure: (1) Financial responsibility; (2) compliance with all applicable laws, regulations and license conditions; (3) national interest; (4) international navigation, safety, and use of the high seas; (5) protection and enhancement of the environment; (6) advice of the Administrator of the Environmental Protection Agency; (7) consultation with the Secretaries of State, Defense, and Army, (8) approval of the Governor of the adjacent coastal State, in this case the Governor of Florida, and (9) consistency with the Coastal Zone Management Act.

The Port Dolphin Record of Decision provides an overview of the Federal environmental review process and describes the comprehensive consultation and technical review of the application conducted by the Maritime Administration and USCG, in consultation with the National Oceanic Atmospheric Administration (NOAA), the Environmental Protection Agency, the State of Florida, and other cooperating Federal and State agencies. During the decision-making process, the Acting Maritime Administrator gave careful consideration to the specific concerns expressed by members of the local Florida coastal communities, such as Longboat Key and Manatee County, regarding the potential impacts on local

sand resources. Reasonable efforts were made by the Federal Government, the State of Florida, local communities, and Port Dolphin Energy to bring this matter to a satisfactory resolution. Conditions recommended by cooperating Federal and State agencies, including the specific conditions of approval required by the Governor of Florida, as outlined in his decision letter of September 11, 2009 and in a subsequent Memorandum of Agreement established between the State of Florida and Port Dolphin Energy, have been incorporated into this Record of Decision as conditions of approval. These conditions, which allow for removal of sand prior to the pipeline installation and sharing of costs, will become enforceable and binding under the official deepwater port License upon issuance. The Maritime Administration projects that the official Port Dolphin Energy Deepwater Port License will be issued in early 2010. The full text of the Record of Decision can be viewed at <http://www.regulations.gov> (Document ID: USCG-2007-28532-0240).

Dated: November 16, 2009.

By order of the Maritime Administrator.

**Christine Gurland,**

*Secretary, Maritime Administration.*

[FR Doc. E9-28326 Filed 11-24-09; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Opportunity for Public Comment on Surplus Property Release at Kinston Regional Jetport, Kinston, NC

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice.

**SUMMARY:** Under the provisions of Title 49, U.S.C. 47153(d), notice is being given that the FAA is considering a request from the North Carolina Global TransPark Authority to waive the requirement that a 9.683 acre parcel of surplus property, located at the Kinston Regional Jetport, be used for aeronautical purposes.

**DATES:** Comments must be received on or before December 28, 2009.

**ADDRESSES:** Comments on this notice may be mailed or delivered in triplicate to the FAA at the following address: Atlanta Airports District Office, 1701 Columbia Ave., Campus Building, Suite 2-260, College Park, GA 30337.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Ms. Darlene A.

Waddell, Executive Director at the following address: 2780 Jetport Road, Suite A, Kinston, NC 28504.

**FOR FURTHER INFORMATION CONTACT:** Rusty Nealis, Program Manager, Atlanta Airports District Office, 1701 Columbia Ave., Campus Bldg., Suite 2-260, College Park, GA 30337, (404) 305-7142. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA is reviewing a request by the North Carolina Global TransPark Authority to release 9.683 acres of surplus property at the Kinston Regional Jetport. The surplus property will be developed for industrial and commercial use.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the request, notice and other documents germane to the request in person at 2780 Jetport Road, Suite A, Kinston, NC 28504.

Issued in Atlanta, Georgia on November 16, 2009.

**Scott L. Seritt,**

*Manager, Atlanta Airports District Office, Southern Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Opportunity for Public Comment on Surplus Property Release at Kinston Regional Jetport, Kinston, NC

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice.

**SUMMARY:** Under the provisions of Title 49, U.S.C. Section 47153(d), notice is being given that the FAA is considering a request from the North Carolina Global TransPark Authority to waive the requirement that a 35.19 acre parcel of surplus property, located at the Kinston Regional Jetport, be used for aeronautical purposes.

**DATES:** Comments must be received on or before December 28, 2009.

**ADDRESSES:** Comments on this notice may be mailed or delivered in triplicate to the FAA at the following address: Atlanta Airports District Office, 1701 Columbia Ave., Campus Building, Suite 2-260, College Park, GA 30337.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Ms. Darlene A.