

at the time and in the manner permitted by the Board.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

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## DEPARTMENT OF DEFENSE

### Department of the Army

#### Board of Visitors, United States Military Academy (USMA)

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice of open meeting.

**SUMMARY:** In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting:

*Name of Committee:* Board of Visitors, United States Military Academy.

*Date:* Friday, September 16, 2005.

*Place of Meeting:* Superintendent's Conference Room, Taylor Hall, 2nd floor, Bldg 600, West Point, NY.

*Start Time of Meeting:* Approximately 1 p.m.

**FOR FURTHER INFORMATION CONTACT:**

Lieutenant Colonel Shaun T. Wurzbach, United States Military Academy, West Point, NY 10996-5000, (845) 938-4200.

**SUPPLEMENTARY INFORMATION:** *Proposed Agenda:* Annual Fall Meeting of the Board of Visitors. Review of the Academic, Military and Physical Programs at the USMA. Sub Committee meetings on Academics, Military/Physical and Quality of Life to be held prior to Annual Fall Meeting.

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## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Notice of Intent To Prepare a Programmatic Environmental Impact Statement for the Maintenance and Creation of Emergent Sandbar Habitat on the Upper Missouri River

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DOD.

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers (Corps), DoD, Omaha District will prepare a

Programmatic Environmental Impact Statement (EIS). The EIS will evaluate potential effects to the natural, physical, and human environment that may result from implementation of a program for the mechanical maintenance and creation of emergent sandbar nesting habitat within the free-flowing reaches of the upper Missouri River from Fort Peck, MT downstream to near Sioux City, IA. The emergent sandbar habitat maintenance and creation program proceeds from a defined regulatory process wherein the Corps formally consulted with the U.S. Fish and Wildlife Service (Service), which provided a Biological Opinion (BiOp) on how the Corps may avoid placing populations of federally-listed shorebirds, the interior least tern (*Sterna antillarum*) and piping plover (*Charadrius melodus*), in jeopardy of extinction. Scientific opinion asserts that the areal extent of emergent sandbar habitat directly controls the nesting opportunities and thus the reproductive success for the Missouri River populations of these species. The implementation of this programmatic habitat management action is the Corps' response to, and demonstration of, compliance with the findings of the BiOp stemming from a formal Section 7 consultation with the Service under the Endangered Species Act. Through the findings and recommendations contained within the 2000 BiOp as amended (2003), the Service identified mechanical habitat manipulation as part of a Reasonable and Prudent Alternative (RPA) that the Corps could implement to avoid jeopardy to these two listed species. This Programmatic EIS will tier from the Missouri River Mainstem Reservoir System Master Water Control Manual Final EIS (Master Manual, March 2004), incorporating by reference the general discussions and the affected environment and will evaluate the mechanical maintenance and creation of nesting habitat for the piping plover and interior least tern. Within the Master Manual Final EIS, the Corps acknowledged the need to implement actions to ensure protection of interior least tern and piping plover, but deferred detailed discussions of how these protective measures would be implemented to a future NEPA document. This programmatic EIS is that lower tiered document.

**ADDRESSES:** Send written comments and suggestions concerning this proposed project to Rebecca J. Latka, CENWO-PM-AE, 106 South 15th Street Omaha, NE 68102, phone: (402) 221-4602, e-mail: [rebecca.j.latka@usace.army.mil](mailto:rebecca.j.latka@usace.army.mil).

#### FOR FURTHER INFORMATION CONTACT:

Questions about the overall emergent sandbar habitat program, should be directed to Ms. Kelly Crane, Operations Project Manager, Oahe Project Office, 28563 Powerhouse Road, Pierre, SD 57501 (605) 224-5862 x3000; e-mail: [kelly.a.crane@usace.army.mil](mailto:kelly.a.crane@usace.army.mil).

#### SUPPLEMENTARY INFORMATION:

##### 1. Public Participation

a. In August 2003, the Corps issued a public notice initiating a programmatic Environmental Assessment (EA) for this project. At that time, the Corps formally solicited comments from agencies and began to collect comments on what should be evaluated and considered in the EA. The Corps held formal scoping meetings in support of the EA in September 2004, conducting public meetings in Bismarck, ND and Yankton, SD. Based on the responses from agencies and the public, the Corps elevated the level of analysis and public review to a Programmatic EIS. The National Park Service and the U.S. Fish and Wildlife Service have agreed to participate as Cooperating Agencies for the Programmatic EIS.

b. To ensure that all issues related to the proposed program are addressed, the Corps will open an additional comment period to receive recommendations from interested agencies, local and regional stakeholders, and the public. Those providing comments are encouraged to identify areas of concern, recommend issues and potential effects to be addressed in the EIS, and suggest alternatives that should be analyzed. The comment period will extend for 30 days from the date of this Notice's publication in the **Federal Register**. The Corps anticipates that a draft Programmatic EIS will be available for public and agency review in early 2006. When the Notice of Availability appears in the **Federal Register**, the Draft Programmatic EIS will be circulated for a 45-day comment period.

c. The Corps invites full public participation to promote open communication and better decision-making. All persons and organizations that have an interest in the program are urged to participate in this NEPA process. Assistance will be provided upon request to anyone having difficulty with understanding how to participate. Public comments are welcome anytime throughout the NEPA process. Formal opportunities for public participation include: (1) During the 30-day public scoping comment period via mail, telephone or e-mail; (2) during review and comment on the Draft Programmatic EIS (approximately early