

close of the public scoping period. Technical and advisory support will be obtained from lead and cooperating agencies and organizations. Preparation of the programmatic EIS will also be supported by concurrent research sponsored by the MDNR and NOAA and by others.

A scientific advisory panel will advise on the research that is essential for the EIS, appropriate analytical methods for use of existing data, quality assurance for data, analytical results to be used in the EIS, and comment on the general sufficiency of the scientific research used in the EIS.

Schedule

Subject to the availability of funds, the existing schedule anticipates an expedited process to produce a programmatic EIS leading to a record of decision. The draft programmatic EIS is expected to be available for public review in the spring of 2005 or as quickly as a rigorous, scientifically based EIS can be produced. Public meetings may be held following the notice of availability of the draft programmatic EIS. Following the Record of Decision (ROD) of the Programmatic EIS, site-specific deployment of non-native oysters may be subject to regulatory requirements of the Rivers and Harbors Act and the Clean Water Act, National Environmental p act NEPA.

Issues To Be Addressed

The following issues have been identified for analysis in the programmatic EIS. The list is tentative and intended to facilitate public comment on the scope of the programmatic EIS. The lead agencies specifically invite suggestions for the addition or deletion of items on this list:

- (1) Pathogen disease and virus risk analysis associated with introduction of a non-native oyster;
- (2) Life history and biology of *Crassostrea ariakensis*;
- (3) Socioeconomic effects toward commercial and recreational activities in the Chesapeake Bay;
- (4) Production of a comprehensive risk assessment and oyster growth, mortality and demographic model;
- (5) Development of a model to determine the specific locations and scenarios and the outcome of introduction in these specific locations;
- (6) Development of management practices for an introduction of a non-native species and study of the habitat requirements of the Asian oyster;
- (7) Other appropriate studies identified by the National Academy of Sciences in its report Non-Native

Oysters in the Chesapeake Bay (NRC, 2003);

(8) Development of a model for the expansion, improvement and acceleration of oyster restoration programs in Maryland and Virginia, including locations, scenarios and outcomes of expansions in specific locations.

(9) Development of management practices for implementation of expanded, improved and accelerated oyster restoration programs in Maryland and Virginia, and;

(10) Any other issues identified as part of the public scoping process.

Other Environmental Review and Consultations

To the fullest extent possible, the programmatic EIS will be integrated with analysis and consultation required by the Endangered Species Act of 1973, as amended (Pub. L. 93-205; 16 U.S.C. 1532 *et seq.*); the Magnuson-Stevens Fishery Conservation and Management Act, as amended (Pub. L. 94-265; 16 U.S.C. 1801, *et seq.*), the National Historic Preservation Act of 1966, as amended (Pub. L. 89-655; 16 U.S.C. 470, *et seq.*); the Fish and Wildlife Coordination Act of 1958, as amended (Pub. L. 85-624; 16 U.S.C., *et seq.*); the Coastal Zone Management Act of 1972, as amended (Pub. L. 92-583; 16 U.S.C. 1451, *et seq.*); and the Clean Water Act of 1977, as amended (Pub. L. 92-500; 33 U.S.C. 1251, *et seq.*); Section 10 of the Rivers and Harbors Act of 1899, 33 U.S.C. 403 *et seq.*; Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended (16 U.S.C. 4701 *et seq.*); Lacey Act, as amended (18 U.S.C. 42), The 1993 Chesapeake Bay Policy for the Introduction of Non-Indigenous Aquatic Species and applicable and appropriate Executive Orders.

Yvonne J. Prettyman-Beck,
Colonel, Corps of Engineers Commanding.
[FR Doc. 04-73 Filed 1-2-04; 8:45 am]
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DEPARTMENT OF DEFENSE

Department of the Army

Intent To Prepare a Joint Draft Environmental Impact Statement/ Environmental Impact Report for the Wilson Creek/Oak Glen Creek Feasibility Study in the City of Yucaipa, San Bernardino County, CA; Correction

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

ACTION: Meeting date correction.

SUMMARY: The public scoping meetings scheduled for January 14, 2004 published in the **Federal Register** on Monday, December 29, 2003 (68 FR 74949) has been rescheduled. The public scoping meeting will now be held on February 4, 2004 from 6 p.m. to 9 p.m. at the City of Yucaipa Council Chambers, 34272s Yucaipa Boulevard, Yucaipa, CA.

FOR FURTHER INFORMATION CONTACT: Ms. Lois Goodman, Environmental Coordinator, telephone (213)-452-3869.

Luz D. Ortiz,

Army Federal Register Liaison Officer.
[FR Doc. 04-72 Filed 1-2-04; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of Government-Owned Invention; Available for Licensing

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The invention listed below is assigned to the United States Government as represented by the Secretary of the Navy and is available for licensing by the Department of the Navy. Patent application 10,672,273: Mounting System for Intermodal Container.

ADDRESSES: Requests for copies of the invention cited should be directed to: Naval Surface Warfare Center, Crane Div, Code OCF, Bldg 64, 300 Highway 361, Crane, IN 47522-5001.

FOR FURTHER INFORMATION CONTACT: Mr. Darrell Boggess, Naval Surface Warfare Center, Crane Div, Code OCF, Bldg 64, 300 Highway 361, Crane, IN 47522-5001, telephone (812) 854-1130. To download an application for license, see: http://www.crane.navy.mil/newscommunity/TechTrans_CranePatents.asp?bhcp=1

(Authority: 35 U.S.C. 207, 37 CFR part 404)

Dated: December 22, 2003.

S.K. Melancon,

Paralegal Specialist, Office of the Judge Advocate General, Alternate Federal Register Liaison Officer.

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