

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Public Scoping Meeting and Preparation of Draft Environmental Impact Statement for Widening and Deepening of the Matagorda Ship Channel in Calhoun County and Matagorda County, TX**

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

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers, Galveston District intends to prepare a Draft Environmental Statement (DEIS) to assess the social, economic and environmental effects of the proposed widening and deepening of the Matagorda Ship Channel. The DEIS will assess potential impacts of a range of alternatives, including the No Action and preferred alternatives. The Federal action is consideration of a Department of Army Permit application for work under section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), section 404 of the Clean Water Act (33 U.S.C. 1344), and section 102 of the Marine Protection Research and Sanctuary Act (33 U.S.C. 1412).

DATES: A public scoping meeting will be held on April 25, 2006, at 6 p.m.

ADDRESSES: The meeting will be held at the Bauer Community Center, 2300 N. Hwy. 35, Port Lavaca, TX 77979

FOR FURTHER INFORMATION CONTACT: Ms. Denise Sloan, Project Manager, by letter at U.S. Army Corps of Engineers, PO Box 1229, Galveston, Texas 77553, by telephone at (409) 766-3962, or by e-mail at denise.l.sloan@SWG02.usace.army.mil.

SUPPLEMENTARY INFORMATION: The Galveston District intends to prepare a DEIS on the proposed channel widening and deepening of the Matagorda Ship Channel, which extends approximately 27 miles from the Port of Port Lavaca-Port Comfort turning basin in Lavaca Bay through Matagorda Bay and offshore into the Gulf of Mexico. The Calhoun County Navigation District proposes this project.

1. *Description of the Proposed Project:* The Calhoun County Navigation District is proposing to widen and deepen the Matagorda Ship Channel as follows:

a. From Channel Station 118+502 to Channel Station 116+223, the Point Comfort turning basins will be deepened an additional 8 feet, to -44 feet Mean Low Tide (MLT);

b. Adjacent to the existing turning basins, a new turning basin and marine

slip will be dredged to a depth of -44 feet MLT;

c. From Channel Station 116+223 to Channel Station 3+700 at the Matagorda Peninsula, the channel will be widened an additional 200 feet and deepened an additional 8 feet, to -44 feet MLT;

d. From Channel Station 3+700 to Channel Station -23+000 of the Outer Bar Channel, the channel will be widened an additional 300 feet and deepened an additional 8 feet, to -46 feet MLT;

e. Approximately 48.9 million cubic yards of new work dredged material will be generated from the widening and deepening project; and

f. Approximately 316 million cubic yards of maintenance dredged material will be generated from the widened and deepened project during the 50-year planning period.

2. *Scoping and Public Involvement Process:* A scoping meeting to gather information on the subjects to be studied in detail in the DEIS will be conducted on (see **DATES**). An informal open house, allowing for review of the proposed project and questions and answers, will be conducted between 5 and 6 p.m., prior to the scoping meeting.

3. *Significant Issues:* Issues associated with the proposed project to be given significant analysis in the DEIS are likely to include, but may not be limited to, the potential impacts of the proposed dredging, dredged material placement, the beneficial uses of dredged material, water quality, fish and wildlife values including threatened and endangered species; air quality; environmental justice; socioeconomic environment; archaeological and cultural resources; recreation and recreational resources; energy supply and natural resources; hazardous waste and materials; aesthetics; public health and safety; navigation; shoreline erosion and accretion; cumulative impacts, and the needs and welfare of the people.

4. *Technical Review and Consultation:* Several State and Federal Agencies will be invited to provide technical review of the DEIS. Those agencies include: the Environmental Protection Agency, the National Marine Fisheries Service, the United States Fish and Wildlife Service, the United States Coast Guard, the Texas Commission on Environmental Quality, the Texas General Land Office, the Texas Parks and Wildlife Department and the Texas Department of Transportation.

5. *Additional Review and Consultation:* Additional review and consultation that will be incorporated into the preparation of this DEIS will include: Compliance with the Texas Coastal Management Program;

protection of cultural resources under Section 106 of the National Historic Preservation Act; protection of navigation under the Rivers and Harbors Act of 1899; protection of water quality under section 401 of the Clean Water Act; protection of air quality under the Clean Air Act; and protection of endangered and threatened species under section 7 of the Endangered Species Act.

6. *Availability of the DEIS:* The Draft Environmental Impact Statement is projected to be available in August 2006. At this time the Galveston District plans to conduct a Public Hearing following the release of the DEIS.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

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DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Intent to Prepare an Environmental Impact Statement for the Chesapeake Bay Oyster Recovery Project, Virginia and Maryland**

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

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers (Corps), Baltimore (NAB) issued a notice of intent (NOI) for the Chesapeake Bay Native Oyster Recovery Project in the Friday, November 26, 2004 issue of the **Federal Register** (69 FR 68887). That NOI indicated that NAB would prepare a draft environmental impact statement (DEIS) for native oyster (*Crassostrea virginica*) recovery activities within Maryland waters of the Chesapeake Bay.

The Corps is announcing a major change in the scope of the project. The NAB and Norfolk (NAO) Districts will prepare a single, integrated master plan (MP) and programmatic environmental impact statement (PEIS) for native oyster recovery in the entire Chesapeake Bay. This MP is a long-term plan for native oyster recovery and will be written in cooperation with the local sponsors, the Maryland Department of Natural Resources and Virginia Marine Resources Commission. The Corps is undertaking native oyster recovery in the Chesapeake Bay to support efforts to reverse the ongoing decline in oyster resources throughout the Bay.

FOR FURTHER INFORMATION CONTACT: Questions and comments about the MP and/or PEIS can be addressed to Mr.

Craig Seltzer, Norfolk District, U.S. Army Corps of Engineers, ATTN: CENAO-PM-PA, 803 Front Street, Norfolk, VA 23510. E-mail address: Craig.L.Seltzer@usace.army.mil or Ms. Erika Mark, Baltimore District, U.S. Army Corps of Engineers, ATTN: CENAB-PL-P, P.O. Box 1715, Baltimore, MD 21203. E-mail address: Erika.L.Mark@usace.army.mil. Please include your name and address in your message.

SUPPLEMENTARY INFORMATION: The MP/EIS will incorporate science, policy, and experience from a number of sources to develop a comprehensive approach to oyster restoration in Maryland and Virginia. The purpose of the MP is to lay out a road map for a long-term, large-scale restoration of native oysters in the Maryland and Virginia waters of the Chesapeake Bay. All suitable locations and techniques available for native oyster restoration will be identified and explored, and, if restoration is feasible, will be included in the MP.

Previously performed oyster restoration activities by NAB include the: Creation of new oyster bars and rehabilitation of existing non-productive bars; construction of see bars for production and collection of seed oysters or "spat"; planting of hatchery-produced and seed bar spat on new and rehabilitated bars; and monitoring of implemented projects. Previously performed oyster restoration activities by NAO include: Construction of permanent oyster reef sanctuaries; seeding of reefs with disease resistant DEBY™ strain oysters; adaptive management and monitoring; and managed spat-on-shell production areas with oysters moved to other sites in the Bay as part of a genetic rehabilitation stocking effort. This work is being conducted under the authority provided by Section 704(b) of the Water Resources Development Act (WRDA) of 1986, as amended.

Scoping: The Corps will conduct a public scoping meeting in Virginia this spring to supplement the scoping meetings previously held in Maryland, and will include interested parties throughout the development of the EIS through informational meetings and website postings and other means. All interested federal, state, and local agencies, interested private and public organizations, affected Indian tribes, and individuals are invited to attend the scoping meeting.

Other Environmental Review and Consultation Requirements: To the fullest extent possible, the EIS will be integrated with analyses and consultation required by the Fish and

Wildlife Coordination Act of 1958, as amended; the National Historic Preservation Act of 1966, as amended; the Coastal Zone Management Act of 1972, as amended; the Endangered Species Act of 1973, as amended; the Marine Protection, Research and Sanctuaries Act of 1972, as amended; and the Clean Water Act of 1977, as amended.

Schedule: The anticipated date of publication of the draft PEIS is March 2007. The PEIS will be prepared in accordance with (1) the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), and (3) USACE regulations implementing NEPA (ER-200–2).

Claire O'Neill,
Project Manager.

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DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Coastal Engineering Research Board (CERB)

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: Coastal Engineering Research Board (CERB).

Date of Meeting: April 26, 2006.

Place: Sheraton Gateway Atlanta Airport Hotel, 1900 Sullivan Road, Atlanta, GA 30337.

Time: 8:30 a.m. to 3 p.m.

FOR FURTHER INFORMATION CONTACT:

Inquiries and notice of intent to attend the meeting may be addressed to Colonel James R. Rowan, Executive Secretary, U.S. Army Engineer Research and Development Center, Waterways Experiment Station, 3909 Halls Ferry Road, Vicksburg, MS 29180–6199.

SUPPLEMENTARY INFORMATION:

Proposed Agenda: An Executive session of the Board will meet to discuss action items from past meetings and ongoing initiatives.

This meeting is open to the public, but since seating capacity of the meeting room is limited, advance notice of intent to attend, although not required, is requested in order to assure adequate

arrangements for those wishing to attend.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

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DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

[Case No. CAC–012]

Energy Conservation Program for Consumer Products: Publication of the Petition for Waiver and Granting of the Application for Interim Waiver of Mitsubishi Electric From the DOE Residential and Commercial Package Air Conditioner and Heat Pump Test Procedures

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Notice of Petition for Waiver, granting of application for interim waiver, and request for comments.

SUMMARY: Today's notice publishes a Petition for Waiver from Mitsubishi Electric and Electronics USA, Inc. (MEUS). This Petition for Waiver (hereafter "MEUS Petition") requests a waiver of the test procedures applicable to residential and commercial package air conditioners and heat pumps. The Department of Energy (hereafter "Department" or "DOE") is soliciting comments, data, and information with respect to the MEUS Petition. Furthermore, today's notice includes an alternate test procedure the Department is considering to include in the Decision and Order and for which it is requesting comments.

Today's notice also grants an Interim Waiver to MEUS from the existing Department test procedures applicable to residential and commercial package air conditioners and heat pumps.

DATES: The Department will accept comments, data, and information regarding this Petition for Waiver until, but no later than April 24, 2006.

ADDRESSES: Please submit comments, identified by case number [CAC–012], by any of the following methods:

- **Mail:** Ms. Brenda Edwards-Jones, U.S. Department of Energy, Building Technologies Program, Mailstop EE–2J, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585–0121. Telephone: (202) 586–2945. Please submit one signed original paper copy.