

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Notice of Intent To Prepare a Joint Environmental Impact Statement for Commercial Dredging of Construction Aggregate From the Missouri River in Missouri and Kansas**

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

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers (COE) is preparing an Environmental Impact Statement (EIS) to analyze the direct, indirect, and cumulative effects of continued commercial dredging of sand and gravel from the Missouri River in Missouri and Kansas. The proposed dredging will occur in a navigable waterway and the portion of dredged material that is too coarse or too fine to be used will be discharged back into the river, thereby requiring Department of the Army (DA) authorization under Section 10 of the River and Harbors Act and Section 404 of the Clean Water Act. Commercial dredging in the Missouri River has been ongoing for more than 50 years but has increased from approximately 1.3 million tons per year in 1974 to approximately 8 million tons in 2006. The current DA permits for six Missouri River commercial dredging operations will expire December 31, 2009 and those six operations and four proposed operations have applied for new DA permits to dredge up to 12.435 million tons per year beginning in 2010.

DATES: Scoping meetings will be held:

1. January 6, 2009, 4 to 8 p.m., Jefferson City, Missouri.
2. January 7, 2009, 4 to 8 p.m., Cottleville, Missouri (St. Louis area).
3. January 8, 2009, 4 to 8 p.m., Kansas City, Missouri.

ADDRESSES: The scoping meeting locations are:

1. January 6, 2009 in the Art Gallery at the Missouri River Regional Library, 214 Adams Street, Jefferson City, Missouri.
2. January 7, 2009 in the auditorium at the St. Charles Community College, 4601 Mid Rivers Mall Drive, Cottleville, Missouri.
3. January 8, 2009 in the Lobby Courtyard at the KCI-Expo Center, 11730 N. Ambassador Dr., Kansas City, Missouri.

FOR FURTHER INFORMATION CONTACT:

Questions and comments regarding the proposed action and EIS should be addressed to Mr. Cody S. Wheeler, Regulatory Project Manager, U.S. Army

Corps of Engineers, 601 East 12th Street, Room 706, Kansas City, MO 64106; (816) 389-3739;

cody.s.wheeler@usace.army.mil. For special needs (visual or hearing impaired, Spanish translation, etc.) requests during the scoping meetings, please call Cody Wheeler by December 22, 2008.

SUPPLEMENTARY INFORMATION: The COE will be conducting public scoping meetings at three locations (see **DATES** and **ADDRESSES**) to describe the proposed activity, preliminary alternatives, the NEPA compliance process, and to solicit input on the issues and alternatives to be evaluated and other related matters. Written comments for scoping will be accepted until February 10, 2009. The COE has prepared a scoping announcement to familiarize agencies, the public and interested organizations with the proposed Project and potential environmental issues that may be involved. The scoping announcement includes a list of the dredgers' requested annual extraction tonnage and the requested dredging reaches. Copies of the scoping announcement will be available at the public scoping meetings or can be requested by mail.

The applicants include the following currently authorized dredgers: Holliday Sand and Gravel Company (St. Joseph and Kansas City, Missouri); Con-Agg of MO, LLC (Columbia, Missouri); Capital Sand Company, Inc. (Jefferson City, Missouri); Hermann Sand & Gravel, Inc. (Hermann, Missouri); J.T.R. Inc (Jotori Dredging, St. Louis, Missouri); and Limited Leasing Company (formerly St. Charles Sand Company, St. Louis, Missouri). Applicants not currently authorized to dredge include The Master's Dredging Company, Inc. (Kansas City, Missouri); Kaw Valley Sand and Gravel, Inc. (Kansas City, Missouri); Muenks Brothers Quarries, Inc. (Loose Creek, Missouri); and Edward N. Rau Contractor Company (Washington, Missouri). The final EIS will also apply to future applications for similar dredging operations on the Missouri River in Missouri and Kansas.

The COE has documented significant degradation or down-cutting of the river bed in areas where dredging has been concentrated. Bed degradation may disable water intake structures, initiate tributary head cuts, promote bank and levee instability, undermine pipelines and bridge piers, increase encroachment of the high bank, eliminate aquatic habitat and create navigation hazards. Some of these effects have already been observed in some areas. Reaches that are not obviously affected may have

structures vulnerable to failure during floods or other catastrophic events.

The EIS will be prepared according to the COE's procedures for implementing the National Environmental Policy Act (NEPA) of 1969, as amended, 42 U.S.C. 4332(2)(c), and consistent with the COE's policy to facilitate public understanding and review of agency proposals. As part of the EIS process, a full range of reasonable alternatives including the proposed dredging and no dredging will be evaluated.

The COE has invited the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Geologic Survey, the Missouri Department of Natural Resources, the Missouri Department of Conservation, the Kansas Department of Health and Environment, the Kansas Department of Wildlife and Parks, and the Kansas Geologic Survey to be contributing agencies in the formulation of the EIS.

Dated: November 26, 2008.

Cody S. Wheeler,

Regulatory Project Manager, Regulatory Branch.

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DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Intent To Prepare a Draft Environmental Impact Statement for the West Shore-Lake Pontchartrain, Louisiana, Hurricane and Storm Damage Risk Reduction Feasibility Study**

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

ACTION: Notice of intent.

SUMMARY: This notice of intent (NOI) supersedes the NOI published in the **Federal Register** June 23, 1998 (63 FR 34151). The U.S. Army Corps of Engineers, New Orleans District (USACE) intends to prepare an environmental impact statement (EIS) for the West Shore-Lake Pontchartrain, Louisiana, Hurricane and Storm Damage Risk Reduction Feasibility Study. This study will determine the feasibility and assess the environmental impacts of providing hurricane and storm damage risk reduction measures in the study area. The study area is bounded by the Bonnet Carre Spillway to the east, the Mississippi River to the south, Lakes Pontchartrain and Maurepas to the north, and St. James Parish/Ascension Parish line to the west.

DATES: See **SUPPLEMENTARY INFORMATION** section for scoping meeting dates.

FOR FURTHER INFORMATION CONTACT:

Questions regarding the feasibility study should be directed to Mr. Durund Elzey, Sr., CEMVN-PM-W, P.O. Box 60267, New Orleans, LA, 70160-0267; telephone: (504) 862-1674; fax: (504) 862-2089; or by e-mail at: durund.elzey@usace.army.mil.

Questions regarding the EIS should be directed to Dr. William P. Klein, Jr., CEMVN-PD-RS, P.O. Box 60267, New Orleans, LA, 70160-0267; telephone: (504) 862-2540; fax: (504) 862-1583; or by e-mail at:

william.p.klein.jr@usace.army.mil.

SUPPLEMENTARY INFORMATION:

1. *Authority.* This study is authorized by a resolution adopted on July 29, 1971, by the Committee on Public Works of the U.S. House of Representatives; and by a resolution adopted on September 20, 1974, by the Committee on Public Works of the U.S. Senate.

2. *Background.* On June 23, 1998, a NOI was published in the **Federal Register** (63 FR 34151) for preparing an EIS for the West Shore-Lake Pontchartrain, LA, Hurricane Protection Feasibility Study. Concurrently, the USACE and the project sponsor, the Pontchartrain Levee District (PLD), began evaluating various potential measures to reduce the risk of hurricane-induced flooding in the study area. In 2001, USACE advanced the study to a point where a federally-preferred alternative was tentatively identified. Discussions between USACE, PLD, and St. John the Baptist Parish from 2001 to 2003 evaluated the technical and environmental merits of this and other alternatives. Although USACE, PLD, and St. John the Baptist Parish agreed on the importance of providing protection for the area, a consensus could not be reached on how this objective should be achieved at that time. In 2006 and 2007 USACE and PLD renewed their discussion of providing hurricane and storm damage reduction measures in light of the critical lessons learned following Hurricanes Katrina and Rita. These discussions led to an agreement between USACE and PLD to re-initiate and complete the feasibility study and prepare a Feasibility Report and EIS for the project.

3. *Proposed Action.* The USACE proposes to investigate the feasibility of providing hurricane and storm damage risk reduction to residents living in the area west of the Bonnet Carre Spillway between the Mississippi River and Lakes Pontchartrain and Maurepas. The study area is located on the east bank of

the Mississippi River and includes portions of St. Charles, St. John the Baptist, and St. James Parishes. Feasibility study evaluations performed since 1998 have identified four preliminary levee alignments. In general, each preliminary levee alignment system would extend protection from the west guide levee of the Bonnet Carre Spillway to the vicinity of the Hope Canal. One preliminary alignment would extend the levee into Ascension Parish to tie into an existing non-federal levee. The EIS will document the process of identifying and assessing the environmental impacts of the proposed action and reasonable alternatives, including the identification of measures that would avoid or minimize adverse effects on the quality of the natural and human environment. Specifically, the EIS will analyze the potential direct, indirect, and cumulative impacts of providing hurricane and storm damage risk reduction for portions of St. John the Baptist, St. James, and St. Charles Parishes. The Draft EIS will consider reasonable alternatives for providing hurricane and storm damage risk reduction, including alternatives developed under previous efforts, as well as other recommendations from the public and interested parties.

4. *Public Involvement.* Public involvement, an essential part of the EIS process, is integral to assessing the environmental consequences of the proposed action and improving the quality of the environmental decision making. The public includes affected and interested Federal, state, and local agencies, Indian tribes, concerned citizens, stakeholders, and other interested parties. Public participation in the EIS process will be strongly encouraged, both formally and informally, to enhance the probability of a more technically accurate, economically feasible, and socially and politically acceptable EIS. Public involvement will include but is not limited to: information dissemination; identification of problems, needs and opportunities; idea generation; public education; problem solving; providing feedback on proposals; evaluation of alternatives; conflict resolution by consensus; public and scoping notices and meetings; public, stakeholder and advisory groups consultation and meetings; and making the EIS and supporting information readily available in conveniently located places, such as libraries and on the internet.

5. *Scoping.* Scoping, an early and open process for identifying the scope of significant issues related to the proposed action to be addressed in the

EIS, will be used to: (a) Identify the affected public and agency concerns; (b) facilitate an efficient EIS preparation process; (c) define the issues and alternatives that will be examined in detail in the EIS; and (d) save time in the overall process by helping to ensure that the draft EIS adequately addresses relevant issues. A public scoping meeting will be held on Wednesday January 21, 2009, from 6 p.m. until 9 p.m. in LaPlace, LA. Announcements through local media as well as a scoping meeting public notice announcing the locations, dates and times of the scoping meeting will be mailed to all interested parties in December 2008. Interested parties are encouraged to express their views throughout the entire study process. Scoping comments will be welcomed at the public scoping meeting. In addition, written comments will also be accepted during the scoping comment period which will extend 30 days from the date of the scoping meeting public notice.

6. *Interagency Coordination and Cooperation.* The USACE and the U.S. Fish and Wildlife Service (USFWS) have formally committed to work together to conserve, protect, and restore fish and wildlife resources while ensuring environmental sustainability of our Nation's water resources under the January 22, 2003, Partnership Agreement for Water Resources and Fish and Wildlife. The USFWS will provide a Fish and Wildlife Coordination Act Report. Coordination will be maintained with the USFWS and the National Marine Fisheries Service (NMFS) regarding threatened and endangered species under their respective jurisdictional responsibilities. Coordination will be maintained with the NMFS regarding Essential Fish Habitat. Coordination will be maintained with the Natural Resources Conservation Service regarding prime and unique farmlands. The U.S. Department of Agriculture will be consulted regarding the "Swampbuster" provisions of the Food Security Act. Coordination will be maintained with the Advisory Counsel on Historic Preservation and the State Historic Preservation Officer. The Louisiana Department of Natural Resources will be consulted regarding consistency with the Coastal Zone Management Act. The Louisiana Department of Wildlife and Fisheries will be consulted concerning potential impacts to Natural and Scenic Streams. Coordination will be maintained with the U.S. Environmental Protection Agency concerning compliance with Executive Order 12898, "Federal Action

to Address Environmental Justice in Minority Populations and Low-Income Populations.”

7. *Availability of EIS.* It is anticipated that the draft EIS will be available for public review during the spring of 2010. The draft EIS or a notice of availability will be provided during the 45-day review period to affected Federal, state and local agencies, Indian tribes, and other interested parties.

Dated: November 26, 2008.

Mark D. Jernigan,

Major (P), U.S. Army, Deputy District Commander.

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DENALI COMMISSION

Fiscal Year 2009 Draft Work Plan

AGENCY: Denali Commission.

ACTION: Denali Commission Fiscal Year 2009 Draft Work Plan request for comments.

SUMMARY: The Denali Commission (Commission) is an independent Federal agency based on an innovative federal-state partnership designed to provide critical utilities, infrastructure and support for economic development and training in Alaska by delivering federal services in the most cost-effective manner possible. The Commission was created in 1998 with passage of the October 21, 1998 Denali Commission Act (Act) (Title III of Pub. L. 105-277, 42 U.S.C. 3121). The Denali Commission Act requires that the Commission develop proposed work plans for future spending and that the annual Work Plan be published in the **Federal Register**, providing an opportunity for a 30-day period of public review and written comment. This Federal Register notice serves to announce the 30-day opportunity for public comment on the Denali Commission Draft Work Plan for Federal Fiscal Year 2009.

DATES: Comments and related material must be received by January 15, 2009.

ADDRESSES: Submit comments to the Denali Commission, Attention: Tessa Rinner, 510 L Street, Suite 410, Anchorage, AK 99501.

FOR FURTHER INFORMATION CONTACT: Ms. Tessa Rinner, Denali Commission, 510 L Street, Suite 410, Anchorage, AK 99501. Telephone: (907) 271-1414. E-mail: trinner@denali.gov.

Introduction: Rural Alaska is an American treasure. Scattered across vast tundra, tucked away along rugged coastlines and forests and deep within

Alaska's Interior, people living in over 300 communities raise families, educate their children, and work to provide opportunities for all. Alaska Native people rely heavily on subsistence hunting, fishing and gathering as a central part of both culture and economic sustenance. Values of sharing, love of family and country and traditional cultures run deep.

Rural Alaska still resembles the United States at the time of Lewis & Clark. Major rivers are undammed, unbridged and lack even basic navigational aids. Many health and social indicators still resemble those in developing countries.

No where else in our country can people live amidst wilderness, largely disconnected from highway and road connections and from regional power grids. Here, resilience and innovation are required both to survive and thrive. Reliance on air and river transportation is essential for everyday living. And where else in the country would women, in their third trimester of pregnancy, be required to fly into a regional center and wait to have their babies safely delivered, given the lack of local medical facilities?

The Denali Commission has now invested nearly a billion dollars in ten years on basic infrastructure projects at the local level. We know lives have been improved through greater access to primary health care, through safe and reliable energy projects, through job training programs, sanitation and landfill improvements and basic surface and water transportation improvements. We know the taxpayer benefits from an emphasis on coordinating the planning, construction and delivery of capital projects and through a focus on sustainability.

We see innovation everywhere. The regional corporations formed by the Alaska Native Claims Settlement Act, for example, are becoming economic powerhouses in their own rights. Major investments in private-sector anchors in each region complement the Commission's work in basic community infrastructure. Many regional non-profit corporations provide an array of effective health and social services. The Alaska Marketplace competition, now in its fourth year, proves again that local people have great ideas and with a small infusion of capital and technical assistance, have real potential for making positive and lasting change. The Community Development Quota program, for example, offers opportunities for residents in over 60 coastal communities to benefit directly from offshore fishing revenues.

We are buoyed by the sense of progress over the last ten years, at the resurgence of traditional culture, by the progress in celebrating diversity at all levels and by the awareness among leaders to reduce dependency on government and eliminate social ills that seem to come with long winters and isolation found in northern countries. We take delight in working with many progressive and innovative partners, grant recipients and local champions whose leadership and inspiration is critical for village survivability.

We are alarmed, however, at the recent convergence of several issues which threaten the survival of many Alaskan communities and provide urgent impetus for the Commission to improve our investment strategies. These issues include the impacts of climate change, unpredictable and unaffordable energy costs at the village level, the expectation of declining federal revenues to support rural investment in Alaska, evidence of out-migration from many small communities into larger regional centers and urban areas such as Anchorage, and the urgent need to find regional and systemic solutions to bolster long-term community viability. The global financial crisis will also strain an already thin social service delivery system and bring other consequences yet unseen.

The following are some of the critical issues which frame the debate over the Denali Commission's FY09 Work Plan:

Climate Change

Evidence is now overwhelming that climate change is impacting Alaska and the north faster than elsewhere in the nation. Temperatures have been rising, plant and animal species have been moving north, and permafrost is melting, resulting in major challenges for all infrastructure programs. Denali Commission funded wind turbines for example, are major engineering challenges for successfully placing a vertical wind tower in a permafrost setting. The Denali Commission is committed to participating fully with the State of Alaska, the U.S. Corps of Engineers and other partners in a coordinated approach to policy formulation and the execution of adaptation measures for climate change.

The most immediate challenge is the urgent need to protect and relocate many coastal communities impacted by the lack of sea ice, the repetition of major storm events, flooding and erosion of coastlines. While Congress provides no funds to the Commission to support relocation efforts, we coordinate closely with other agencies and tribes.