

19. Emergency Wetlands Resources Act, 16 U.S.C. 3921–3931.
20. TEA–21 Wetlands Mitigation, 23 U.S.C. 103(b)(6)(m), 133(b)(11).
21. Flood Disaster Protection Act, 42 U.S.C. 4001–4128.
22. Wetlands Mitigation, 23 U.S.C. 119(g), 133(b)(14).
23. FHWA wetland and natural habitat mitigation regulations, 23 CFR 777.
24. Land and Water Conservation Fund Act, 54 U.S.C. 200301 *et seq.* (known as Section 6(f)).
25. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601–9675.
26. Superfund Amendments and Reauthorization Act of 1986 (SARA).
27. Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901–6992k.
28. Landscaping and Scenic Enhancement (Wildflowers), 23 U.S.C. 319.
29. Planning and Environment Linkages, 23 U.S.C. 168, with the exception of those FHWA responsibilities associated with 23 U.S.C. 134 and 135.
30. Programmatic Mitigation Plans, 23 U.S.C. 169, with the exception of those FHWA responsibilities associated with 23 U.S.C. 134 and 135.
31. E.O. 11990, Protection of Wetlands; E.O. 11988, Floodplain Management (except approving design standards and determinations that a significant encroachment is the only practicable alternative under 23 CFR 650.113 and 650.115); E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 13007, Indian Sacred Sites; E.O. 13175, Consultation and Coordination with Indian Tribal Governments; E.O. 13112, Invasive Species.

The MOU allows the State to act in the place of FHWA in carrying out the functions described above, except with respect to government-to-government consultations with federally recognized Indian Tribes. The FHWA will retain responsibility for conducting formal government-to-government consultation with federally recognized Indian Tribes, which is required under some of the above-listed laws and executive orders. The State also may assist the FHWA with formal consultations, with consent of a Tribe, but FHWA remains responsible for the consultation. This assignment includes transfer to the State

of Utah the obligation to fulfill the assigned environmental responsibilities on any proposed projects meeting the criteria in Stipulation I(B) of the MOU that were determined to be CEs prior to the effective date of the proposed MOU but that have not been completed as of the effective date of the MOU.

This is the proposed fourth renewal of the State's participation in the program and incorporates changes to clarify that this assignment applies to highway projects, as defined in 23 CFR 773.103; and to include provisions for UDOT's use of the Federal Transit Administration's (FTA) and the Federal Transit Administration's (FRA) CEs (23 CFR 771.116 and 23 CFR 771.118, respectively) for highway projects, as provided for in 23 CFR 771.117(h). In order to use FTA or FRA's CEs, UDOT will consult with FTA or FRA, as appropriate, and report to FHWA at the end of the calendar year the instances where it applied a CE using this provision.

The FHWA will consider the comments submitted on the proposed MOU when making its decision on whether to execute this renewal MOU. The FHWA will make the final, executed MOU publicly available.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

(Authority: 23 U.S.C. 326; 42 U.S.C. 4331, 4332; 23 CFR 771.117; 40 CFR 1507.3, 1508.4)

**Ivan Marrero,**

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## **DEPARTMENT OF VETERANS AFFAIRS**

### **Joint Biomedical Laboratory Research and Development and Clinical Science Research and Development Services Scientific Merit Review Board, Notice of Meeting**

The Department of Veterans Affairs (VA) gives notice under Federal Advisory Committee Act that a meeting of the Joint Biomedical Laboratory Research and Development and Clinical Science Research and Development Services Scientific Merit Review Board (JBL/CS SMRB) will be held

Wednesday, June 24, 2020, by teleconference. The meeting will begin at 3:00 p.m. and end at 5:00 p.m. EDT. The meeting will have an open session from 3:00 p.m. until 3:30 p.m. EDT and a closed session from 3:30 p.m. until 5:00 p.m. EDT.

The purpose of the open session is to meet with the JBL/CS Service Directors to discuss the overall policies and process for scientific review as well as disseminate information among the Board members regarding the VA research priorities.

The purpose of the closed session is to provide recommendations on the scientific quality, budget, safety and mission relevance of investigator-initiated research applications submitted for VA merit review evaluation. Applications submitted for review include various medical specialties within the general areas of biomedical, behavioral and clinical science research. The JBL/CS SMRB meeting will be closed to the public for the review, discussion, and evaluation of initial and renewal research applications, which involve reference to staff and consultant critiques of research applications. Discussions will deal with scientific merit of each application and qualifications of personnel conducting the studies, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Additionally, premature disclosure of research information could significantly obstruct implementation of proposed agency action regarding the research applications. As provided by subsection 10(d) of Public Law 92–463, as amended by Public Law 94–409, closing the subcommittee meetings is in accordance with Title 5 U.S.C. 552b(c)(6) and (9)(B).

Members of the public who wish to attend the open JBL/CS SMRB teleconference should call 1–800–767–1750 using the passcode 50064#. Those who would like to obtain a copy of the minutes from the closed subcommittee meetings and rosters of the subcommittee members should contact Holly Krull, Ph.D., Designated Federal Officer, (10X2B), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, at (202) 632–8522 or email at [holly.krull@va.gov](mailto:holly.krull@va.gov).

Dated: May 15, 2020.

**LaTonya L. Small,**

*Federal Advisory Committee Management Officer.*

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