

**DEPARTMENT OF DEFENSE****Department of the Army, Corps of Engineers****Intent To Prepare a Supplement to the Final Environmental Impact Statement (SEIS) on Modified Water Deliveries to Everglades National Park, Florida**

**AGENCY:** U.S. Army corps of Engineers, Department of Defense.

**ACTION:** Notice of intent.

**SUMMARY:** The congressionally authorized Modified Water Deliveries to Everglades National Park (Mod Waters) project consists of structural modifications and additions to the existing Central and Southern Florida project required to improve water deliveries for ecosystem restoration of the Park. The June 1992 Final Environmental Impact Statement on the Mod Waters project-induced an evaluation of a plan element consisting of structural features to mitigate project-induced flooding in a residential area in the East Everglades called the 8.5 Square Mile Area (SMA). In 1998, the local sponsor of the project, the South Florida Water Management District (SFWMD), responded to a Florida Governor's Commission recommendation to evaluate other alternatives and requested that the U.S. Army Corps of Engineers (Corps) modify the authorized project to provide for a total buy-out of the area in lieu of the authorized flood mitigation plan. Additionally, the National Park Service recently stated that the 1992 authorized flood mitigation plan is not consistent with long term restoration of Everglades National Park. The proposed total buy-out of the 8.5 SMA will be addressed as a locally preferred option (LPO) in a Supplement to the Mod Waters Final Environmental Impact Statement (SEIS).

**FOR FURTHER INFORMATION CONTACT:** U.S. Army Corps of Engineers, P.O. Box 4970, Jacksonville, Florida 32232; Attn: Mr. Elmar Kutzbach, 904/232-2325.

**SUPPLEMENTARY INFORMATION:** 1. The action proposed by the SFWMD is for a plan of total purchase of all private property within the 8.5 SMA to be substituted for the 1992 Federally authorized plan of constructing structural features to prevent the additional flooding in the 8.5 SMA that is expected when the Mod Waters project is fully operational (the flood mitigation plan).

2. Alternatives to be discussed include the LPO, the Federally authorized plan, and various water management structural configurations for the 8.5 SMA.

3. A Scoping letter and public Scoping Meeting will be used to invite comments on alternatives and issues from Federal, State, and local agencies, affected Indian tribes, and other interested private organizations and individuals.

4. The Draft SEIS will analyze issues related to loss of unique farm lands, water quality degradation endangered species protection, urban development impacts, agricultural flood protection, Everglades National Park ecosystem restoration, implementation time, potential impacts on other project features, and direct and secondary costs for construction, operation and maintenance, land management, and acquisition for each alternative plan.

5. The National Park Service and the U.S. Fish and Wildlife Service have been identified as Cooperating Agencies under the lead of the Corps for preparation of the SEIS.

6. The alternative plans will be reviewed under provisions of appropriate laws and regulations, including the Endangered Species Act, Fish and Wildlife Coordination Act, Clean Water Act, and Farmland Protection Policy Act.

7. A Scoping meeting will be held in Homestead, Florida at the Miami-Dade County Extension Office. The date and time will be announced in the Scoping letter.

8. The Draft SEIS is expected to be available for public review in the 4th quarter CY 1999.

**Mary V. Yonts,**

*Alternate U.S. Army Federal Register Liaison Officer.*

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**DEPARTMENT OF DEFENSE****Army Corps of Engineers, Department of the Army****Intent To Prepare a Draft Environmental Impact Statement (DEIS) for Construction of a Containerized Cargo and Cruise Ship Terminal, Along Port Road, East of Old Highway 146, in the Extra-territorial Jurisdiction of the City of Pasadena and the City of Seabrook, Harris County, TX**

**AGENCY:** U.S. Army Corps of Engineers, Galveston District, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers, Galveston District intends to prepare a DEIS to access the social, economic and environmental effects of

the proposed multi-year phased construction of a container terminal and cruise ship facility. The DEIS will access potential impacts on a range of alternatives, including the preferred alternative.

**FOR FURTHER INFORMATION CONTACT:** For further information and/or questions about the proposed action and DEIS, please contact Mr. Mark King, Project Manager, by letter at U.S. Army Corps of Engineers, P.O. Box 1229, Galveston, Texas 77550, by telephone at (409) 766-3991, or by electronic mail at [john.m.king@swg02.usace.army.mil](mailto:john.m.king@swg02.usace.army.mil).

**SUPPLEMENTARY INFORMATION:** The Galveston District intends to prepare a DEIS on the proposed container cargo and cruise ship terminal which would be located along Port Road, east of Old Highway 146, in the Extra-territorial Jurisdiction of the City of Pasadena and the City of Seabrook, Harris County, Texas. The Port of Houston Authority (PHA) proposes this project.

**1. Description of the Proposed Project**

The PHA proposes to construct containerized cargo loading areas, roadways, rail lines, an intermodal transit yard, and associated warehouses, administration, and operations buildings. It is the PHA's projection that initial construction would use approximately 1,600 feet of waterfront and 54 acres of land for a container yard. Construction beyond this initial phase would occur in increments (50-100 acre yard expansions and associated waterfront construction). These additional phases of construction would occur based upon cargo demand. It is currently estimated that the ultimate build-out of the container terminal to seven berths and over 608 acres of container yard and a 90 acre intermodal transit facility (rail yard) could take 15 to 20 years. Cruise ship facilities beyond the initial single berth would be construction based upon passenger demand.

**2. Alternatives**

The following alternatives will be examined to identify the reasonable alternatives to be fully evaluated in the DEIS: No Action; the modification of existing PHA facilities to meet the purpose and need of and for the proposed project; alternative locations within the jurisdictional authority of the PHA where the proposed facilities might be developed; off-site alternatives such as Spillman Island, Shoal Point (Texas City), and Galveston Harbor; modified on-site alternatives. The applicant's preferred alternative is the PHA owned property on the Bayport

Ship Channel (95°00' longitude and 29°36.7' latitude).

### 3. Scoping and Public Involvement Process

A workshop and scoping meeting to gather information on the subjects to be studied in detail in the DEIS will be conducted on July 8, 1999, at the Texas Chiropractic College, Russell Building, 5912 Spencer Highway, Pasadena, Texas.

### 4. Significant Issues

Issues associated with the proposed facilities 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, the beneficial uses of dredged material, placement of fill, construction and operation of the proposed facility and surface transportation facilities, and of induced developments on: Wetland resources; upland and aquatic biotic communities; water quality; fish and wildlife values including threatened and endangered species; noise and light levels in areas adjoining the proposed facilities; air quality; land forms and geologic resources; community cohesion; environmental justice; roadway traffic, socioeconomic environment; archaeological and cultural resources; recreation and recreational resources; public infrastructure and services; energy supply and natural resources; hazardous waste and materials; land use; aesthetics; public health and safety; navigation; flood plain values; shoreline erosion and accretion; and the needs and welfare of the people.

### 5. Cooperating Agencies

Those agencies having permitting, certifying, or other approved authorities will be asked to be cooperating agencies and to assist in the preparation of this DEIS. Cooperating agencies may include the Federal Highway Administration, the Environmental Protection Agency and Texas Natural Resources Conservation Commission.

### 6. Additional Review and Consultation

Additional review and consultation which 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 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; and protection of endangered and threatened species under section 7 of the Endangered Species Act.

### 7. Availability of the DEIS

The Draft Environmental Impact Statement is projected to be available in February 2000. A Public Hearing will be conducted following the release of the DEIS.

Dated: May 24, 1999.

**Nicholas J. Buechler,**  
*COL, EN, Commanding.*  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. TM99-1-160-000]

#### Discovery Gas Transmission LLC; Notice of Proposed Changes in FERC Gas Tariff

May 26, 1999.

Take notice that on May 18, 1999, Discovery Gas Transmission LLC (Discovery) filed to comply with the terms of its FERC Gas Tariff, Sheet Nos. 34, 44, and 53 relating to lost and unaccounted for gas for the calendar year 1998.

Discovery states that it has reviewed its 1998 actual losses from lost and unaccounted for gas experienced during the calendar year 1998. Discovery proposes to retain the current rate of recovery for lost and unaccounted for gas as currently stated in its tariff of .50% effective July 1, 1999.

Discovery states that copies of this filing are being mailed to its customers, state commissions and other interested parties. In accordance with the provisions of Section 154.2(d) of the Commission's Regulations, copies of this filing are available for public inspection, during regular business hours, in a convenient form and place at Discovery's offices at 1111 Bagby Street in Houston, Texas and 120 Mallard Street, St. Rose, Louisiana.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party

must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

**Linwood A. Watson, Jr.,**  
*Acting Secretary.*  
[FR Doc. 99-13910 Filed 6-1-99; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EG99-127-000]

#### Foot Creek III, LLC; Amended Application for Commission Determination of Exempt Wholesale Generator Status

May 26, 1999.

Take notice that on May 20, 1999, Foot Creek III, LLC tendered for filing with the Federal Energy Regulatory Commission an amendment to its original request for Commission Determination of Exempt Wholesale Generator Status. In its amendment, Foot Creek III, LLC states, among other things, that it will be both the owner and the operator of the Foot Creek III, LLC facility described in its application.

Any person desiring to be heard concerning the amended application for exempt wholesale generator status should file a motion to intervene or comments with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the amended application. All such motions and comments should be filed on or before June 16, 1999, and must be served on the applicant. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection or on the Internet at <http://www.ferc.fed.us/online/rims.htm> (please call (202) 208-2222 for assistance).

**Linwood A. Watson, Jr.,**  
*Acting Secretary.*  
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