

**FOR FURTHER INFORMATION:** Questions concerning the EIS should be addressed to Mr. Sean Mickal at (504) 862-2319. Mr. Mickal may also be reached at FAX number (504) 862-2572 or by E-mail at sean.p.mickal@mvn02.usace.army.mil. Mr. Mickal's address is U.S. ARMY CORPS OF ENGINEERS, PM-RS, P.O. BOX 60267, NEW ORLEANS, LA 70160-0267.

**SUPPLEMENTARY INFORMATION:**

**1. Authority**

The U.S. Army Corps of Engineers, New Orleans District, at the direction of the Louisiana Coastal Wetlands Conservation and Restoration Task Force, is initiating this study under the authority of the Coastal Wetlands Planning, Protection and Restoration Act, Pub. L. 101-646. This act includes funds for the planning of measures for the creation, restoration, protection and enhancement of coastal wetlands.

**2. Proposed Action**

The proposed action would restore, enhance, and sustain the coastal wetlands ecosystem west of the Mississippi River in Barataria Basin, Louisiana. This ecosystem is located approximately 25-30 miles due south of New Orleans, Louisiana, in Plaquemines, Jefferson, and Lafourche parishes. This action would attempt to utilize the nutrients, freshwater, and sediment of the Mississippi River for this restoration. The objective is to reestablish ecosystem functions lost with wetlands deterioration and would increase the wetland acreage and biodiversity of the ecosystem. Environmental analysis would be used to determine the most practical plan, which would provide for the greatest overall public benefit. The recommended plan would restore degraded wetlands with the least adverse impacts to stakeholder interests.

**3. Alternatives**

Alternatives recommended for consideration presently include the construction of one or more river diversion structures in the vicinity of Myrtle Grove, dedicated dredging to construct wetlands, the construction of outfall management structures, and combinations of the above. Various capacities for the diversion structure(s) would be investigated. Various increments of dedicated dredging and increments of long-term diversion amounts would also be investigated.

**4. Scoping**

Scoping is the process for determining the scope of alternatives and significant issues to be addressed in the EIS. For

this analysis, a letter will be sent to all parties believed to have an interest in the analysis, requesting their input on alternatives and issues to be evaluated. The letter will also notify interested parties of public scoping meetings that will be held in the local area. Notices will also be sent to local news media. All interested parties are invited to comment at this time, and anyone interested in this study should request to be included in the study mailing list.

A series of public scoping meetings will be held in the early part of 2002. These meetings will be held in Plaquemines and Jefferson Parishes, Louisiana. Additional meetings could be held, depending upon interest and if it is determined that further public coordination is warranted.

**5. Significant Issues**

The tentative list of resources and issues that would be evaluated in the EIS includes tidally influenced coastal wetlands (marshes and swamps), aquatic resources, commercial and recreational fisheries, wildlife resources, essential fish habitat, water quality, air quality, threatened and endangered species, recreation resources, and cultural resources. Socioeconomic items that would be evaluated in the EIS include navigation, flood protection, business and industrial activity, employment, land use, property values, public/community facilities and services, tax revenues, population, community and regional growth, transportation, housing, community cohesion, and noise.

**6. Environmental Consultation and Review**

The U.S. Fish and Wildlife Service (USFWS) will be assisting in the documentation of existing conditions and assessment of effects of project alternatives through Fish and Wildlife Coordination Act consultation procedures. The USFWS will also provide a Fish and Wildlife Coordination Act report. Consultation will also be accomplished with the USFWS and the National Marine Fisheries Service (NMFS) concerning threatened and endangered species and their critical habitat. The NMFS will be consulted on the effects of this proposed action on Essential Fish Habitat. The draft EIS or a notice of its availability will be distributed to all interested agencies, organizations, and individuals.

**7. Estimated Date of Availability**

Funding levels will dictate when the draft EIS would be made available. The

earliest date the draft EIS is expected to be available is the spring of 2004.

Dated: January 10, 2002.

**Thomas F. Julich,**

*Colonel, U.S. Army, District Engineer.*

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**DEPARTMENT OF DEFENSE**

**Department of the Army; Corps of Engineers**

**Intent To Prepare a Draft Environmental Impact Statement (DEIS) for Proposed Cape Wind Energy Project, Nantucket Sound and Yarmouth, MA Application for Corps Section 10/404 Individual Permit**

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

**ACTION:** Notice of intent.

**SUMMARY:** The New England District, Corps of Engineers, has received an application from Cape Wind Associates, LLC for a Section 10/404 Individual Permit for the installation and operation of 170 offshore Wind Turbine Generators (WTGs) in federal waters off the coast of Massachusetts on Horseshoe Shoal in Nantucket Sound, with the transmission lines going through Massachusetts state waters. The Corps has determined that an EIS is required for this proposed project, currently the first proposal of its kind in the United States. The applicant's stated purpose of the project is to generate up to 420 MW of renewable energy that will be distributed to the New England regional power grid, including Cape Code and the islands of Martha's Vineyard and Nantucket. The power will be transmitted to shore via a submarine cable system consisting of two 115kV lines to a landfall site in Yarmouth, Massachusetts. The submarine cable system will then interconnect with an underground cable system, where it will interconnect with an existing NSTAR 115kV electric transmission line for distribution.

**FOR FURTHER INFORMATION CONTACT:**

Questions about the proposed action and DEIS can be answered by Mr. Brian Valiton, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, Massachusetts 01742-2751, Telephone No. (978) 318-8166, or by e-mail at [Brian.e.valiton@usace.army.mil](mailto:Brian.e.valiton@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** The proposed wind turbine array would occupy approximately 28 square miles in an area of Nantucket Sound known as Horseshoe Shoals between Nantucket

Island and the Cape Cod mainland. The northernmost turbines would be approximately 4.1 miles from the nearest land mass (Point Gammon), the southeastern most turbines would be approximately 11 miles from Nantucket, and the westernmost turbines will be approximately 5.5 miles from Martha's Vineyard. The array of generators was established in a northwest to southeast alignment to provide optimum utilization of the wind energy potential. The proposed submarine cable landfall location is Yarmouth, Massachusetts. Each wind power generating structure would generate up to 2.7 megawatts of electricity and would be up to 420 feet above the water surface. The proposed submarine cable system, consisting of two 115kV solid dielectric cable circuits, would be jet-plow embedded into the seabed to a depth of approximately 6 feet. The foundations of the WTGs may require scour protection. Scour protection would require the placement of stone riprap or concrete matting on the seabed surface surrounding the foundation. The overland cable system would be installed underground within existing public rights-of-way and roadways in the town of Yarmouth, Massachusetts, ultimately connecting to an existing 115kV electric transmission line for distribution. The approximate construction start date for the proposed project is 2004, with commercial operation starting in 2005.

Alternatives to be addressed in the EIS will include: the no action alternative; alternative wind park locations, including offshore vs. upland; submarine cable route alternatives; alternative landfall and overland cable route locations, and alternative connections to an NSTAR transmission line.

Significant issues to be analyzed in depth in the EIS will include impacts associated with construction, operation, maintenance and decommissioning of the wind turbines on the following resources: recreational and commercial boating and fishing activities, endangered marine mammals and reptiles, birds, aviation, benthic habitat, aesthetics, cultural resources, radio and television frequencies, ocean currents, and land resources.

*Other Environmental Review and Consultation Requirements:* To the fullest extent possible, the EIS will be integrated with analyses and consultation required by the Endangered Species Act of 1973, as amended (Pub. L. 93-205; 16 U.S.C. 1531, *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. 661, *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.*; the Outer Continental Shelf Lands Act (Pub. L. 95-372; 43 U.S.C. 1333(e)), and applicable and appropriate Executive Orders. Additionally, this EIS will be prepared concurrently with the requirements of the Massachusetts Environmental Policy Act (301 CMR 11.00 *et seq.*).

*Scoping:* The Corps will conduct an open scoping and public involvement process during the development of the EIS. The purpose of the scoping meetings is to assist the Corps in defining the issues that will be evaluated in the EIS. Scoping meetings will be held on March 6, 2002 starting at 1:30 pm at the JFK Federal Building, 55 New Sudbury St., Conference Room C, Boston, Massachusetts, and on March 7, 2002 starting at 6:30 pm at the Mattacheese Middle School, 400 Higgins Crowell Rd., West Yarmouth, Massachusetts. All interested Federal, State and local agencies, affected Indian tribes, interested private and public organizations, and individuals are invited to attend these scoping meetings.

The Draft EIS is anticipated to be available for public review in the summer of 2003.

**Brian E. Osterndorf,**  
*Col, En, Commander.*

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## DEPARTMENT OF EDUCATION

### Privacy Act of 1974; System of Records—Investigative Files of the Inspector General (18-10-01)

**AGENCY:** Department of Education.

**ACTION:** Correction.

**SUMMARY:** We publish this notice to correct the Investigative Files of the Inspector General (18-10-01) by restoring two items to the purpose clause, correcting the numbering of the routine uses, moving the substance of the computer matching routine use to the general list of routine uses and amending the introduction to the

routine uses to include a statement that any of the routine use disclosures may be made on a case-by-case basis or through computer matching if the requirements for computer matching have been met, eliminating language in Disclosure 5, and clarifying the language of the Debarment and Suspension Disclosure. Our regular review of our system notices revealed the need for these clarifications and corrections.

**DATES:** The corrections in this notice are effective on January 30, 2002.

**FOR FURTHER INFORMATION CONTACT:** John Tressler, Office of Chief Information Officer, U.S. Department of Education, 400 Maryland Avenue, SW., room 5624 Regional Office Building 3, Washington, DC 20202-4580. Telephone: (202) 708-8900. If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

### Corrections

The following corrections are made in the Notice of New, Amended, Altered and Deleted Systems of Records published in the **Federal Register** on June 4, 1999 (64 FR 30105):

On pages 30152 and 30153, beginning with the "PURPOSE(S)" section through the end of the "ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:" section on page 30153, first column, the notice is revised to read as follows:

### PURPOSE(S):

Pursuant to the Inspector General Act, the system is maintained for the purposes of: (1) Conducting and documenting investigations by the Office of Inspector General (OIG) or other investigative agencies regarding Department of Education programs and operations and reporting the results of investigations to other Federal agencies, other public authorities or professional organizations which have the authority to bring criminal prosecutions or civil or administrative actions, or to impose other disciplinary sanctions; (2) documenting the outcome of OIG investigations; (3) maintaining a record of the activities that were the subject of investigations; (4) reporting investigative findings to other