

the SBX would only inhibit the view of the island temporarily as the boat passes by.

3. Naval Base Ventura County: No impact.

4. Naval Station Everett: While there is a high amount of viewer concern, the SBX would be considered visually compatible with the port and present military uses; therefore only moderate impacts are expected.

5. Adak, Alaska (Selected Alternative): Due to limited visibility, a moderate scenic value, and low viewer concern, there would be minimal adverse impacts.

6. Valdez, Alaska: Because Valdez is the site of the terminus of the Trans-Alaska Pipeline, numerous oil tankers are entering Prince William Sound which would limit the impacts to visual resources caused by the SBX. However, adverse impacts to visual resources could occur due to some concerned viewers and a high scenic integrity.

F. Mitigation Measures and Monitoring

The applicable mitigation measures specified for each of the sites selected will be implemented as part of the GMD ETR action. A Mitigation Monitoring Plan has been developed to assist in tracking and implementing these mitigation measures. With the implementation of the mitigation measures, all practicable means to avoid or minimize environmental harm from establishing the GMD ETR considered in this ROD have been adopted.

G. Environmentally Preferred Alternative

The environmentally preferred alternative in the EIS is the No-Action Alternative (not proceeding with the GMD ETR) since there will be no new construction or operation of GMD elements at any of the potential sites. Continuation of current site operations at these locations will result in few additional environmental impacts.

Among the three alternatives to the Proposed Action in the EIS, Alternative 2 is the environmentally preferred action to establish and operate the GMD ETR because the proposed GBI launches from existing silos at Vandenberg AFB will require less construction and ground disturbance than the other alternatives. The proposed launches from Vandenberg AFB would be within the number of launches per year allowed in existing agreements with state and federal regulatory agencies. Adak, Alaska is the environmentally preferred location to establish a SBX PSB because, while placement of the mooring may cause minor impacts to the environment, locating the SBX at

Adak would require little or no new construction of administrative or warehouse facilities and operations would have minimal adverse impacts on the surrounding environment.

Conclusion

In accordance with NEPA, I have considered the information contained within the GMD ETR EIS as well as cost, mission requirements and other factors in deciding to establish an extended GMD test range capability.

I have decided to select Alternative 2 over the other alternatives to the proposed action. Although the No-Action Alternative has fewer environmental impacts, it does not support the agency's ability to conduct realistic testing nor does it support IDO as directed by the President. Selection of Alternative 2 will meet the mission requirements of creating an extended test range for the GMD while utilizing, to the greatest extent practicable, existing test assets at Vandenberg AFB, the Pacific Missile Range Facility and the Reagan Test Site and associated test support sites. Alternative two also offers the quickest path to enable the program to support IDO and provide a protective capability for the nation.

I have chosen Alternative 2 over Alternative 3 because there are currently no plans to finance GBI interceptors at KLC. If funding becomes a realistic possibility in the future, I will re-assess this view, and perform additional NEPA as appropriate before making any decisions in this regard.

LTG R. KADISH have also decided to defer any decisions at KLC regarding the remainder of the actions contemplated in Alternative 2. FAA, as cooperating agency to this EIS, may entertain relicensing activities at KLC. LTG R. Kadish believe my decision should be deferred pending those activities so that LTG R. Kadish can be confident that all operational and environmental concerns have been addressed. If FAA acts to re-license KLC, LTG R. Kadish may issue an additional ROD at that time, as appropriate.

LTG R. Kadish have further decided to construct and operate the SBX, and have chosen Adak, Alaska as the location for the PSB. When work commenced on this EIS, the President had not directed the IDO capability enhancements. Accordingly, the SBX PSB analysis was focused only on various test locations in the Pacific region. In view of the President's directive on 16 December 2002, LTG R. Kadish have re-examined candidate PSB locations and selection Adak, Alaska as the most prudent location to support

IDO while still supporting the test program.

Dated: August 19, 2003.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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DEPARTMENT OF DEFENSE

Department of the Army

Intent To Grant an Exclusive License to Foster Miller, Inc.

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i), announcement is made of the intent to grant an exclusive, royalty-bearing, revocable license to U.S. patent application number 09,715,496 filed November 17, 2000 entitled "Wearable Transmission Device" to Foster Miller, Inc. with its principal place of business at 350 Second Avenue, Waltham, MA 02451.

DATES: File written objections by September 10, 2003.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Rosenkrans at U.S. Army Soldier and Biological Chemical Command, Kansas Street, Natick, MA 01760, Phone; (508) 233-4928 or e-mail: Robert.Rosenkrans@natick.army.mil.

SUPPLEMENTARY INFORMATION: The prospective partially exclusive licenses will be royalty bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive licenses may be granted, unless within fifteen (15) days from the date of this published notice, Soldier and Biological Chemical Command receives written evidence and argument to establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

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