

turtles annually. The applicant would sample turtles captured incidentally during other activities including the shark gillnet fishery, longline fisheries, the shrimp trawl fishery, and surveys during oil/gas platform removal. The capture would be authorized by the incidental take statements of the biological opinions that cover these activities. The research would provide data on the turtles that interact with these activities and provide data useful to better understanding turtle migration, habitat use, genetics, and population dynamics. The information would be used to develop, implement, and evaluate conservation recovery efforts for sea turtles. The research would take place in Atlantic Ocean, Gulf of Mexico, Caribbean Sea, and tributaries. The permit would be issued for 5 years.

Dated: October 13, 2005.

Carrie W. Hubard,

Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 05-20894 Filed 10-18-05; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF DEFENSE

Department of the Army

Publication of Families First Business Rules

AGENCY: Department of the Army, DOD.
ACTION: Final notice.

SUMMARY: The Military Surface Deployment and Distribution Command (SDDC), as the Department of Defense (DoD) Traffic Manager for the Personal Property Program published the Defense Personal Property System (DPS) Phase II Business Rules for Industry comment. These rules were posted to the Families First Web Site located at <http://www.sddc.army.mil> under Families First.

This announcement is being made to provide an overview of the comments received by SDDC from the **Federal Register** notice published on April 26, 2005 (70 FR 21401). All stakeholders were given 30 days to review these draft business rules and provide SDDC their comments. Responses were returned in several ways, including letters, spreadsheets and the Frequently Asked Question process.

SDDC received approximately 1300 comments from the industry. Some of the comments were unique, but there were many duplicates.

After the initial review of the comments and identification of duplicates, the comments were assigned

to SDDC Subject Matter Experts (SME) in each of the associated Functional Areas related to the development of DPS. These SME's performed a detailed review of these comments to determine if revision to the business rules were appropriate.

Our review indicated that there were approximately 800 duplicates and 500 unique comments. Some of industries major concerns were: the new best value traffic distribution methodology, establishment of minimum performance score, claims metrics, issues with CWA/invoicing, prompt payment, hard copy documentation, low response customer survey response rate, lack of statistically valid number of Transportation Service Providers (TSPs), non-availability of interface with TSP systems, 13% cost growth limitation on the new program, access to rate filing instructions, tools required to perform rate filing, inadequate time to test the new system, shipment management, TSP/agent relationship and access to multiple SCACs.

Our review indicated that all the comments required clarification to the business rules. SDDC is currently in the process of providing these clarifications in the business rules and will publish the Final Business Rule when incorporation of these changes is completed. In the **SUPPLEMENTARY INFORMATION** section, SDDC has identified Industry's major concerns.

ADDRESSES: Surface Deployment and Distribution Command, ATTN: SDPP, Room 10N35-29 (Judith Tarbox), Hoffman Building II, 200 Stovall Street, Alexandria, VA 22332-5000.

FOR FURTHER INFORMATION CONTACT: Ms. Judith Tarbox at (703) 428-3004.

SUPPLEMENTARY INFORMATION: Industry's comments ranged from questions, suggestions, rewording of business rules and requesting of additional information. SDDC will continue to work with Industry to clarify interpretations of the program and develop the understanding necessary to make the implementation of DPS a success. During the review of these comments, several consistent themes emerged, including:

1. *Requests for the release of SDDC proprietary information.* As part of developing rules/logic for DPS; SDDC has developed several DoD specific logic, formulas, and additional information to assist our System Integrator (SI) to implement our new Personal Property System. For example, some of the logic involves computation of targets per market to keep the program cost growth under 13% etc. This is DoD specific proprietary

information and is therefore acquisition sensitive thus cannot be released outside DoD.

2. *Questions that SDDC believes have already been addressed.* Many of the industry's comments are addressed in other sections of the business rules or other business rules documents. For example, distribution of shipments, spread and blackout dates, filing and settlement of claims, new rate filing process and timeline etc.

3. *Recurring questions.* Several unique questions were asked by Industry, but most of these questions were recurring questions from the past two years that have been previously responded to by SDDC. SDDC believes that these questions reveal areas where Industry may need more information, and SDDC will provide responses as part of the FAQ section of the Families First Web site. Additionally, topics of some of these questions will be considered for future Families First info-grams.

4. *Documentation Edits and Changes.* Industry identified areas in the documentation where editorial changes or updates to the documentation are necessary that are not related to the content of the Business Rules. Where applicable, SDDC will make all appropriate updates to the documentation to correct these items. For example: mileage guide reference in the new domestic 400NG tariff, business rules and international tender language changes for clarity and some changes to footnotes in the business rules and cross referencing of business rules etc.

5. *Industry opinion.* In many cases Industry reiterated opinions and concerns with regards to the Families First Program. SDDC continues to provide a monthly In-Process Review (IPR) to the Industry to discuss these concerns and work towards a better understanding and resolution of issues.

6. *Business Rules Changes.* In some cases, Industry identified perceived gaps in the business rules or divergent business rule explanations in the documentation. In such cases SDDC will work to provide clarification to the business rule document. For example: Historical tonnage will be provided to all DoD qualified TSPs per market.

Regulatory Flexibility Act

This action is not considered rule making within the meaning of Regulatory Flexibility Act, 5 U.S.C. 601-612.

Paperwork Reduction Act

The Paperwork Reduction Act, 44 U.S.C. 3051 *et seq.*, does not apply because no information collection or record keeping requirements are

imposed on contractors, offerors or members of the public.

Steven L. Amato,

Lieutenant Colonel, U.S. Air Force, Deputy Chief of Staff for Passenger and Personal Property.

[FR Doc. 05-20900 Filed 10-18-05; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Availability of Final General Reevaluation Report and Supplemental Environmental Impact Statement for the Poplar Island Environmental Restoration Project, Talbot County, MD

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

ACTION: Notice of availability.

SUMMARY: In accordance with the requirements of the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers (USACE), Baltimore District has prepared a Final General Reevaluation Report (GRR) and Supplemental Environmental Impact Statement (SEIS) for the Poplar Island Environmental Restoration Project (PIERP). The GRR/SEIS evaluated the vertical and/or lateral expansion of the PIERP, design modifications to the existing project, the addition of recreational/educational opportunities to the existing project, and the potential to accept dredged material from additional channels not specified in the 1996 EIS for the existing project. A Notice of Availability (NOA) for the Draft GRR/SEIS was published by the U.S. Environmental Protection Agency (EPA) in the **Federal Register** on June 22, 2005 (70 FR 36129).

The preferred alternative includes a northern lateral expansion consisting of approximately 575 acres, which would include wetland and upland habitat, and a protected open water embayment; construction of a 5-ft vertical raising of the existing upland Cells 2 and 6 at the PIERP; amending the existing project authorization and Project Cooperation Agreement to include the placement of dredged material from the southern approach channels to the Chesapeake and Delaware (C&D) Canal; incorporation of design modifications required for the completion of the existing project, and development of recreational and educational enhancement for the PIERP.

DATES: USACE filed the final document with EPA on September 30, 2005. EPA published a Notice of Availability in the

Federal Register on October 7, 2005 (70 FR 58700). A Record of Decision may be signed no earlier than 30 days after the EPA notice.

FOR FURTHER INFORMATION CONTACT: U.S. Army Corps of Engineers, Baltimore District, Attn: Mr. Mark Medelsohn, CENAB-PL-P, P.O. Box 1715, Baltimore, MD 21203-1715 or electronically at mark.medelsohn@usace.army.mil or by telephone at (410) 962-9499 or (800) 295-1610.

SUPPLEMENTARY INFORMATION: PIERP is located in the Chesapeake Bay, approximately 39 miles south-southeast of the Port of Baltimore, and two miles northwest of Tilghman Island in Talbot County, MD. Approximately 10,000 acres of remote island habitat has been lost throughout the Chesapeake Bay in the last 150 years. Dredged material from the Upper Chesapeake Bay Approach Channels to the Port of Baltimore is being beneficially used to restore 1,140 acres of wetland and upland habitat (approximately 570 acres of wetland habitat and 570 acres of upland habitat), and it is estimated that by 2014 the PIERP will provide up to 40 million cubic yards (mcy) of dredged material placement capacity. To date, approximately 12 mcy of dredged material have been placed at the site. Construction and site operation at the PIERP is a collaborative effort that is cost shared between the Federal sponsor, the U.S. Army Corps of Engineers—Baltimore District and the non-Federal sponsor, Maryland Port Administration (MPA).

To address a predicted dredged material placement capacity shortfall, USACE-Baltimore and MPA initiated the Poplar Island Expansion Study (PIES) under the existing PIERP Congressional Authorization, Section 537 of the Water Resources Development Act (WRDA) of 1996. Authorization for ecosystem restoration projects using dredged material is included in Section 204 of the WRDA of 1992, as amended by Section 207 of the WRDA of 1996. A Notice of Intent (NOI) to initiate the preparation of the GRR/SEIS was published in the **Federal Register** in June 2003 (68 FR 33685).

The Final Integrated GRR/SEIS documents NEPA compliance for the proposed expansion of the PIERP, provides information specific to the actions of the GRR, and supplements the Poplar Island Restoration Study, Maryland: Integrated Feasibility Report and Environmental Impact Statement (ERP No. D-COE-D350557-MD) (USACE/MPA, 1996).

Public meetings on the draft document were held on July 19, 2005, in Easton Maryland, and on July 20, 2005, at Tilghman, Maryland. Both meetings provided an opportunity for the public to present oral and/or written comments.

You may view the Final GRR/SEIS and related information on our Web page at: <http://www.nab.usace.army.mil/projects/Maryland/PoplarIsland/expansion.html>.

The Final and Draft GRR/SEIS have been prepared in accordance with (1) NEPA of 1969, as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500-1508), and (3) USACE regulations implementing NEPA (ER-200-2-2).

Mark Mendelsohn,

Study Manager.

[FR Doc. 05-20902 Filed 10-18-05; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Dredged Material Management Plan for the Lower Atchafalaya, Bayous Chene, Boeuf, and Black Navigation Channel, and the Gulf of Mexico, in Assumption, St. Mary, and Terrebone Parishes in the Vicinity of Morgan City, LA

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

ACTION: Notice of intent.

SUMMARY: The Vicksburg District Corps of Engineers is preparing the Dredged Material Management Plan (DMMP) for the existing Atchafalaya River and Bayous Chene, Boeuf, and Black, Louisiana, navigation project. The DMMP will require a Supplemental Environmental Impact Statement (SEIS) No. 3 to the Final Environmental Impact Statement (FEIS) for the Atchafalaya River and Bayous Chene, Boeuf, and Black, Louisiana (March 1973), navigation project. The project was authorized by the River and Harbor Act of 1968 in accordance with House Document 155, 90th Congress, 1st Session. The purpose of the DMMP is to develop a long term management strategy to accomplish the placement of dredged material associated with the navigation project in the least costly manner, that is consistent with sound engineering practice, and that meets all applicable Federal environmental laws. The Atchafalaya River and Bayous Chene, Boeuf, and Black, Louisiana,