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**RECORD SOURCE CATEGORIES:**

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**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. 06-4250 Filed 5-4-06; 8:45 am]

**BILLING CODE 5001-06-M**

**DEPARTMENT OF DEFENSE**

**Department of the Army, Corps of Engineers**

**Notice of Availability of Draft Environmental Impact Statement for the Floyd County, KY (Levisa Fork Basin), Section 202 Project**

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

**ACTION:** Notice of availability.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers, DoD. Huntington District has prepared a Draft Environmental Impact Statement (DEIS) which documents planning analyses undertaken for a proposed flood damage reduction projects in the Levisa Fork basin in Floyd County, KY. The study area includes the incorporation areas of Prestonsburg and unincorporated areas in Floyd County which are subject to flood damage from the potential of a reoccurrence of the April 1977 flood. The study area does not include the City of Martin, KY where a separate flood damage reduction project is underway. The DEIS documents agency evaluation of four alternatives, two of which includes floodwall/levee alignments intended to protect Prestonsburg and non-structure flood-proofing measures, a total non-structural alternative, and the No Federal Action alternative.

**DATES:** Written comments on the Draft Environmental Impact Statement will be accepted for 45 days following publication of the Environmental Protection Agency's Notice of Availability for this Draft Environmental Impact Statement (DEIS) in the **Federal Register**.

**ADDRESSES:** Address all written comments on the DEIS to Stephen O'Leary PM-PD-S, U.S. Army Corps of Engineers, Huntington District, 502 Eighth Street, Huntington, WV 25701-2070. Electronic mail: *Stephen.D.Oleary@Lrh01.usace.army.mil*.

**FOR FURTHER INFORMATION CONTACT:** Stephen O'Leary, Telephone (304) 399-5841.

**SUPPLEMENTARY INFORMATION:** The Energy and Water Development Appropriations Act of 1981 (Pub. L. 96-367) provided \$25,150,000 for the development of flood protection measures for the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River. Many Floyd County communities within the floodplain of the Levisa Fork and Russell Fork and tributaries were devastated by the April 1977 flood, which was the flood of record for much of the region.

Congressional reaction to these flood events resulted in the inclusion of funds and language in various legislative directives that mandated expeditious implementation of flood damage reduction measures within the study area covered by the Huntington District's Section 202 General Plan.

The study area, primarily residential in nature, includes the incorporated areas of Prestonsburg and unincorporated areas in the county subject to flood damage from the potential of a reoccurrence of the April 1977 flood. The proposed project would require providing flood protection measures to approximately 2,000 structures, 75 percent of which are residential.

Four alternatives are evaluated in detail the DEIS, including the No Federal Action. One alternative is totally nonstructural flood-proofing measures. Two alternatives include floodwalls/levees along with nonstructural measures, and are generally described as follows. (1) Floodwall/levees to provide flood damage reduction for infrastructure, roadways, homes, and businesses in most of Prestonsburg through a combination of the floodwall, gates, raised roadways, curbs, and small wall sections in the down town area. Floodwalls would prevent Levisa Fork overtopping in the Blackbottom area, which now causes flooding in the central business district as well as in Blackbottom. In this alternative the floodwall would also extend to protect the Big Sandy Community and Technical College (BSCTC) and its campus. (2) The proposed structural component would provide flood damage reduction for infrastructure, roadways, homes, and businesses in most of Prestonsburg through a combination of the floodwall, grates, raised roadways, curbs, and small wall sections in the downtown area. This plan's floodwall would prevent Levisa Fork overtopping in the Blackbottom area, which now

causes flooding in the central business district as well as in Blackbottom. Flood insurance costs would be reduced for structures protected by the floodwall. The floodwall would not protect the BSCTC and its campus. BSCTC would be able to participate in the nonstructural program for eligible structures.

The Corps invites full public participation to promote open communication and better decision-making. All persons and organizations that have an interest in the Levisa Fork Basin flooding problems as they affect Floyd County and the environment are urged to participate in this NEPA process.

A public hearing on the content of the DEIS will be held at Prestonsburg High School, 825 Blackcat Boulevard, Prestonsburg, KY 41649. The public hearing and all other future public meetings and any other public involvement activities will be announced in advance through notices, media news releases, and/or mailings.

Copies of the DEIS may be reviewed at the following locations:

1. U.S. Army Corps of Engineers, Huntington District, 502 Eighth Street, Huntington, WV 25701-2070, Room 3100.
2. Floyd County Public Library, 18 North Arnold Avenue, Prestonsburg, KY 41653-1269.
3. Prestonsburg Community College Library, One Bert T. Combs Drive, Prestonsburg, KY 41653.
4. <http://www.lrh.usace.army.mil/projects/review>.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 06-4235 Filed 5-4-06; 8:45 am]

**BILLING CODE 3710-GM-M**

**DEPARTMENT OF DEFENSE**

**Department of the Army, Corps of Engineers**

**Intent To Prepare a Supplemental Environmental Impact Statement to the Interim Operational Plan for Protection of the Cape Sable Seaside Sparrow, Everglades National Park, Miami-Dade County, FL, May 2002**

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

**ACTION:** Notice of intent.

**SUMMARY:** In 1999, the U.S. Fish and Wildlife Service issued a Final Biological Opinion for the Modified Water Deliveries to Everglades National Park Project (MWD Project), the C-111 Project, and the Experimental Water

Deliveries to Everglades National Park Project. FWS concluded that the operations, if continued, would likely jeopardize the continued existence of the endangered Cape Sable seaside sparrow and adversely modify its critical habitat. In response, the Corps implemented an Interim Structural and Operational Plan (ISOP) in March 2000, followed by the Interim Operating Plan (IOP) in July 2002. These operations were designed to protect the sparrow pending completion of construction of the MWD Project and the C-111 Project. Because of the urgency to implement IOP in time for the next sparrow breeding season, the IOP Final Environmental Impact Statement (FEIS) was completed prior to conclusion of modeling that supported the selected plan. Pursuant to a March 2006 order by the United States District Court for the Southern District of Florida, the Corps will be preparing a supplement to the IOP FEIS. The Supplemental Environmental Impact Statement (SEIS) will update the FEIS with the modeling for the selected alternative, which was completed in November 2002, as well as actual data collected since the May 2002 FEIS. In addition the SEIS will update its analysis of the default condition for the reservoirs.

**ADDRESSES:** U.S. Army Corps of Engineers, Planning Division, Environmental Branch, P.O. Box 4970, Jacksonville, FL 32232-0019.

**FOR FURTHER INFORMATION CONTACT:** Ms. Barbara Cintron at (904) 232-1692 or e-mail at [Barbara.b.cintron@saj02.usace.army.mil](mailto:Barbara.b.cintron@saj02.usace.army.mil).

**SUPPLEMENTARY INFORMATION:**

a. The proposed action will be the previously selected Alternative 7R that consists of water management operations of existing structural components of the Central & Southern Florida Project (C&SF Project) to avoid flooding the sparrow breeding habitats during the breeding season and to rehydrate breeding habitats during the annual wet season in order to prevent and reverse habitat degradation.

b. Alternatives will be chosen from the array in the previous FEIS that involve spatial variations in conveying water through the C&SF Project to protect the sparrow.

c. A scoping letter 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.

d. The Draft SEIS will update the Corps' analysis of Alternative 7R with modeling that was completed in November 2002 for that alternative and

compare it to the previous alternatives. In addition, modeling for marsh operations and variable flows at pump station S-356 based on seepage will be used to update the analysis of the default condition for the reservoirs constructed in the C-111 Basin. The previous model could not accommodate the analysis of variable flows at S-356 when the 7R modeling was concluded in 2002. The analysis will also include actual hydrologic field data collected since 2002 and information on subsequent nesting success of endangered species, including the sparrow and the snail kite.

e. 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.

f. A scoping meeting is not anticipated.

g. The Draft SEIS is expected to be available for public review in the 3rd quarter of CY 2006.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 06-4241 Filed 5-4-06; 8:45 am]

**BILLING CODE 3710-AJ-M**

**DEPARTMENT OF DEFENSE**

**Department of the Army, Corps of Engineers**

**Intent To Prepare an Environmental Impact Statement for the Dam Safety Assurance Evaluation Report, Dover Dam, City of Dover, Tuscarawas County, OH**

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

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers (Corps), Huntington District will prepare an Environmental Impact Statement (EIS) to disclose potential impacts to the natural, physical, and human environment resulting from modifications to Dover Dam. This high hazard dam does not conform to current design standards related to stability and sliding during a probable maximum flood. Modifications will be performed so the Dam will meet these standards.

**DATES:** A public scoping meeting will be held on May 24, 2006 from 7-8:30 p.m.

**ADDRESSES:** Send written comments and suggestions concerning this proposed project to David M. Rieger, PD-R, U.S. Army Corps of Engineers, Huntington

District, 502 Eighth Street, Huntington, WV 25701-2070. Telephone: 304-399-5160. Electronic mail:

[david.m.rieger@1rh01.usace.army.mil](mailto:david.m.rieger@1rh01.usace.army.mil).

Requests to be placed on the mailing list should also be sent to this address.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rodney Cremeans, U.S. Army Corps of Engineers, Huntington District, 502 Eighth Street, Huntington, WV 25701-2070. Telephone: (304) 399-5170. Electronic mail: [Rodney.G.Cremeans@1rh01.usace.army.mil](mailto:Rodney.G.Cremeans@1rh01.usace.army.mil).

**SUPPLEMENTARY INFORMATION:**

1. *Authority:* Investigation and justification of modifications for dam safety assurance to completed Corps of Engineers projects is authorized under Section 1203 of the Water Resources Development Act of 1986 (Pub. L. 99-662).

2. *Background:* a. Guidance for this study is provided in USACE Engineer Regulation 1110-2-1155 for modifying or developing new facilities, raising the dam and/or improving the stability of the dam to accommodate currently anticipated flood volumes.

b. The Corps evaluates structures such as Dover Dam periodically throughout their life. These evaluations are important for identifying trends in the aging process of the structure as well as offering an opportunity to consider developments in the design and weather forecasting sciences. Concerns for the stability of the dam have grown over the life of Dover Dam. Since the construction of the project in the 1930's, the maximum pool recorded was 907.4 (8.6 feet below the spillway crest) in January 2005. No significant problems have been encountered with the dam, however, inflow is very carefully monitored to ensure the safety of the public downstream of the dam.

c. The Corps will continue to manage stability concerns in the event of extreme flooding. However, recent flood events have highlighted the need to address on-going concerns and renew consideration of potential low-frequency extreme flood events.

d. The National Weather Service has published details of procedures and methods that are used to develop generalized estimates of Probably Maximum Precipitation (PMP), the greatest rainfall rates for specified durations that are theoretically possible for regions throughout the United States. These rainfall estimates are considered extreme, with a very low probability of occurrence. However, the worst-case storms associated with the PMP events, retain some probability of occurrence. These PMP events are used