

composition of borrow sands and native sands.

The research and planning phase includes a comprehensive analysis of historical geophysical data, hydrographic survey data, and aerial photographs of the inlet to determine potential channel shall lag deposit sites and historic preferred channel alignment. The jet probe survey will provide preliminary qualitative information of the sediment contained in the feeder channels and the ebb tide delta of Rich inlet. Areas suspected of containing the best quality and quantity of sand resources within the preferred channel realignment corridor will be targeted for vibrocore investigation.

A magnetometer survey was performed on September 3, 2006 on the wreck site of the Wild Dayrell. The Wild Dayrell is a side-wheel steamer which ran aground near in the Rich Inlet complex on February 3, 1864. The location of the Wild Dayrell and its debris field will play a major role in options associated with the location of the new inlet channel. In addition, a cultural resource study of the final borrow area and channel design will be performed using a magnetometer survey controlled by differential global positioning. Cartographic and historical research will be conducted to collect available historical data.

Natural resource studies and investigations which may be conducted in support of the plan formulation might include: (1) Identification and biological characterization of estuarine habitat types (salt march, shellfish, submerged aquatic vegetation) in a defined project area using aerial mapping and/or groundtruth investigations; (2) pre-project monitoring of threatened and endangered species and their associated habitats as determined through coordination with project stakeholders; and (3) development and/or implementation of project monitoring and mitigation plans based on the project impact assessment.

3. *Issues.* There are several potential environmental issues that will be addressed in the EIS. Additional issues may be identified during the scoping process. Issues initially identified as potentially significant include:

a. Potential impacts to marine biological resources (benthic organisms, passageway for fish and other marine life) and Essential Fish Habitat, particularly within Green Channel.

b. Potential impacts to threatened and endangered marine mammals, birds, fish, and plants.

c. Potential impacts to water quality.

d. Potential increase in erosion rates to adjacent Lea-Hutaff.

e. Potential impacts to Navigation, commercial and recreational.

f. Potential impacts to the long-term management of Rich Inlet.

g. Potential impacts to private and public property.

h. Cumulative impacts of Inlet and Inlet channel relocations throughout North Carolina.

i. Cumulative impacts for using inlets as sand source in nourishment projects.

j. Potential impacts on public health and safety.

k. Potential impacts to recreational and commercial fishing.

l. The compatibility of the material for nourishment.

m. Potential impacts to cultural resources, particularly the Wild Dayrell shipwreck.

4. *Alternatives.* Several alternatives are being considered for the proposed project. These alternatives will be further formulated and developed during the scoping process, and an appropriate range of alternatives, including the no federal action alternative, will be considered in the EIS.

5. *Scoping Process.* A public scoping meeting (see **DATES**) will be held to receive public comment and assess public concerns regarding the appropriate scope and preparation of the Draft EIS. Participation in the public meeting by federal, state, and local agencies and other interested organizations and persons is encouraged.

The COE will also be consulting with the U.S. Fish and Wildlife Service under the Endangered Species Act and the Fish and Wildlife Coordination Act; with the National Marine Fisheries Service under the Magnuson-Stevens Act and Endangered Species Act; and with the North Carolina State Historic Preservation Office under the National Historic Preservation Act. Additionally, the EIS will assess the potential water quality impacts pursuant to Section 401 of the Clean Water Act, and will be coordinated with the North Carolina Division of Coastal Management (DCM) to determine the project's consistency with the Coastal Zone Management Act. The COE will closely work with DCM through the EIS to ensure the process complies with all State Environmental Policy Act (SEPA) requirements. It is the COE and DCM's intentions to consolidate both NEPA and SEPA processes to eliminate duplications.

6. *Availability of the Draft EIS.* The Draft EIS is expected to be published and circulated sometime in 2008, and a public hearing will be held after the publication of the Draft EIS.

Dated: February 12, 2007.

**John E. Pulliam, Jr.,**

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

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**BILLING CODE 3710-GN-M**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Intent To Prepare Supplement III to the Final Environmental Impact Statement, New Orleans to Venice, LA, Hurricane Protection Project: Incorporation of Non-Federal Levees From Oakville to St. Jude, Plaquemines Parish, LA

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

**ACTION:** Notice of Intent.

**SUMMARY:** The U.S. Army of Corps of Engineers, New Orleans District, is initiating this study under the authority of Public Law 109-234, Title II, Chapter 3, Flood Control and Coastal Emergencies, page 38 (120 STAT.454-455), hereinafter "4th Supplemental", provides: "For an additional amount for 'Flood Control and Coastal Emergencies', as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to the consequences of Hurricane Katrina and other hurricanes, \$3,145,024,000, to remain available until expended: Provided, that the Secretary of the Army is directed to use the funds appropriated under this heading to modify, at full Federal expense, authorized projects in southeast Louisiana to provide hurricane and storm damage reduction and flood damage reduction in the greater New Orleans and surrounding areas; \* \* \* \$215,000,000 shall be used to replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the existing New Orleans to Venice hurricane protection project; \* \* \*."

The Flood Control and Coastal Emergencies Section of Title II, Chapter 3 of the Joint Explanatory Statement of the Committee of Conference, page 115, states: "Funds totaling \$3,145,024,000 are recommended to continue repairs to flood and storm damage reduction projects. These projects are to be funded at full Federal expense. \* \* \* Additionally, the Conferees include: \* \* \* \$215,000,000 for incorporation of non-Federal levees on the west bank of the Mississippi River in Plaquemines Parish in order to provide improved storm surge protection and to protect evacuations routes; \* \* \*"

**FOR FURTHER INFORMATION CONTACT:**

Questions concerning the Supplemental Environmental Impact Statement (SEIS) should be addressed to Mr. Alan W. Bennett at: U.S. Army Corps of Engineers, PM-RS, P.O. Box 60267, New Orleans, LA 70160-0267, phone (504) 862-2516, fax number (504) 862-2088 or by e-mail at [alan.w.bennett@mvn02.usace.army.mil](mailto:alan.w.bennett@mvn02.usace.army.mil).

**SUPPLEMENTARY INFORMATION:**

1. *Proposed Action.* The proposed action would replace or modify and incorporate certain non-Federal levees on the west bank of the Mississippi River in Plaquemines Parish, Louisiana into the existing New Orleans to Venice hurricane protection project. The proposed project study area includes the west bank of the Mississippi River, starting near the community of Oakville to the north and ending at St. Jude to the south. The New Orleans to Venice hurricane protection project was authorized by Public Law 87-874, as amended. Under this authority, the U.S. Army Corps of Engineers constructed a hurricane protection levee system extending along a portion of the west bank of the Mississippi River. This SEIS is being prepared as a third supplemental to the July 1974 final EIS, "New Orleans to Venice, Louisiana, Hurricane Protection Project", filed with the Council on Environmental Quality on January 6, 1975.

The existing federally authorized hurricane protection system does not provide continuous protection from Belle Chasse to Venice. Specifically, approximately 34 miles of existing non-Federal levees in Plaquemines Parish do not provide hurricane and storm damage reduction protection to the authorized level of the New Orleans to Venice hurricane protection project. This condition exposes residents and businesses in several west bank communities and the hurricane evacuation route, Louisiana Highway 23, to a higher potential for flooding in the event of a storm or hurricane. Engineering, economic, and environmental analysis would be used to determine the most cost effective plan, which would provide for the greatest overall public benefit.

2. *Alternatives.* Several levee alignments are being investigated to protect these communities, businesses, the hurricane evacuation route, and to avoid wetland impacts. In addition, non-structural alternatives such as relocations or raising homes and businesses are also being developed and evaluated. Incremental analysis of costs and benefits for different reaches of the levee alignments would also be

conducted. Various protection levels for the levee alignments would also be investigated.

3. *Scoping.* Scoping is the process for determining the scope of alternatives and significant issues to be addressed in the SEIS. A notice requesting scoping comments will be sent to affected Federal, State, and local agencies, affected Indian tribes, and all interested parties requesting their input on alternatives and issues to be evaluated in the SEIS. The notice 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.

Two public scoping meetings will be held in March 2007. The meetings will be held in the vicinity of Belle Chasse and West Pointe a la Hache. Additional meetings could be held, depending upon interest and if it is determined that further public coordination is warranted.

4. *Significant Issues.* The tentative list of resources and issues to be evaluated in the SEIS includes tidal 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 to be evaluated in the SEIS include hurricane and 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.

5. *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 provide a Fish and Wildlife Coordination Act report. Consultation will 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 SEIS or a notice of its availability will be distributed to all interested agencies, organizations, and individuals.

6. *Estimated Date of Availability.* The earliest that the draft SEIS is expected to be available is in spring 2008.

Dated: February 16, 2007.

**Richard P. Wagenaar,**

*Colonel, U.S. Army, District Commander.*  
[FR Doc. 07-850 Filed 2-23-07; 8:45 am]

**BILLING CODE 3710-84-M**

**DEPARTMENT OF ENERGY****Office of International Regimes and Agreements; Proposed Subsequent Arrangement**

**AGENCY:** Department of Energy.

**ACTION:** Notice of proposed subsequent arrangement.

**SUMMARY:** This notice is being issued under the authority of section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160). The Department is providing notice of a proposed "subsequent arrangement" under the Agreement for Cooperation in the Peaceful Uses of Nuclear Energy between the United States and the European Atomic Energy Community (Euratom) and the Agreement for Cooperation in the Peaceful Uses of Nuclear Energy between the United States and Canada.

This subsequent arrangement concerns the retransfer of 846,126 kg of Natural UO<sub>3</sub> (82.7% U), containing 700,000 kg of Uranium. This material will be retransferred from Cameco Corporation, Canada, to Springfields Fuels Ltd., United Kingdom for ultimate use as nuclear power reactor fuel by Electric Power Development Company Ltd., Japan. Springfields Fuels Ltd. is authorized to receive nuclear material pursuant to the U.S.-Euratom Agreement for Cooperation.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, we have determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Dated: February 20, 2007.

For the Department of Energy.

**Anatoli Welihozkiy,**

*Acting Director, Office of International Regimes and Agreements.*

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