

USACE and City of Dallas to modify the UTRFS Cost Sharing Agreement to include an Interim Feasibility Study of the existing Dallas Floodway as part of the on-going UTRFS. The team assessed several flood risk management alternatives in the Dallas Floodway Interim Feasibility Study. The USACE and City of Dallas also developed additional environmental quality alternatives to benefit fish and wildlife habitat, water quality, and aesthetic properties while minimizing adverse impacts to existing cultural resources and flood risk management benefits. On November 29, 2005, the USACE published a Notice of Intent (NOI) in the **Federal Register** (70 FR 71477) to prepare a DEIS for proposed modifications to the existing Dallas Floodway based on the Interim Feasibility Study and held a public scoping meeting on December 13, 2005. The USACE stopped the NEPA process in early 2006 in order to conduct further study and alternative development and connectivity to other projects in the vicinity.

The City of Dallas continued developed of another variation to the Trinity River Corridor Master Implementation Plan that included similar environmental quality measures and interior drainage system improvements, known as the BVP. The 2007 WRDA authorized the City of Dallas, Dallas Floodway BVP. This authorization superseded the need to continue development of the Interim Feasibility Study and allowed implementation of the BVP and interior drainage system components if the USACE determines they are technically sound and environmentally acceptable. On December 22, 2008, the USACE published a NOI in the **Federal Register** (73 FR 78377) to prepare a Draft EIS for the Dallas Floodway BVP. Due to the large number of other proposed projects being requested by local entities, the USACE suspended the NEPA process in March 2009. The intent to conduct a comprehensive analysis of all proposed Dallas Floodway projects was initiated to better assess impacts to the environment and risk to flood protection.

This NOI announces the USACE's intent to initiate the NEPA process for a comprehensive analysis of potential Dallas Floodway Projects. Projects that are currently proposed to be assessed in the USACE Dallas Floodway Project include: City of Dallas levee remediation plans; USACE and City of Dallas 2007 WRDA projects that include the BVP, flood risk management, and interior drainage plans; and other proposed projects within the Dallas

Floodway such as the proposed Trinity Parkway Tollway and various bridge and utility improvement projects.

Proposed BVP alternatives for ecosystem restoration and recreation enhancement will be developed and evaluated based on ongoing fieldwork and data collection and past studies conducted by the Corps of Engineers, the City of Dallas, and regulatory agencies. Ecosystem restoration actions that will be evaluated in the DEIS include creating meanders within the Trinity River, restoring, protecting and expanding the riparian corridor, improving aquatic habitat, creating riffle-pool complexes, and constructing wetlands. Recreation measures that will be evaluated include the West, Natural, and Urban lakes, terraced playing fields, multipurpose trails, whitewater facilities, pedestrian bridges, utilities, parking facilities, amphitheatres, promenade, concession pads, boat/canoe access points, and passive recreation features, such as interpretive guidance, media, and picnic areas. Recreation measures will be developed to a scope and scale compatible with proposed ecosystem restoration measures without significantly diminishing ecosystem benefits.

Proposed USACE and City of Dallas alternatives to address existing Dallas Floodway flood risk management and interior drainage concerns will be evaluated from both a non-structural and structural perspective. Non-structural measures that will be evaluated include acquisition and removal of structures or flood proofing of structures for protection from potential future flood damage. Structural measures that will be evaluated include levee height modification by fill or addition of flood walls, changes in interior drainage by enlarging storage areas or increasing widths and depths, removal of the existing AT&SF Bridge, and/or a combination of these measures.

The USACE performed a periodic inspection of the Dallas Floodway in early December 2007 and documented significant deficiencies. The findings resulted in unacceptable ratings for the Dallas Floodway. In addition to numerous unacceptable ratings, the results of the inspection identified negative impacts during base flood (100-year event) conditions, which would jeopardize performance of flood protections to function as authorized. This is a significant concern that may have a substantial negative impact on Federal Emergency Management Authority (FEMA) flood mapping of the areas outside the levees and the residents and businesses protected by

those levees. An assessment of proposed levee remediation plans and potential impacts will be performed in the DEIS.

In addition to levee remediation and flood risk management projects and concerns, there are several Section 408 projects proposed for the Dallas Floodway. Under the terms of 33 U.S. Code (USC) 408, any proposed levee modification requires a determination by the Secretary of the Army that the proposed alteration, permanent occupation, or use of a Federal project is not injurious to the public interest and will not impair the usefulness of the levee. The authority to make this determination and approve modifications to Federal works under 33 USC 408 has been delegated to the Chief of Engineers, USACE. Thus, the USACE will consider and evaluate identified Section 408 projects in conjunction with the authorized WRDA and levee remediation projects in order to determine the potential environmental consequences of all proposed actions in the Dallas Floodway Project study area.

The USACE will conduct coordination with the public and agencies to ensure full and open participation and aid in the development of the DEIS. The USACE requests that all affected Federal, state, and local agencies, affected Indian tribes, and other interested parties participate in the NEPA process. The USACE invites the public to participate in the EIS scoping process and review of the DEIS. A scoping meeting is scheduled for Tuesday, November 17, 2009 at the Dallas Convention Center (650 S. Griffin Street, Dallas, Texas) from 6 p.m. until 9 p.m. The USACE will inform all known interested individuals as well as announce the meeting dates and locations in local news media. The USACE will announce the release of the DEIS for public comment and the subsequent public review meeting date in the local news media upon completion of the DEIS. The NOI, DEIS, and other project related information will also be available for review at USACE Web sites.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

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## **DEPARTMENT OF DEFENSE**

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

#### **Board on Coastal Engineering Research**

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting:

*Name of Committee:* Board on Coastal Engineering Research.

*Date of Meeting:* November 12–13, 2009.

*Place:* Rooms 3M60 and 3M70, GAO Building, Headquarters, U.S. Army Corps of Engineers, 441 G Street NW., Washington, DC 20314.

*Time:* 9 a.m. to 4 p.m. (November 12, 2009).

8 a.m. to 12 p.m. (November 13, 2009).

**FOR FURTHER INFORMATION CONTACT:**

Inquiries and notice of intent to attend the meeting may be addressed to COL Gary E. Johnston, Executive Secretary, Engineer Research and Development Center, Waterways Experiment Station, 3909 Halls Ferry Road, Vicksburg, MS 39180-6199.

**SUPPLEMENTARY INFORMATION:**

The Board provides broad policy guidance and review of plans and fund requirements for the conduct of research and development of research projects in consonance with the needs of the coastal engineering field and the objectives of the Chief of Engineers.

*Proposed Agenda:* This meeting is devoted to an Executive Session of the Board to review in detail actions underway on three Board initiatives or concerns, which include: (1) To review the Data Collection and Dissemination Framework being developed jointly with the National Ocean Service; (2) to review the proposed PgMP for the Sustainable Approach for Coastal and Estuarine Systems (SUSTAIN); and (3) to review the interim Report on National Shoreline Management Study and the plans for completing the study.

The meeting is open to the public, but since the meeting will be held in a government facility and seating capacity of the meeting room is limited, advance notice of intent to attend is required. A list of attendees will be provided to security.

**Gary E. Johnston,**

*Colonel, U.S. Army Corps of Engineers,  
Executive Secretary.*

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**DEPARTMENT OF DEFENSE**

**Department of the Army**

**Board of Visitors, United States Military Academy (USMA)**

**AGENCY:** Department of the Army, DoD.

**ACTION:** Meeting notice.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.150, the Department of Defense announces that the following Federal advisory committee meeting will take place:

*Name of Committee:* United States Military Academy Board of Visitors.

*Date:* Friday, October 23, 2009.

*Time:* 9 a.m.–11:30 a.m. Members of the public wishing to attend the meeting will need to show photo identification in order to gain access to the meeting location. All participants are subject to security screening.

*Location:* Superintendent's Conference Room, Taylor Hall, West Point, NY.

*Purpose of the Meeting:* This is the 2009 Annual Meeting of the USMA Board of Visitors (BoV). Members of the Board will be provided updates on Academy issues.

*Agenda:* The Academy leadership will provide the Board updates on the following: Middle States Accreditation, USMA Mission and Vision, Academic Instruction, Physical Instruction, A76 Commercial Activity Study, Base Realignment and Closure (BRAC), Residential Communities Initiative (RCI), FY 09 Budget Year End Closeout, Admissions-Diversity, Honor Committee, and Annual Report. The Board will discuss proposed meeting dates for the 2010 Organizational meeting.

*Public's Accessibility to the Meeting:* Pursuant to 5 U.S.C. 552b and 41 CFR 102-3.140 through 102-3.165 and the availability of space, this meeting is open to the public. Seating is on a first-come basis.

*Committee's Designated Federal Officer or Point of Contact:* Ms. Joy A. Pasquazi, (845) 938-5078, [Joy.Pasquazi@us.army.mil](mailto:Joy.Pasquazi@us.army.mil).

**FOR FURTHER INFORMATION CONTACT:** Ms. Joy A. Pasquazi, (845) 938-5078, (Fax: 845-938-3214) or via e-mail: [Joy.Pasquazi@us.army.mil](mailto:Joy.Pasquazi@us.army.mil).

**SUPPLEMENTARY INFORMATION:** Any member of the public is permitted to file a written statement with the USMA Board of Visitors. Written statements should be sent to the Designated Federal

Officer (DFO) at: United States Military Academy, Office of the Secretary of the General Staff (MASG), 646 Swift Road, West Point, NY 10996-1905 or faxed to the Designated Federal Officer (DFO) at (845) 938-3214. Written statements must be received no later than five working days prior to the next meeting in order to provide time for member consideration. By rule, no member of the public attending open meetings will be allowed to present questions from the floor or speak to any issue under consideration by the Board.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

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**DEPARTMENT OF EDUCATION**

[Docket ID ED-2009-OII-0012]

**RIN 1855-AA06**

**Investing in Innovation**

*Catalog of Federal Domestic Assistance (CFDA) Numbers:* 84.396A, 84.396B and 84.396C.

**AGENCY:** Office of Innovation and Improvement, Department of Education.

**ACTION:** Notice of proposed priorities, requirements, definitions, and selection criteria.

**SUMMARY:** The Secretary of Education (Secretary) proposes priorities, requirements, definitions, and selection criteria under the Investing in Innovation Fund. The Secretary may use these priorities, requirements, definitions, and selection criteria for competitions of the Investing in Innovation Fund for fiscal year (FY) 2010 and later years. We intend for the priorities, requirements, definitions, and selection criteria to support the efforts of local educational agencies (LEAs) and nonprofit organizations (as defined in this notice) that have strong track records of improving student achievement (as defined in this notice) to expand their work; identify, document, and share best practices; and take successful practices "to scale."

**DATES:** We must receive your comments on or before November 9, 2009.

**ADDRESSES:** Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery, or hand delivery. We will not accept comments by fax or by e-mail. Please submit your comments only one time in order to ensure that we do not receive duplicate copies. In addition, please include the Docket ID and the term