

365, near the US 23/365 State Route (SR) 52 intersection.

The proposed Glades Reservoir water supply project would be comprised of a new water supply reservoir, as well as pipelines and pumping stations for withdrawing water from the Chattahoochee River and for interconnecting with the existing Cedar Creek Reservoir. Water would be withdrawn from the Cedar Creek Reservoir for treatment and distribution to customers in Hall County.

The total system (Glades Reservoir-Cedar Creek Reservoir system) safe yield is estimated to be 80 million gallons per day (mgd) (on an annual average daily basis), which includes 7.5 mgd of safe yield from the existing Cedar Creek Reservoir. The Glades Reservoir water supply project is proposed to meet an unmet projected water demand of 72.5 mgd in 2060.

When adequate flows are available in the Chattahoochee River, water would be withdrawn from the Chattahoochee River and delivered to the Hall County through the existing Cedar Creek Reservoir.

When insufficient flow occurs, water would be released from the Glades Reservoir to meet water supply demand while maintaining the minimum in-stream flow in the Chattahoochee River.

In May 2011, a Jurisdictional Waters of the U.S. Delineation was conducted by the Applicant on the reservoir site using sub-meter global positioning system (GPS). The delineation determined that the impacts at elevation 1,180 feet msl would be 39.2 acres of wetlands and approximately 95,000 linear feet of stream.

2. Scoping and Public Involvement Process: The purpose of the public scoping process is to determine relevant issues that will affect the scope of the environmental analysis and EIS alternatives. Some areas of potential significant impact have been identified, but are not limited to the following:

- a. Loss of aquatic resources, including wetlands
- b. Water quality
- c. Water quantity, including downstream impacts
- d. Air quality
- e. Secondary and cumulative impacts
- f. Federal navigation
- g. Federal projects
- h. Socioeconomics, including environmental justice
- i. Cultural resources
- j. Threatened and endangered species.

The EIS process is being implemented so that the application can be fully evaluated and a permit decision can be made. The purpose of the EIS scoping

meetings is to gather information on the subjects to be studied in detail in the EIS.

3. Purpose and Need. The purpose of the proposed action is to provide sufficient water supply to meet projected water demand in Hall County through the year 2060.

4. Alternatives. An evaluation of alternatives to the Applicant's preferred alternative initially being considered includes a No Action alternative, alternatives that would avoid, minimize and compensate for impacts to the aquatic environment, alternatives utilizing alternative practices, and other reasonable alternatives that will be developed through the project scoping process which may also meet the identified purpose and need.

5. Additional Resources to be Evaluated. Resource areas to be evaluated that have been identified to date include the following: potential direct effects to waters of the U.S. including aquatic species; environmental justice; socioeconomic environment; archaeological and cultural resources; recreation and recreational resources; energy supply and natural resources; hazardous waste and materials; aesthetics; public health and safety; navigation; erosion and accretion; cumulative impacts; public benefit and needs of the people along with potential effects on the human environment. All parties who express interest will be given an opportunity to participate in the process.

6. Public Scoping Meetings. Three public scoping meetings will be held at the following locations/dates:

- a. March 20, 2012, 4 to 8 p.m. at Gainesville State College, 3820 Mundy Mill Road, Oakwood, GA 30566
- b. March 21, 2012, 4 to 8 p.m. at Lexington Auburn University Convention Center, 1577 South College Street, Auburn, AL 36832;
- c. March 22, 2012, 4 to 8 p.m. at Apalachicola National Estuarine Research Reserve, 108 Island Drive, Eastpoint, FL 32328

The USACE will announce the public scoping meetings through local news media and the Web page at least 15 days prior to the first meeting. Comments are encouraged from the public, federal, state, and local agencies and officials, Indian tribes, and other interested parties so that the scope of the EIS may be properly identified.

7. Coordination. The proposed action is being coordinated with a number of Federal, state, regional and local agencies including, but not limited to, the U.S. Environmental Protection

Agency, the U.S. Fish and Wildlife Service, and the Georgia Department of Natural Resources Environmental Protection Division. These agencies were requested by the USACE Savannah District to be cooperating agencies for this EIS per Council on Environmental Quality regulations at 40 CFR 1501.6. The U.S. Environmental Protection Agency and the Georgia Environmental Protection Division have agreed to participate in the EIS process as cooperating agencies. Other agencies, including the state resource protection agencies of the States of Alabama and Florida and the U.S. Fish and Wildlife Service may also comment during the scoping process.

8. Availability of the Draft EIS. The USACE currently expects the Draft EIS to be made available to the public by December 30, 2012.

Russell L. Kaiser,
Chief, Regulatory Division.

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DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Notice of Availability of a Draft Environmental Impact Statement in Cooperation With the North Carolina Department of Transportation for the Improvement of a 27.3 Mile Segment of US Highway 64 in Tyrrell and Dare Counties, NC

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

ACTION: Notice of Availability.

SUMMARY: The U.S. Army Corps of Engineers (COE), Wilmington District, Wilmington Regulatory Division is issuing this notice to advise the public that a State of North Carolina funded Draft Environmental Impact Statement (DEIS) has been prepared for the improvement of US 64 to a multilane facility, and replacement of the Lindsay C. Warren bridge, in Tyrrell and Dare Counties, North Carolina (TIP Projects R-2544 and R-2545).

DATES: Written comments on the DEIS will be received until April 2, 2012.

ADDRESSES: Bill Biddlecome, U.S. Army Corps of Engineers, Washington Regulatory Field Office, 2407 West 5th Street, Washington, NC 27889 or Gregory J. Thorpe, Ph.D., Project Development and Environmental Analysis Unit, North Carolina Department of Transportation, 1548 Mail Service Center, Raleigh, North Carolina 27699-1548.

FOR FURTHER INFORMATION CONTACT:

Questions about the proposed action and the DEIS can be directed to Mr. Bill Biddlecome, COE—Regulatory Project Manager, telephone: (910) 251-4558 or Mr. Ted Devens, Project Development Engineer, telephone: (919) 707-6018.

SUPPLEMENTARY INFORMATION: The COE in cooperation with the North Carolina Department of Transportation (NCDOT) has prepared a Draft Environmental Impact Statement (DEIS) on a proposal to make transportation improvements to a 27.3 mile segment of existing US Highway 64 in Tyrrell (TIP No. R-2545) and Dare (TIP No. R-2544) Counties, North Carolina, from a two-lane to a multiple-lane roadway, including replacement of the Lindsay C. Warren Bridge over the Alligator River.

The purpose of the proposed project is to reduce US 64 hurricane evacuation time to better meet state clearance goals in the project study area, to insure consistency with North Carolina's Strategic Highway Corridor Plan (which seeks long-term interconnectivity of consistent transportation corridors in North Carolina) and the Intrastate Highway System, and to maintain a bridge across the Alligator River that meets the needs of highway users.

This project is being reviewed through a Merger 01 process that is designed to streamline the project development and permitting processes; the process was mutually developed by NCDOT, COE, the North Carolina Department of Environment and Natural Resources (Division of Water Quality and Division of Coastal Management), the Federal Highway Administration (not applicable for this project), and supported by other stakeholder agencies and local units of government. Other partnering agencies on this project's Merger 01 team include the: U.S. Environmental Protection Agency; U.S. Fish and Wildlife Service; National Marine Fisheries Service, U.S. Coast Guard, N.C. Wildlife Resources Commission; N.C. Department of Cultural Resources, N.C. Division of Marine Fisheries, and the Alligator River National Wildlife Refuge. During the NEPA/SEPA decision-making phase of transportation projects, the Merger process provides a forum for appropriate agency representatives to discuss and reach consensus on the identification and selection of project alternatives that meet project purpose and need requirements, as well as the regulatory requirements of Section 404 of the Clean Water Act.

In 1989, US 64 was designated as part of the State's Intrastate System under Chapter 136 of the North Carolina

General Statutes. In January 1999, NCDOT initiated a study to improve US 64 to a multi-lane facility from Columbia in Tyrrell County east to US 64/US 264 in Dare County. A series of meetings were held with local officials and residents of East Lake and Manns Harbor. There was general support for the project from local officials and residents.

In 2002, the project was presented to Federal and State Resource and Regulatory Agencies to gain concurrence on the purpose and need for the project. Following the meeting, it was agreed that further work on the US 64 project would be postponed pending completion of a revised Hurricane Evacuation study. The hurricane model revisions were completed in 2005. Model development was accomplished in conjunction with an Oversight Committee consisting of representatives from NCDOT, FHWA, numerous state and federal environmental resource and regulatory agencies, and Emergency Management officials from North Carolina's coastal counties. It was agreed that an 18-hour standard for clearance times would be applied to a Category 3 storm with 75 percent tourist occupancy of the Outer Banks. The 18-hour goal was adopted by the North Carolina Legislature in 2005. Following the completion of the new Hurricane Evacuation Study, the project was reinitiated as a State funded Environmental Impact Statement.

A scoping meeting was conducted on February 6, 2007 followed by a Public Officials Meeting and Citizens Informational Workshop on March 14, 2007. Public officials from Tyrrell and Dare Counties and the Towns of Columbia and Manteo attended the public officials meeting. There was unanimous support for the project from all local officials. A NEPA/404 Merger 01 Purpose and Need meeting was conducted on June 14, 2007. The Merger Team agreed that a suitable Purpose and Need exists for the project.

NEPA/404 Merger 01 meetings to determine Alternatives to be Studied were held on June 19 and August 21, 2008. Concurrence was not reached by the Merger Team. The Team provided issue briefs to the next-level Merger Management Team, which includes representatives from COE, North Carolina Department of Environment and Natural Resources Division of Water Quality, Federal Highway Administration, and NCDOT. At a meeting on October 16, 2008, the Merger Management Team agreed on the alternatives to be studied in detail in the DEIS, including lane, shoulder, and median widths; bridge navigation

height, and corridor locations. On October 20, 2008, the full Merger Team concurred on typical sections in Tyrrell County and Tyrrell and Dare county corridor locations. They further concurred that additional environmental analysis would be conducted to determine alignments to be evaluated in detail in the DEIS within the selected corridors.

Upon completion of the DEIS, NCDOT submitted a request to COE to solicit comment from the public in order to identify the Least Environmentally Damaging Practicable Alternative (LEDPA) for the project. The Merger Team will meet again during late 2012 to select a LEDPA; however multiple meetings are anticipated which results in a concurrence expectation of late 2012 or early 2013.

Citizen public hearings are being scheduled by NCDOT for early spring 2012, at which time citizens will be able to voice their opinions on the current alternatives under study. Citizen input will be considered during LEDPA deliberations by the Merger Team. After a LEDPA decision is made, the recommended alternative(s) will be reported in a Final Environmental Impact Statement (FEIS), along with any supplementary studies or additional information that is collected after the DEIS.

The DEIS is electronically available on the COE's Web site at: <http://www.saw.usace.army.mil/Wetlands/Projects/US64Improvements> and also available on the NCDOT Web site at: <http://www.ncdot.gov/projects/us64improvements/>. Any person having difficulty viewing the document online can contact the COE project manager or the NCDOT project manager for a CD copy of the document. Hardcopies of the DEIS are available at the NCDOT's Resident Engineer's Office in Manteo, public libraries in Manteo and Columbia, and county offices in Manteo and Columbia.

After distribution and review of the DEIS and Final Environmental Impact Statement, the Applicant (NCDOT) understands that COE, in coordination with NCDOT, will issue a Record of Decision (ROD) for the project. The ROD will document the completion of the EIS process and will serve as a basis for permitting decisions by federal and state agencies.

To ensure that the full range of issues related to this proposed action is addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to COE at the address provided.

The Wilmington District will periodically issue Public Notices soliciting public and agency comment on the proposed action and alternatives to the proposed action as they are developed.

Dated: February 8, 2012.

Henry M. Wicker,

Acting Chief, Wilmington Regulatory District.

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DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Process for Requesting a Variance From Vegetation Standards for Levees and Floodwalls; Additional Filings

AGENCY: United States Army Corps of Engineers, Department of Defense.

ACTION: Notice.

SUMMARY: The U.S. Army Corps of Engineers (USACE) is updating the process for requesting a variance from vegetation standards for levees and floodwalls to reflect organizational changes and incorporate current agency-wide review processes.

DATES: Written comments must be submitted on or before April 17, 2012.

ADDRESSES: You may submit comments, identified by docket number COE-2010-0007 by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Email:

tammy.conforti@usace.army.mil. Include the docket number, COE-2010-0007 in the subject line of the message.

Mail: U.S. Army Corps of Engineers, Attn: CECW-CE, Tammy Conforti, 441 G Street NW., Washington, DC 20314-1000.

Hand Delivery/Courier: Due to security requirements, we cannot receive comments by hand delivery or courier.

Instructions: Direct your comments to docket number COE-2010-0007. All comments received will be included in the public docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the commenter indicates that the comment includes information that is Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI, or otherwise protected, through [regulations.gov](http://www.regulations.gov) or email. The

[regulations.gov](http://www.regulations.gov) web site is an anonymous access system, therefore, if you wish to provide your identity or contact information it must be included in the text of your comment. If you send an email directly to USACE, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, we recommend that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If we cannot read your comment because of technical difficulties and cannot contact you for clarification, we may not be able to consider your comment. Electronic comments should avoid the use of any special characters, any form of encryption, and be free of any defects or viruses.

Docket: For access to the docket to read background documents or comments received, go to www.regulations.gov. All documents in the docket are listed. Although listed in the index, some information is not publicly available, such as CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form.

FOR FURTHER INFORMATION CONTACT:

Tammy Conforti, Levee Safety Program Manager, Headquarters, USACE, Washington, DC at 202-761-4649.

SUPPLEMENTARY INFORMATION: The variance request process was developed to implement Section 202(g) of the Water Resources Development Act (WRDA) of 1996. Consistent with our regulations for implementing NEPA for our Civil Works programs, we have included a Finding of No Significant Impact (FONSI) for review.

To comply with the requirements of the National Environmental Policy Act, a draft environmental assessment (EA) has been prepared. A copy of the draft EA is available at www.regulations.gov in docket number COE-2010-0007. If you would like to submit comments on the draft EA, you must do so before the end of the comment period specified in the **DATES** section above.

The current commenting period is the second solicitation for comments on the revised Process for Requesting a Variance from Vegetation Standards for Levees and Floodwalls. The first comment period was open from 9 February 2010 to 26 April 2010. USACE reviewed and considered 561 comments from 110 separate organizations and

individuals. The USACE response to these comments received can be found at <http://www.nfrmp.us/guidance.cfm>.

Authority: We are proposing to issue this Policy Guidance Letter under the authority of 33 U.S.C. 701n.

Dated: February 7, 2012.

James C. Dalton,

Chief, Engineering and Construction, Directorate of Civil Works.

Policy Guidance Letter (PGL)—Process for Requesting a Variance From Vegetation Standards for Levees and Floodwalls

1. *Purpose.* This policy guidance letter (PGL) revises the procedures for obtaining a variance from U.S. Army Corps of Engineers (USACE) mandatory vegetation-management standards contained in Engineer Technical Letter (ETL) 1110-2-571—“Guidelines for Landscape Planting and Vegetation Management at Levees, Floodwalls, Embankment Dams, and Appurtenant Structures” pursuant to Section 202(g) of the Water Resources Development Act (WRDA) of 1996. This PGL also includes timeframes and options for existing variances. These procedures align with the USACE Levee Safety Program goals of ensuring life safety as a top priority and applying consistent processes to make well-informed decisions. This PGL supersedes the existing regional variance policy and process contained in Engineer Regulation (ER) 500-1-1 and Engineer Pamphlet (EP) 500-1-1 (including Appendix E), dated 30 September 2001, and will serve as the applicable guidance until this process is incorporated into a USACE engineer publication.

2. *Applicability.* This PGL applies to all Headquarters USACE (HQUSACE) elements, Major Subordinate Commands (MSCs), districts, and field operating activities having responsibility for Civil Works projects. This policy applies to levees within the USACE Levee Safety Program, including those (1) USACE operated and/or maintained; (2) federally authorized, typically USACE constructed, and locally operated and maintained; and (3) locally constructed and locally operated and maintained, but associated with the USACE Rehabilitation and Inspection Program (RIP) (also known as the Pub. L. 84-99 program).

3. References.

a. Engineer Regulation (ER) 500-1-1, Emergency Employment of Army and Other Resources, Civil Emergency Management Program, 30 September 2001.