

DEPARTMENT OF DEFENSE

Department of the Army

Corps of Engineers

Deauthorization of Water Resources Projects

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

ACTION: Notice of project deauthorizations.

SUMMARY: The Corps of Engineers is publishing the lists of water resources projects deauthorized under the provisions of § 1001 (a) and (b), Pub. L. 99-662, 33 U.S.C 579a; projects not deauthorized due to obligations of funds; and project reauthorizations. Previous Federal Register notices were published on October 5, 1990 (Vol. 55, No. 194, 40906-40912), December 15, 1992 (Vol. 57, No. 241, 59335-59337), and September 9, 1994 (Vol. 59, No. 174, 46624-46625). While § 228 of the Water Resources Development Act of 1996, Pub. L. 104-303, which became law on October 12, 1996, changes some provisions of § 1001, Pub. L. 99-662, the deauthorizations in this notice were effective before it became law.

FOR FURTHER INFORMATION CONTACT: Mr. John A. Micik, Headquarters, U.S. Army Corps of Engineers, Attention:

CECW-BA, Washington, D.C. 20314-1000. Tel. (202) 761-0705.

SUPPLEMENTARY INFORMATION: The Water Resources Development Act of 1986, Pub. L. 99-662 contains two provisions for the deauthorization of water resource projects and separable elements of projects.

Section 1001(a), 33 U.S.C. 579a(a), requires the deauthorization of projects authorized in 1986 and thereafter when five years have elapsed from the date of authorization without obligations of funds for planning, design or construction. Section 1001(b)(2), 33 U.S.C. 579a(b)(2), requires the Secretary of the Army to submit to the Congress a biennial list of unconstructed water resources projects and separable elements of projects which have had no obligations of funds for planning, design or construction during the prior ten full fiscal years. If funds are not obligated within thirty months from the date the list was submitted, the project/separable element is deauthorized.

Notwithstanding these provisions, projects may be reauthorized by law.

For purposes of the Water Resources Development Act of 1986, "separable element" is defined in § 103(f), Pub. L. 99-662, 33 U.S.C. 2213(f).

In accordance with § 1001(a), an additional project authorized in 1986 was deauthorized on November 18, 1991. See the Federal Register notices

of December 15, 1992, and September 9, 1994, for the lists of other projects deauthorized on November 18, 1991, in accordance with § 1001(a). Also in accordance with § 1001(a), 3 projects authorized and 8 projects reauthorized in 1990 were deauthorized on November 29, 1995, and 1 project reauthorized in 1991 was deauthorized on August 18, 1996.

In accordance with § 1001(b)(2), the Assistant Secretary of the Army (Civil Works) submitted a list of 35 projects and separable elements to Congress on January 8, 1993. From this list, 29 projects/separable elements were deauthorized on July 9, 1995, 4 were removed due to obligations of funds, and 2 were reauthorized by § 363 of the Water Resources Development Act of 1996.

Six additional projects were reauthorized by the Water Resources Development Act of 1996, §§ 328 and 363.

Authority: This notice is required by the Water Resources Development Act of 1986, Pub. L. 99-662, § 1001(c), 33 U.S.C. 579a(c), and the Water Resources Development Act of 1988, Pub. L. 100-676, § 52(d), 102 Stat. 4045.

Dated: December 5, 1996.

Approved:

H. Martin Lancaster,
Assistant Secretary of the Army (Civil Works).

PROJECT AUTHORIZED IN 1986 AND DEAUTHORIZED ON NOVEMBER 18, 1991 BY SECTION 1001(A) OF PUBLIC LAW 99-662

| District | Project name | Primary state | Purpose |
|-----------|---------------------|---------------|---------|
| LMK | BUSHLEY BAYOU | LA | FC |

(Supplements the Lists Published in the Federal Register on December 15, 1992 and September 9, 1994).

PROJECTS DEAUTHORIZED ON NOVEMBER 29, 1995 BY SECTION 1001(A) OF PUBLIC LAW 99-662

| District | Project name | Primary state | Purpose |
|-----------|--|---------------|---------|
| SWL | MUD CREEK WETLANDS | AR | FC |
| SPK | PAJARO RIVER, SANTA CRUZ* | CA | FC |
| SPN | SANTA CRUZ HARBOR, EAST JETTY* | CA | N |
| NCE | SAULT SAINTE MARIE, SECOND LOCK* | MI | N |
| SWA | BELEN | NM | FC |
| NAN | LAKE GEORGE | NY | FC |
| NCB | CONNEAUT SMALL BOAT HARBOR* | OH | N |
| NCB | FAIRPORT HARBOR DREDGING* | OH | N |
| NCB | FAIRPORT SMALL BOAT HARBOR* | OH | N |
| LMM | MEMPHIS HARBOR* | TN | N |
| SWF | EAST FORK OF TRINITY RIVER* | TX | FC |

*Projects reauthorized in 1990. See Federal Register notice of September 9, 1994. Total: 11.

PROJECT DEAUTHORIZED ON AUGUST 18, 1996 BY SECTION 1001(A) OF PUBLIC LAW 99-662

| District | Project name | Primary state | Purpose |
|-----------|---|---------------|---------|
| SAM | COOSA RIVER CHANNEL, GADSDEN, AL, TO ROME, GA | AL | N |

(Project was reauthorized in 1991. See FEDERAL REGISTER notice of December 15, 1992.)

PROJECTS/SEPARABLE ELEMENTS DEAUTHORIZED ON JULY 9, 1995 by Section 1001(B)(2) OF P.L. 99-662

| District | Project name | Primary state | Purpose |
|-----------|--|---------------|---------|
| SPL | SAN DIEGO RIVER, MISSION VALLEY | CA | FC |
| SAJ | C&SF, CUTLER DRAINAGE AREA | FL | FC |
| SAJ | C&SF, HENDRY COUNTY | FL | FC |
| SAJ | C&SF, MARTIN COUNTY RECREATION | FL | FC |
| SAJ | C&SF, NICODEMUS SLOUGH | FL | FC |
| SAJ | C&SF, REEDY CREEK SWAMP | FL | FC |
| NPW | DWORSHAK DAM, ADDITIONAL UNIT NO. 4 | ID | MP |
| MRK | KANSAS CITY, 1962 MOD (BRIDGE AND APPROACH UNIT) | KS | FC |
| MRK | KANSAS CITY, 1962 MOD (LOWER ARGENTINE UNIT) | KS | FC |
| ORN | CELINA LAKE | KY | MP |
| LMN | MERMENTAU RIVER CHANNEL IMPROVEMENTS | LA | N |
| LMN | PETIT ANSE, TIGRE, CARLIN BAYOUS | LA | N |
| NED | SALEM HARBOR | MA | N |
| NED | WHITMANVILLE LAKE | MA | FC |
| NCE | BEAVER BAY HARBOR | MN | N |
| NCE | LUTSEN HARBOR | MN | N |
| SAM | BUTTAHATCHEE RIVER | MS | FC |
| SAM | LITTLE BROWNS CREEK | MS | FC |
| NPS | FLATHEAD RIVER AT KALISPELL | MT | FC |
| SAW | HOWARDS MILL LAKE | NC | FC |
| SWT | CANDY LAKE | OK | FC |
| SWT | LAKE TEXOMA, PERIMETER ACCESS ROAD | OK | MP |
| MRO | SPRINGFIELD WATER INTAKE | SD | MP |
| SWG | BAYTOWN | TX | FC |
| SWF | BIG SANDY LAKE | TX | FC |
| NPS | RAYMOND WILLAPA RIVER | WA | FC |
| NPS | SKAGIT RIVER | WA | FC |
| NPP | VANCOUVER LAKE AREA | WA | FC |
| NCS | STATE ROAD AND EBNER COULEES (EBNER COULEE) | WI | FC |

Total: 29.

PROJECTS/SEPARABLE ELEMENTS REMOVED FROM DEAUTHORIZATION LIST IN ACCORDANCE WITH SECTION 1001(B)(2) OF PUBLIC LAW 99-662 DUE TO OBLIGATIONS OF FUNDS

| District | Project name | Primary state | Purpose |
|--------------|---|---------------|---------|
| SAJ | C&SF, LAKE OKEECHOBEE | FL | FC |
| POD | KIKIAOLA SMALL BOAT HARBOR, KAUAI | HI | N |
| NCE | CEDAR RIVER HARBOR | MI | N |
| SWG | BUFFALO BAYOU, MAIN STREAM | TX | FC |
| Total: | 4. | | |

PROJECTS REMOVED FROM DEAUTHORIZATION LIST DUE TO REAUTHORIZATION BY LAW

| District | Project name | Primary state | Purpose |
|-----------|--------------------------|---------------|---------|
| NCE | ALPENA HARBOR | MI | N |
| NCE | KNIFE RIVER HARBOR | MN | N |

Total: 2

(These projects are also listed under PROJECTS REAUTHORIZED BY LAW).

PROJECTS REAUTHORIZED BY LAW
[Original Authorization in Parentheses]

| District | Project name | Primary state | Purpose |
|--|--|---------------|---------|
| By Section 328, Public Law 104-303, October 12, 1996: | | | |
| NCE | CROSS VILLAGE HARBOR (1966) | MI | N |
| (This project has been removed from the list submitted to Congress on October 31, 1994, in accordance with Section 1001(b)(2) of Public Law 99-662). | | | |
| By Section 363, Public Law 104-303, October 12, 1996: | | | |
| LMK | GRAND PRAIRIE REGION AND BAYOU METO BASIN (1950) | AR | FC |
| SWL | WHITE RIVER NAVIGATION TO BATESVILLE, AR (1986) | AR | N |
| NCC | DES PLAINES RIVER WETLANDS DEMONSTRATION (1988) | IL | FC |
| NCE | ALPENA HARBOR (1965) | MI | N |
| NCE | ONTONAGON HARBOR, ONTONAGON COUNTY, MI (1962) | MI | N |
| NCE | KNIFE RIVER HARBOR (1974) | MN | N |
| NAN | CLIFFWOOD BEACH, RARITAN BAY AND SANDY HOOK BAY (1962) | NJ | FC |

Total: 8

Key to Abbreviations

- LMV Lower Mississippi Valley Division
- LMM Memphis District
- LMN New Orleans District
- LMS St. Louis District
- LMK Vicksburg District
- MRD Missouri River Division
- MRK Kansas City District
- MRO Omaha District
- NED New England Division
- NAD North Atlantic Division
- NAB Baltimore District
- NAN New York District
- NAO Norfolk District
- NAP Philadelphia District
- NCD North Central Division
- NCB Buffalo District
- NCC Chicago District
- NCE Detroit District
- NCR Rock Island District
- NCS St. Paul District
- NPD North Pacific Division
- NPA Alaska District
- NPP Portland District
- NPS Seattle District
- NPW Walla Walla District
- C&SF Central and Southern Florida
- ORD Ohio River Division
- ORH Huntington District
- ORL Louisville District
- ORN Nashville District
- ORP Pittsburgh District
- POD Pacific Ocean Division
- SAD South Atlantic Division
- SAC Charleston District
- SAJ Jacksonville District
- SAM Mobile District
- SAS Savannah District
- SAW Wilmington District
- SPD South Pacific Division
- SPL Los Angeles District

- SPK Sacramento District
- SPN San Francisco District
- SWD Southwestern Division
- SWA Albuquerque District
- SWF Fort Worth District
- SWG Galveston District
- SWL Little Rock District
- SWT Tulsa District

Purpose

- N Navigation
- BE Beach Erosion Control
- FC Flood Control
- MP Multiple Purpose Power

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DEPARTMENT OF ENERGY

Conduct of Employees; Notice of Waiver Pursuant to Section 207(j)(5), Title 18, United States Code

Section 207(j)(5), title 18, United States Code, authorizes the Secretary of Energy to waive the post-employment restrictions of sections 207(a)(1), 207(a)(2), and 207(c), to permit a former employee with outstanding qualifications in a scientific, technological, or other technical discipline to make appearances before or communications to the Department in connection with a particular matter which requires such qualifications, where it has been determined that the national interest would be served by the participation of the former employee.

It has been established to my satisfaction that Everet H. Beckner, the former Principal Deputy Assistant Secretary, Defense Programs, has a

unique combination of outstanding qualifications in the field of nuclear physics as applied to weapons research and development, and associated environmental issues. I am further satisfied that, as the Vice President, Technology Operations and Environment, Safety & Health in Lockheed Martin Corporation's Energy & Environment Sector, it will serve the national interest to permit him to appear before and communicate with employees of the Department of Energy and other Government agencies with respect to the technological development, operation and management, and direction of the national laboratories and plants being managed by Lockheed Martin for the Department of Energy. I am also satisfied that these activities are in a scientific or technical field which requires the qualifications which Dr. Beckner possesses.

I have, therefore, waived the post-employment prohibitions of sections 207(a)(1), 207(a)(2), and 207(c), title 18, United States Code, in consultation with the Director of the Office of Government Ethics, to permit contact by Dr. Beckner with employees of the Department of Energy and other Government agencies with respect to Lockheed Martin Corporation's management and operation of plants and laboratories under contract with the Department of Energy.

Dated: November 21, 1996.
Hazel R. O'Leary,
Secretary of Energy.
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