

Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular modification request would be appropriate.

Comments may also be submitted by facsimile at (301) 713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Please note that comments will not be accepted by e-mail or other electronic media.

FOR FURTHER INFORMATION CONTACT: Jennifer Jefferies or Carrie Hubbard, (301) 713-2289.

SUPPLEMENTARY INFORMATION: The subject modification to Permit No. 1245, issued on May 19, 2000 (65 FR 36666) is requested under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Permit No. 1245 authorizes the permit holder to capture, handle, flipper and PIT tag, blood and tissue sample, perform ultrasound and release 350 loggerhead (*Caretta caretta*), 50 Kemp's ridley (*Lepidochelys kempii*), 10 green (*Chelonia mydas*), 5 hawksbill (*Eretmochelys imbricata*) and 3 leatherback (*Dermochelys coriacea*) turtles along the South Carolina coastline. The permit holder is requesting authorization to satellite tag 9 loggerhead turtles and acoustic tag 24 loggerhead turtles. No more than 6 individuals will receive both tags. The purpose of the tags is to begin to determine feeding site fidelity and migratory patterns of juvenile loggerhead sea turtles along the South Carolina coastline. The permit holder is also requesting a one year extension of the permit, which would mean Permit No. 1245 would expire on October 31, 2005.

Dated: November 6, 2003.

Tammy C. Adams,

Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.
[FR Doc. 03-28384 Filed 11-12-03; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Air Force

Acceptance of Group Application Under Pub. L. 95-202 and Department of Defense Directive (Dodd) 1000.20

Under the provisions of Section 401, Pub. L. 95-202 and DoD Directive 1000.20, the Department of Defense Civilian/Military Service Review Board has accepted an application on behalf of a group known as: "The U.S. Civilian Employees of CAT, Inc., Who Were Flight Crew Personnel (U.S. Pilots, Co-Pilots, Navigators, Flight Mechanics, and Air Freight Specialists) and Aviation Ground Support Personnel (U.S. Maintenance Supervisors, Operations Managers, and Flight Information Center Personnel) and Conducted Paramilitary Operations in Korea, French Indochina, Tibet and Indonesia From 1950 Through 1959; and U.S. Civilian Employees of Air America Who Were Flight Crew Personnel and Ground Support Personnel, as Described, and Conducted Paramilitary Operations in Laos from 1961 Through 1974, When the War in Laos Ended; and U.S. Civilian Employees of Air America Who Were Flight Crew Personnel and Ground Support Personnel, as Described, and Conducted Paramilitary Operations in Vietnam From 1964 Through 1975, When Saigon Was Evacuated and Air America Flight Operations Ceased."

Persons with information or documentation pertinent to the determination of whether the service of this group should be considered active military service to the Armed Forces of the United States are encouraged to submit such information or documentation within 60 days to the DoD Civilian/Military Service Review Board, 1535 Command Drive, EE-Wing, 3rd Floor, Andrews AFB, MD 20762-7002. Copies of documents or other materials submitted cannot be returned.

Pamela D. Fitzgerald,

Air Force Federal Register Liaison Officer.
[FR Doc. 03-28331 Filed 11-12-03; 8:45 am]

BILLING CODE 5001-05-P

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

The Release of the Draft Environmental Impact Statement and the Announcement of a Public Hearing for the Relocation of Bogue Inlet Channel Between Emerald Isle and Hammocks Beach State Park, and the Placement of the Dredged Material onto Emerald Isle Beach, in Carteret County, NC

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

ACTION: Notice

SUMMARY: The U.S. Corps of Engineers (COE), Wilmington District, Wilmington Regulatory Field Office has received a request for Department of the Army authorization, pursuant to section 404 of the Clean Water Act and section 10 of the Rivers and Harbor Act, from the Town of Emerald Isle for the relocation of Bogue Inlet Channel to protect residential homes and town infrastructures, and to place the dredged material on approximately 5.0 miles of beach for nourishment. The project is being proposed to move the main ebb channel in Bogue Inlet to a more central location between the west end of Bogue Banks and the east end of Bear Island (Hammocks Beach State Park). The main ebb channel through Bogue Inlet presently occupies a position juxtaposed to the west end of the Town of Emerald Isle and is causing severe erosion that threatens development in the subdivision known as The Pointe.

The relocation of the main ebb channel to a central location would restore the channel to a position it occupied in the late 1970s and eliminate the erosive impact of tidal currents on the east shoulder of the inlet. A portion of the material removed to relocate the main ebb channel would be used to close the existing channel with the balance of the material used to nourish the shoreline on the west end of the Town of Emerald Isle.

The channel through Bogue Inlet has been maintained by the COE for commercial and recreational boating interest since 1981. The COE is authorized to maintain the channel to a depth of 8 feet mean low water (mlw) over a width of 150 feet. Any changes in the location of the ebb tide delta channel would be consistent with this maintenance criteria.

DATES: The public hearing will be held at the Emerald Isle Parks and Recreation Community Center, at 7500 Emerald Isle Drive, in Emerald Isle, on December 8, 2003 at 6:30 p.m. Written comments on

the Draft Environmental Impact Statement (EIS) will be received until December 26, 2003.

ADDRESSES: Copies of comments and questions regarding the Draft EIS may be addressed to: U.S. Corps of Engineers, Wilmington District, Regulatory Division. ATTN: File Number 2001-00632, Post Office Box 1890, Wilmington, NC 28402-1890.

FOR FURTHER INFORMATION CONTACT:

Questions about the proposed action and DEIS can be directed to Mr. Mickey Sugg, Wilmington Regulatory Field Office, telephone: (910) 251-4811.

SUPPLEMENTARY INFORMATION: 1. *Project Description.* The Town of Emerald Isle, located along the western 11.2 miles of Bogue Banks, North Carolina, is proposing to reposition the main ebb tide channel (or bar channel) through Bogue Inlet as a means to address a severe erosion problem that is threatening development and town infrastructure located on the west end of the town in an area known as The Pointe. The severe erosion at the Pointe is occurring as a result of the eastward migration of the main ebb channel of Bogue Inlet. An analysis of historic photographs of the inlet indicates that the midpoint of the channel has experienced movements to both the west and east with the latest trend being toward the east. Since September 1981, the channel midpoint migrated a total of over 3,900 feet to the east, however, a majority of this movement occurred between September 1981 and February 1984. From February 1984 to September 2001, the channel moved slightly more than 1,500 feet to the east, which represents an annual rate of 104 feet/year. The eastward movement of the channel has been accompanied by erosion of the Bogue Banks shoulder of the inlet (the Pointe shoreline) with the rate of erosion of the shoreline averaging 56 feet/year between February 1984 and September 2001. If this rate of erosion of the Pointe shoreline continues unabated, it is estimated that 30 to 50 structures could be lost or severely damaged during the next 5 to 10 years. In addition, 300 to 600 feet of Inlet Drive could be lost along with side streets and utilities serving the Pointe subdivision.

Secondary features of the proposed project includes using a portion of the dredged material to close the existing ebb channel with the balance of the material used to nourish approximately 24,000 linear feet (5.0 miles) of beach along the west end of the Town of Emerald Isle. In this regard, the Town of Emerald Isle presently has permits to nourish 51,100 (9.68 miles) of ocean

shoreline using offshore borrow areas. Approximately 5.8 miles of this shoreline was nourished between January and March 2003. The Emerald Isle beach nourishment project is part of an island-wide project sponsored by Carteret County. The County project covers approximately 16.8 miles of ocean shoreline and begins at the east town limits of the Town of Pine Knoll Shores and ends at a point 8,000 feet (1.5 miles) east of Bogue Inlet.

2. *Proposed Action.* The primary purpose of the channel relocation project is to create a stable channel that will divert tidal flow away from the Pointe area of Emerald Isle. Therefore, the design focus is on developing channel dimensions that will capture the majority of the ebb tidal flow through the inlet. An added feature of the overall design would be the closure of the existing channel by using approximately 200,000 cubic yards of material to construct a sand dike across the existing channel in the vicinity of the Pointe. The dimensions of the relocated channel are sized to capture the tidal prism of Bogue inlet and to divert flow away from the Point shoreline. The optimum channel has been determined to have a channel depth of -13.5 feet NGVD and a maximum width of 500 feet. The construction of the new channel would require the removal of approximately 1,009,500 cubic yards of feet.

The material to be removed has a mean diameter of 0.30 mm, compared to 0.22mm native beach material, and contains 1.25% silt and minimal shell content.

Apart from the channel dimensions, the new channel must be positioned so that it does not cause adverse impacts on the adjacent shorelines or result in unacceptable loss of estuarine habitat. The selection of a channel location was based on detailed geomorphic analysis of the inlet and adjacent shorelines, conducted by Dr. William J. Cleary, University of North Carolina at Wilmington. The geomorphic analysis will utilize an assortment of aerial photographs of the inlet covering the period from 1938 to 2001. However the primary emphasis will be on changes in the inlet and the adjacent shorelines between 1973 and 2001. The geomorphic analysis consists of an evaluation of the following: (a) Location of the channel midpoint relative to the Pointe, (b) the orientation of the inlet's ebb tide delta channel, (c) the configuration of the ebb tide delta *i.e.*, the percent of the ebb tide delta east and west of the main ebb channel, (d) inlet shoulder changes (the Pointe shoreline and the west tip of Bear Island), (e)

changes in the ocean shoreline on the west end of Bogue Banks and the east end of Bear Island (Hammocks Beach State Park), and (f) changes in the interior marsh islands (primarily Dudley Island and Island 2). The measured changes the adjacent shorelines, inlet shoulders, and the interior marshes will be related to changes in the physical makeup of the inlet including the position and orientation of the ebb tide delta channel and the configuration of the ebb tide delta.

Geomorphic analysis indicates that the cumulative shoreline changes on each island were averaged over 3,500 feet of shoreline immediately adjacent to the inlet. When the percent of the ebb tide delta on the Bogue Banks side is small, as it was between 1984 and 2001, the bar channel was located close to Bogue Banks and the portion of the delta on the Bogue Banks side was providing some degree of wave sheltering for the west end of the island. This particular ebb tide delta configuration resulted in a considerable amount of accretion along the 3,500-foot shoreline immediately east of the inlet while Bear Island experienced an almost mirror image response on its ocean shoreline, *i.e.* erosion. Even though the present ebb tide delta configuration is favorable for the extreme west end of Emerald Isle, the eastward migration of the inlet channel that led to the existing inlet configuration also caused the inlet shoreline of Bogue Banks (the Pointe shoreline) to erode. Not only has the Bogue Banks inlet shoreline eroded in response to the eastward movement of the channel, so has the Bear Island ocean and inlet shorelines. Based on these and numerous other comparisons, the preliminary results of the geomorphic analysis indicates that a centrally located channel, approximating the position and orientation of the channel in 1978, may be beneficial to the inlet shoreline on Bogue Banks (the Pointe shoreline) and the east end of Bear Island.

3. *Alternatives.* Several alternatives have been identified and evaluated through the scoping process, and further detailed description of all alternatives is disclosed in Section or Chapter 3 of the Draft EIS.

The applicant's preferred alternative is to relocate the channel to a central location and to utilize the dredged material to nourish approximately 5.0 miles of beach.

4. *Scoping Process.* A public scoping meeting was held on October 29, 2002 and a Project Delivery Team (PDT) was developed to provide input in the preparation of the EIS. The PDT is comprised of local, state, and federal

government officials, local residents, nonprofit organizations, local fisherman, and a university professor.

The COE has initiated consultation with the U.S. Fish and Wildlife Service under the Endangered Species Act and the Fish and Wildlife Coordination Act, and with the National Marine Fisheries Service under the Magnuson-Stevens Act and Endangered Species Act. Additionally, the EIS has assessed the potential water quality impacts pursuant to Section 401 of the Clean Water Act, and is coordinating with the North Carolina Division of Coastal Management (DCM) to determine the projects consistency with the Coastal Zone Management Act. The COE is coordinating closely with DCM in the development of the EIS to ensure the process complies with State Environmental Policy Act (SEPA) requirements, as well as the NEPA requirements. The Draft EIS has been designed to consolidate both NEPA and SEPA processes to eliminate duplications.

Dated: November 4, 2003.

George T. Burch,
Chief of Staff.

[FR Doc. 03-28322 Filed 11-12-03; 8:45 am]

BILLING CODE 3710-GN-M

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Intent To Prepare a Draft Feasibility Report/Environmental Impact Statement/Environmental Impact Report for the Grayson and Murderer's Creeks Project, Contra Costa County, CA

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

ACTION: Notice of intent.

SUMMARY: In accordance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), the U.S. Army Corps of Engineers (Corps), Sacramento District, is preparing a Draft Feasibility Report/Environmental Impact Statement/Environmental Impact Report (Feasibility Report/EIS/EIR) to evaluate the opportunities to reduce flood damages, restore wetland and riparian habitat, and support recreation adjacent to Grayson and Murderer's Creeks watershed, Contra Costa County, California. A reconnaissance study was funded under the Energy and Water Development Appropriations Bill of 2002. The Corps completed the resulting study in

October 2002. The report found a Federal interest in reducing flood damages, restoring the ecosystem, and improving recreational opportunities in Contra Costa County. The basic study authority for the Walnut Creek watershed was provided under a House Resolution adopted on June 19, 1963.

The feasibility study will consist of two phases. Phase I will start with a public workshop designed to solicit input from the public and interested agencies on the nature and extent of issues to be addressed in the Draft Feasibility Report/EIS/EIR. It will conclude with a conference to present and discuss the detailed evaluation of existing and future conditions, including the comprehensive mapping of the flood plains, flood damages, and the identification of problems and opportunities associated with each watershed. Preliminary alternatives will be developed, evaluated, and screened. Important cultural and environmental resources in the study area along with the associated effects and mitigation requirements for each preliminary alternative will be considered during the evaluation. Federal interest in at least one preliminary alternative will be established.

Phase II will consist of further development of the preliminary alternatives including detailed designs, costs, and benefits. The project benefits associated with each final alternative plan will be evaluated. The Draft Feasibility Report/EIS/EIR will be completed in conjunction with additional public meetings. Upon the review and incorporation of the public feedback, the Final Feasibility Report/EIS/EIR will be published. The final report will be forwarded through the Corps' Headquarters to the Assistant Secretary of the Army (Civil Works) for transmission to the Office of Management and Budget.

DATES: A meeting is scheduled for Tuesday, November 18, 2003, at 7 p.m. at the Pleasant Hill Community Center, 320 Civic Drive, Pleasant Hill, California.

Comments: Submit comments regarding the study by January 10, 2004.

ADDRESSES: Send written comments and suggestions concerning this study to Ms. Melisa Helton, U.S. Army Corps of Engineers, Sacramento District, Attn: Planning Division (CESPK-PD-R), 1325 J Street, Sacramento, California 95814. Requests to be placed on the mailing list should also be sent to this address.

FOR FURTHER INFORMATION CONTACT: Ms. Melisa Helton, E-mail at melisa.n.helton@usace.army.mil,

telephone (916) 557-7948, or fax (916) 557-5138.

SUPPLEMENTAL INFORMATION:

1. **Public Involvement:** The study will be coordinated between Federal, State, and local governments; local stakeholders; special interest groups; and any other interested individuals and organizations. The Corps will hold a public workshop/environmental scoping meeting to discuss the scope of the Draft Feasibility Report/EIS/EIR (see **DATES**). The meeting will be advertised in advance in local newspapers, and meeting announcement letters will be sent to interested parties. The purpose of this meeting is to involve local stakeholders and the public early in the study process. The meeting will focus on collecting public input regarding the study scope, historic and current problems, and potential opportunities. All public comments will be documented for future consideration and reference. Written comments regarding the meeting may also be submitted via mail and should be directed to Ms. Melisa Helton at the address listed above. The Corps intends to issue the Draft Feasibility Report/EIS/EIR in the summer of 2006. The Corps will announce availability of the draft document in the **Federal Register** and other media, and will provide the public, organizations, and agencies with an opportunity to submit comments, which will be addressed in the Final Feasibility Report/EIS/EIR.

2. **Project Information:** Grayson and Murderer's Creeks are located 4 miles northwest of Walnut Creek in Pleasant Hill, Contra Costa County. The study area is located 15 miles northeast of Berkeley, 20 miles east of San Francisco. It is located in the upper Walnut Creek Basin and is composed of approximately 180 square miles, including the cities of Walnut Creek, Pleasant Hill, and Concord in Contra Costa County.

Flooding in the 1950's and 1960's spurred Contra Costa County to initiate additional flood control studies with the Corps of Engineers on Grayson and Murderer's Creeks. In both a 1973 and a 1992 Feasibility Report, no Federal interest was found due to insufficient economic benefits. As a result of flooding during the 1990's, local municipalities renewed efforts to resolve these flooding problems. The 1997 flood, an estimated 18-year event, caused damage to about 100 homes in the City of Pleasant Hill. In addition, the Federal Emergency Management Agency (FEMA) is currently revising the floodplain maps to include 700 homes within the 100-year floodplain.

3. **Proposed Action:** The proposed project would reduce flood damages,