

Education Division conducted a formal section 7 consultation under the ESA. On November 18, 2008, NMFS issued a Biological Opinion (2008 BiOp) and concluded that the issuance of an IHA is likely to affect, but not likely to jeopardize the continued existence of Steller sea lions. NMFS has also issued an incidental take statement (ITS) for Steller sea lions pursuant to section 7 of the ESA. The ITS contains reasonable and prudent measures for implementing terms and conditions to minimize the effects of this take. NMFS has reviewed the 2008 BiOp and determined that there is no new information regarding effects to Steller sea lions; the action has not been modified in a manner which would cause adverse effects not previously evaluated; there has been no new listing of species or no new designation of critical habitat that could be affected by the action; and the action will not exceed the extent or amount of incidental take authorized in the 2008 BiOp. Therefore, the proposed IHA does not require the reinitiation of Section 7 consultation under the ESA.

National Environmental Policy Act (NEPA)

To meet NMFS' NEPA requirements for the issuance of an IHA to PRBO, NMFS prepared an Environmental Assessment (EA) in 2007 that was specific to seabird research activities on SEFI, WEI, ANI, and PRNS and evaluated the impacts on the human environment of NMFS' authorization of incidental Level B harassment resulting from seabird research in Central California. At that time, NMFS determined that conducting the seabird research would not have a significant impact on the quality of the human environment and issued a Finding of No Significant Impact (FONSI) and, therefore, it was not necessary to prepare an environmental impact statement for the issuance of an IHA to PRBO for this activity. In 2008, NMFS prepared a supplemental EA (SEA) titled "Supplemental Environmental Assessment for the Issuance of an Incidental Harassment Authorization to Take Marine Mammals by Harassment Incidental to Conducting Seabird and Pinniped Research in Central California and Environmental Assessment for the Continuation of Scientific Research on Pinnipeds in California Under Scientific Research Permit 373-1868-00," to address new available information regarding the effects of PRBO's seabird and pinniped research activities that may have cumulative impacts to the physical and biological environment. At that time, NMFS concluded that issuance of an IHA for the December

2008 through 2009 season would not significantly affect the quality of the human environment and issued a FONSI for the 2008 SEA regarding PRBO's activities. In conjunction with this year's application, NMFS has again reviewed the 2007 EA and the 2008 SEA and determined that there are no new direct, indirect or cumulative impacts to the human and natural environment associated with the IHA requiring evaluation in a supplemental EA and NMFS, therefore, reaffirms the 2008 FONSI. A copy of the EA, SEA, and the NMFS FONSI for this activity is available upon request (see **ADDRESSES**).

Dated: May 20, 2011.

James H. Lecky,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

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DEPARTMENT OF DEFENSE

Department of the Army

Real Property Master Plan Programmatic Environmental Impact Statement, at Yuma Proving Ground, Arizona

AGENCY: Department of the Army, DoD.

ACTION: Notice of Intent.

SUMMARY: The Department of the Army intends to prepare a Programmatic Environmental Impact Statement (PEIS) to analyze the environmental impacts resulting from adoption and implementation of a Real Property Master Plan (RPMP), including test areas and training activities at Yuma Proving Ground.

ADDRESSES: For questions concerning the RPMP PEIS, please contact Mr. Sergio Obregon, U.S. Army Garrison Yuma Proving Ground, National Environmental Policy Act Coordinator, IMWE-YMA-PWE, 301 C Street, Yuma, AZ 85365-9498. Written comments may be mailed to that address or e-mailed to ypgnepa@conus.army.mil.

FOR FURTHER INFORMATION CONTACT: Mr. Chuck Wullenjohn, Yuma Proving Ground Public Affairs Office, at (928) 328-6189 Monday through Thursday from 6:30 a.m. to 5 p.m., Mountain Standard Time.

SUPPLEMENTARY INFORMATION: Yuma Proving Ground consists of approximately 840,000 acres of DoD-managed land in the Sonoran Desert in southwestern Arizona and occupies portions of Yuma and La Paz counties. The mission at Yuma Proving Ground is ensuring the readiness of U. S. forces

and materiel to perform in hot arid conditions around the world. This requires rigorous testing of ground and aerial vehicles, weapons, munitions, sensors, and guidance systems and realistic training. The U.S. has been engaged in hostile conflicts in environments similar to those found at Yuma Proving Ground, resulting in a need for increased testing of existing and developing military equipment, vehicles, and munitions under these environmental conditions. To meet these needs, the U.S. Army intends to prepare a RPMP PEIS at Yuma Proving Ground to analyze potential impacts from new construction, changes in testing and training, and activities conducted under private industry partnerships. Renewable energy initiatives will also be discussed in the PEIS, but project-specific NEPA analysis will be required prior to implementing specific renewable energy initiatives.

Alternatives will consist of alternative siting locations for certain activities within Yuma Proving Ground and different magnitudes of implementation with regard to spatial extent of potential impacts and frequency and duration of specific events. The EIS will also analyze the No Action Alternative, under which no new construction would occur and there would be no changes in testing and training activities conducted at Yuma Proving Ground.

No changes are proposed to activities conducted at off-post areas in Arizona and California that are used for specific testing activities under conditions not found at Yuma Proving Ground. Therefore, these areas would not be considered in the development of alternatives for the RPMP PEIS.

All activities under consideration would be conducted within the boundaries of the installation. Resource areas that may be impacted include air quality, airspace, traffic, noise, water resources, biological resources, cultural resources, socioeconomics, utilities, land use, and solid and hazardous materials/waste. Impacts to these resources may occur as a result of converting existing land use to support military testing and training or from increasing the scope or magnitude of testing and training activities. The analysis will also consider the potential for cumulative environmental effects.

The public will be invited to participate in the scoping process to provide input on the proposed action and alternatives, which will be evaluated in the PEIS. After publication of the Notice of Intent to prepare the PEIS, the Army will schedule at least two public meetings to provide information about the proposed action

and alternatives and to solicit input and feedback from the public on issues to be addressed in the PEIS. Meetings will be announced in local media. The public will also be invited to review and comment on the Draft PEIS when it is released. Comments from the public will be considered before any decision is made regarding implementing the proposed action.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

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DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Public Scoping Meeting and Preparation of Environmental Impact Statement for Luce Bayou Interbasin Transfer Project in Liberty County and Harris County, TX

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

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers, Galveston District, has received a permit application for a Department of the Army Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344) from the Coastal Water Authority (SWG-2009-00188) for the proposed Coastal Water Authority's Luce Bayou Interbasin Transfer Project located in eastern Liberty County with the 26.5-mile corridor extending southwestward from the Trinity River to a discharge point near the confluence of Luce Bayou with Lake Houston. The primary Federal involvement associated with the proposed action is the discharge or dredged or fill material into waters of the United States, including jurisdictional wetlands, and the construction of structures that may affect navigable waters. Federal authorizations for the proposed project would constitute a "major federal action." Based on the potential impacts, both individually and cumulatively, the Corps intends to prepare an Environmental Statement (EIS) in compliance with the National Environmental Policy Act to render a final decision on the permit applications.

The Corps' decision will be to either issue, issue with modification or deny Department of the Army permits for the proposed action. The EIS will assess the potential social, economic and

environmental impacts of the construction and operation of the interbasin conveyance, associated facilities, and appurtenances and is intended to be sufficient in scope to address Federal, State and local requirements, environmental issues concerning the proposed action, and permit reviews.

DATES: The scoping period will commence with the publication of this notice. The formal scoping period will end 60 days after the publication of this notice. Comments regarding issues relative to the proposed project should be received.

ADDRESSES: You may submit comments by any of the following methods: *Mail:* Jayson M. Hudson, U.S. Army Corps of Engineers, Regulatory Branch, P.O. Box 1229, Galveston, TX 77553-1229; *Fax:* (409) 766-3931 or *E-mail:* Jayson.m.hudson@usace.army.mil. Emailed comments, including attachments, should be provided in .doc, .docx, .pdf or .txt formats. Documents pertinent to the proposed project may be examined at <http://www.swg.usace.army.mil/reg/eis.asp>.

FOR FURTHER INFORMATION CONTACT: Mr. Jayson Hudson, (409) 766-3108.

SUPPLEMENTARY INFORMATION: The Galveston District intends to prepare a DEIS on the proposed Luce Bayou Interbasin Transfer Project which is the proposed transfer of water from the Trinity River in Liberty County to Lake Houston in Harris County, TX. The Coastal Water Authority proposed this project and is the applicant for the Department of the Army permit (DA) SWG-2009-00188.

1. *Project Background:* The Coastal Water Authority is proposing to convey up to 400 million gallons of water per day (MGD) under gravity in accordance with the City of Houston's existing water rights permit from the Trinity River to Lake Houston, a distance of approximately 26.5 miles. The Trinity River water would be conveyed from the proposed pump station through large diameter pipelines to a sediment storage and settling basin and then through an earthen canal to outfall at the Lake Houston discharge point. The canal would have side berms and there would be an access road, drainage ditches, and perimeter fencing surrounding the water conveyance canal. The proposed project consists of the following:

a. A new water pumping station will be constructed on the Trinity River at Capers Ridge approximately 10 miles north of Dayton, TX.

b. Dual, 108-inch diameter force mains will be constructed extending from the Capers Ridge pump station

approximately 3.5 miles to the west and southwest to outfall to the sedimentation settling basin.

c. An approximate 20-acre sedimentation settling and storage basin.

d. An approximate 23.5 mile clay-lined earthen canal with 4:1 side slopes within a 300-foot easement that would include access roads, berms, chain link perimeter fencing, flow control structures, and metering stations.

e. Box culverts at canal and roadway crossings and multiple bawl-ground siphons constructed to facilitate wildlife movement and maintain existing hydrology along the canal conveyance system.

f. An approximate 10-acre maintenance facility located approximately 6 miles north of Dayton, TX.

g. Discharge structure along the southeastern shoreline of Lake Houston.

2. *Scoping and Public Involvement Process:* A Public Notice was published on April 19, 2010 to initiate the public scoping process for the proposed project. At that time, based on information provided by the Applicant, a preliminary review indicated that an Environmental Impact Statement (EIS) was not required. However, based on continuing permit assessment and information brought forth during the initial coordination process, areas of potential significant impact on the human environment have been identified. Therefore, the EIS process is being implemented so that the permit application can be fully evaluated and a permit decision can be made. All comments received to date, including those provided for review during the initial scoping process, will be considered by the Galveston District during EIS preparation. The purpose of the EIS scoping meeting is to gather information on the subjects to be studied in detail by the EIS.

3. *Purpose and Need.* The basic purpose of the proposed action is to provide drinking water for the City of Houston and surrounding area. The overall purpose is to provide drinking water utilizing water rights currently held by the City of Houston in the Trinity River. The Corps recognizes that there is a public and private need for drinking water.

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 within the project right-of-way, alternatives that would avoid, minimize and compensate for