

project to S. Michael Worley PM-PD, U.S. Army Corps of Engineers, Huntington District, 502 Eight Street, Huntington, WV 25701-2070. Telephone: (304) 399-5802. Electronic mail: *Stephen M.*

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Requests to be placed on the mailing list should also be sent to this address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Tammy Conforti PM-PD-S, U.S. Army Corps of Engineers, Huntington District, 502 Eighth Street, Huntington, WV 25701-2070. Telephone (304) 399-5834. Electronic mail: *Tammyr@Lrh.usacre.army.mil*

#### **SUPPLEMENTARY INFORMATION:**

1. *Authority:* The proposed project is authorized under section 202 of the Water Resources Development Act (WRDA) of 1996, which provides the Corps authority to “\* \* \* design and construct flood control measures relating to the Levisa and Tug Fork of the Big Sandy river and Cumberland River, West Virginia, Kentucky and Virginia”.

2. *Background:* Since the earliest Levisa Fork Basin settlements, the residents faced the problem of frequent and severe flooding. Many Floyd County communities within the floodplain of the Levisa and Russell Fork and tributaries were devastated by the April 1977 flood, which was the flood of record for much of the region. A significant flood again inundated the Levisa Fork communities in May of 1984. Congressional reaction to these flood events resulted in the inclusion of funds and language in various legislative directives that mandated expeditious implementation of flood damage reduction measures within the study area covered by the Huntington District's Section 202 General Plan.

The study area, primarily residential in nature, includes the incorporated areas of Prestonsburg and unincorporated areas in the county subject to flood damage from the potential of a reoccurrence of the April 1977 flood. The project requires providing flood protection measures to approximately 2,000 structures, 75 percent of which are residential.

Alternatives being initially considered include floodwall/levee systems protecting Prestonsburg, non-structural flood-proofing and several ring walls protecting individual structures. Alternatives to be evaluated in detail in the Draft EIS will be selected from those described above.

3. *Public Participation:* The Corps invites full public participation to promote open communication and better decision-making. All persons and

organizations that have an interest in the Levisa Fork Basin Flooding problems as they affect Floyd County and the environment are urged to participate in this NEPA environmental analysis process. Assistance will be provided upon request to anyone having difficulty with learning how to participate.

Public comments are welcomed anytime throughout the NEPA process. Formal opportunities for public participation include: (1) A public meeting in the community of Prestonsburg, KY (*see DATES*); (2) Anytime during the NEPA process via mail, telephone or e-mail; (3) During Review and Comment on the Draft EIS—approximately January of 2004; and (4) Review of the Final EIS—Fall 2004. Schedules and locations will be announced in local news media. Interested parties should submit contact information to be included on the mailing list for public distribution of meeting announcements and documents (*See ADDRESSES*).

**Luiz D. Ortiz,**

*Army Federal Register Liaison Officer.*

[FR Doc. 03-27359 Filed 10-29-03; 8:45 am]

**BILLING CODE 3710-6M-M**

## **DEPARTMENT OF DEFENSE**

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

#### **Intent To Prepare a Draft Programmatic Environmental Impact Statement for the Lake Washington Ship Canal Ecosystem Restoration Project, King County, WA**

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

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the U.S. Army Corps of Engineers (Corps), Seattle District, as lead Federal agency, will prepare a programmatic environmental impact statement (PEIS) evaluating alternative fish and wildlife habitat and water quality restoration approaches for the Lake Washington Basin, King County, Washington. This environmental impact statement will be a combined Federal NEPA and Washington State Environmental Policy Act (SEPA) document. The lead agency for SEPA will be the King County Water and Land Resources Division. Five restoration approaches will be evaluated in the PEIS: (1) No action; (2) Habitat restoration that would benefit multiple species; (3) A program that principally

benefits fish species listed as “threatened” under the Endangered Species Act (ESA); (4) Restoration that focuses on geographic areas; and (5) Restoration that focuses on specific life history stages. If approved, implementation of the program would begin in 2006. Potential issues of concern for the PEIS include impacts to fish and their habitat, water quality, wetlands, riparian habitat, flood control, land use, and public safety.

**DATES:** Submit comments to the address below by December 1, 2003.

**ADDRESSES:** Mr. Jeffrey F. Dillon, Environmental Resources Section, U.S. Army Corps of Engineers, P.O. Box 3755, Seattle, Washington 98124-3755.

**FOR FURTHER INFORMATION CONTACT:** Questions regarding the scoping process or preparation of the PEIS may be directed to: Jeffrey F. Dillon (206) 764-6174.

#### **SUPPLEMENTARY INFORMATION:**

1. *Proposed Action.* The Corps of Engineers and the King County Water and Land Resources Division propose to evaluate alternative habitat restoration programs for the Lake Washington Basin in King and Snohomish Counties, Washington. For preparation of this PEIS, the Corps, Seattle District is the lead Federal agency under NEPA (42 USC 4321 et seq.) and the Council on Environmental Quality implementing guidelines (40 CFR 1500-1508). The King County Water and Land Resources Division is the lead state agency under the Washington SEPA (Chapter 43.21C RCW) and the SEPA guidelines (Chapter 197-10 WAC).

The Corps is authorized to implement habitat restoration programs under Section 209 of Public Law 87-874 (Puget Sound and Adjacent Waters Study) of the 1962 Flood Control Act, the Water Resources Development Act of 1990, and Corps ecosystem restoration guidance (Engineering Circular [EC] 1105-2-210). Corps of Engineers activities in ecosystem restoration will concentrate on bio-engineering solutions to water and related land resource problems.

The proposed action would restore aquatic ecosystem habitat and processes by reconnecting isolated habitat elements, increasing channel diversity, establishing areas of estuarine habitat, increasing floodplain habitat and connectivity, restoring small tributaries, increasing the amount of large woody debris in the river, replenishing river sediments, and improving the water temperature regime. If the proposed action were approved, initial construction would begin in 2006.

2. *Restoration Approaches:* Three programmatic restoration approaches will be considered and evaluated in the environmental impact statement. The first approach is the No Action alternative and would include various agencies and groups continuing to implement small-scale restoration projects but within a less coordinated framework than under the other proposed alternatives. Continued implementation of restoration projects might include reconnecting isolated habitat elements, localized bank revegetation, and some placement of large woody debris. The second approach is an ecosystem processes approach to habitat restoration within a comprehensive framework. Under this approach, benefits to many fish and wildlife species will be targeted. The third approach is restoration of ESA-listed fish species. Recently, Chinook salmon (*Oncorhynchus tshawytscha*) and bull trout (*Salvelinus confluentus*) have been listed under ESA. This approach would evaluate restoration actions that would focus benefits on these species.

3. *Scoping and Public Involvement:* Public involvement will be sought during scoping and throughout the study in accordance with NEPA and SEPA procedures. Public meetings will be held during public review of the draft PEIS. A public scoping process will be initiated to clarify issues of major concern, identify studies that might be needed to analyze and evaluate impacts, and obtain public input on the range and acceptability of approaches and further definition of alternatives. This notice of intent formally commences the joint scoping process under NEPA and SEPA. As part of the scoping process, all affected Federal, state, and local agencies, Native American tribes, and other interested private organizations, including environmental interest groups, are invited to comment on the scope of the PEIS. Comments are requested concerning project alternatives, mitigation measures, probable significant environmental impacts, and permits or other approvals that may be required. To date, the following impact areas have been identified and will be analyzed in depth in the PEIS: (1) Fish and their habitat, (2) water quality, (3) wetlands, (4) riparian habitat, (5) wildlife, (6) land use, and (7) public safety. The environmental review process will be comprehensive and will integrate and satisfy the requirements of NEPA (Federal) and SEPA (Washington State), and other relevant Federal, state, and local environmental laws. Written

comments may be accepted within 30 days of publication of this notice in the **Federal Register** (see **DATES**).

4. *Other Environmental Review, Coordination, and Permit Requirements:* Other environmental review, coordination, and permit requirements include preparation of a section 404(b)(1) evaluation by the Corps and consultation among the Corps, State of Washington, U.S. Fish and Wildlife Service, and National Oceanic and Atmospheric Administration both per section 7 of the Endangered Species Act. Coordination will also be initiated with the U.S. Fish and Wildlife Service to meet the requirements of the Fish and Wildlife Coordination Act.

5. *Availability of the Draft PEIS:* The draft PEIS is scheduled for release during the spring of 2004 and the Final PEIS is scheduled for release during the fall of 2004.

**Luz D. Ortiz,**

*Army Federal Register Liaison Officer.*

[FR Doc. 03-27358 Filed 10-29-03; 8:45 am]

**BILLING CODE 3710-ER-M**

## DEPARTMENT OF EDUCATION

### Privacy Act of 1974; Computer Matching Program

**AGENCY:** Department of Education.

**ACTION:** Notice of renewal of the computer matching program between the Department of Education and the Department of Veterans Affairs.

**SUMMARY:** Pursuant to the Computer Matching and Privacy Protection Act of 1988, (Pub.L. 100-503), and the Office of Management and Budget (OMB) Final Guidelines on the Conduct of Matching Programs, notice is hereby given of the renewal of the computer matching program between the Department of Education (ED) (the recipient agency) and the Department of Veterans Affairs (VA) (the source agency). After a new computer matching agreement has been approved by the ED and VA Data Integrity Boards, the computer matching program will begin on the effective date as specified in the agreement and as indicated in paragraph 5, below.

In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988, OMB Final Guidelines on the Conduct of Matching Programs (54 FR 25818, June 19, 1989), and OMB Circular No. A-130, the following information is provided:

#### 1. *Names of Participating Agencies.*

The U.S. Department of Education and the U.S. Department of Veterans Affairs.

#### 2. *Purpose of the Match.*

The purpose of this matching program between ED and VA is to verify the status of applicants for financial assistance under Title IV of the Higher Education Act of 1965, as amended (HEA), who claim to be veterans.

The Secretary of ED is authorized by the HEA to administer the Title IV programs and to enforce the terms and conditions of the HEA. The Secretary has the authority to treat veterans as independent applicants. Applicants who are determined to be veterans do not have to provide parental income and asset information to apply for Title IV, HEA program assistance.

Section 480(c)(1) of the HEA defines the term "veteran" to mean "any individual who (A) has engaged in active duty in the United States Army, Navy, Air Force, Marines, or Coast Guard; and (B) was released under a condition other than dishonorable." (20 U.S.C. 1087vv(c)(1)). Section 480(d)(3) of the HEA enables an applicant who is determined to be a veteran (as defined in subsection (c)(1)) to meet the definition of an independent student for purposes of Title IV, HEA program assistance eligibility. (20 U.S.C. 1087vv(d)(3)).

#### 3. *Legal Authority for Conducting the Matching Program.*

ED is authorized to conduct the matching program under sections 480(c) and (d)(3) of the HEA (20 U.S.C. 1087vv(c)(1) and (d)(3)) and 5 U.S.C. 552a. The VA's authority is 38 U.S.C. 523.

#### 4. *Categories of Records and Individuals Covered by the Match.*

ED will provide the Social Security Number and other identifying information of each applicant who indicates that he or she is a veteran. This information will be extracted from the Federal Student Aid Application File systems of records (18-11-01), pursuant to routine use no. 16, as corrected by 66 FR 18758 (April 11, 2001). The ED data will be matched against the Veterans and Beneficiaries Identification and Records Location Subsystem—VA (38VA21), routine use no. 21, as added by 66 FR 30049-50 (June 4, 2001).

#### 5. *Effective Dates of the Matching Program.*

The matching program will become effective on (1) December 24, 2003, the day after the expiration of the current computer matching agreement (CMA); (2) thirty (30) days after this notice of the matching program has been published in the **Federal Register**; or (3) forty (40) days after a report concerning the matching program has been transmitted to the Office of Management