

TABLE 1—AUTHORIZED TAKE AMOUNT BY SPECIES

Species	Level A	Level B	Total take
Harbor seal .....	93	1,860	1,953
California sea lion .....	0	868	868
Northern elephant seal .....	0	7	7
Killer whale (West coast transient) .....	0	19	19
Steller sea lion .....	0	154	154
Gray whale .....	0	2	2
Humpback whale .....	0	6	6
Dall's porpoise .....	39	163	202
Harbor porpoise .....	39	784	823
Minke whale .....	0	7	7
Bottlenose dolphin .....	0	49	49
Long-beaked common dolphin .....	0	49	49

A description of the methods and inputs used to estimate take anticipated to occur and, ultimately, the take that was authorized is found in the previous documents referenced above. The methods of estimating take are identical to those used in the previous IHA, as is the density of marine mammals. NMFS has reviewed recent Stock Assessment Reports, information on relevant Unusual Mortality Events, and recent scientific literature, and determined that no new information affects our original analysis of impacts or take estimate under the original IHA.

We refer to the documents related to the previously issued IHA, which include the **Federal Register** notice of the issuance of the 2018 IHA for WSDOT's construction work (83 FR 43849), WSDOT's application, the **Federal Register** notice of the proposed IHA (83 FR 30421, June 28, 2018), and all associated references and documents.

**Determinations**

WSDOT will conduct activities identical to those analyzed in the previous 2018 IHA. As described above, the number of authorized takes of the same species and stocks of marine mammals are identical to the numbers that were found to meet the negligible impact and small numbers standards and authorized under the 2018 IHA and no new information has emerged that would change those findings. The re-issued 2019 IHA includes identical required mitigation, monitoring, and reporting measures as the 2018 IHA, and there is no new information suggesting that our analysis or findings should change.

Based on the information contained here and in the referenced documents, NMFS has determined the following: (1) The required mitigation measures will effect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the

affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; and (4) WSDOT's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action.

**National Environmental Policy Act**

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action with respect to environmental consequences on the human environment.

Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review. This action is consistent with categories of activities identified in CE B4 of the Companion Manual for NOAA Administrative Order 216-6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion.

**Endangered Species Act (ESA)**

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally, in this case with the West Coast Region Protected Resources Division, whenever we propose to authorize take for endangered or threatened species. The

effects of this proposed federal action were adequately analyzed in NMFS' Biological Opinion for the Mukilteo Multimodal Project, dated August 1, 2017, which concluded that the take NMFS proposes to authorize through this IHA would not jeopardize the continued existence of any endangered or threatened species or destroy or adversely modify any designated critical habitat.

**Authorization**

NMFS has issued an IHA to WSDOT for in-water construction activities associated with the Mukilteo Multimodal Project from August 1, 2019 through July 31, 2020. All previously described mitigation, monitoring, and reporting requirements from the 2018 IHA are incorporated.

Dated: August 6, 2019.

**Donna S. Wieting,**

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

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**DEPARTMENT OF DEFENSE**

**Department of the Army, Corps of Engineers**

**Intent To Prepare a Draft Integrated Feasibility Report-Environmental Impact Statement for the Memphis Metropolitan Stormwater Management Project: North DeSoto County, Mississippi Feasibility Study**

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

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers (USACE), Memphis District, as the lead agency intends to prepare a Draft Integrated Feasibility Report and Environmental Impact Statement (DIFR-EIS) for the

Memphis Metropolitan Stormwater Management Project: North DeSoto County, Mississippi Feasibility Study. The DIFR-EIS seeks to evaluate the effectiveness of existing Federal and non-Federal improvements; to determine the need for additional improvements to reduce the risk of flooding from storm water, restore environmental resources, and improve the quality of water entering the Mississippi River and its tributaries; and to determine if such improvements are technically feasible, environmentally acceptable, and economically justified.

**DATES:** This Notice of Intent commences the formal public scoping comment period. No later than August 16, 2019, a scoping meeting notice announcing the location, date, and time for a scoping meeting will be posted on the project website (<https://www.mvm.usace.army.mil/Missions/Projects/North-DeSoto-County-Feasibility-Study/>) and published in local newspapers. Initial scoping comments should be received by October 15, 2019.

**ADDRESSES:** Written comments may be submitted: (1) To USACE at public scoping meetings; (2) by regular U.S. Mail mailed to: U.S. Army Corps of Engineers, ATTN: CEMVN-PDC-UDC, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894; and (3) by email to: [Andrea.L.Carpenter@usace.army.mil](mailto:Andrea.L.Carpenter@usace.army.mil). Please include your name and return address on the first page of your written comments.

**FOR FURTHER INFORMATION CONTACT:** Questions or comments about the proposed action or requests to be added to the project mailing list should be directed to Andrea Carpenter, 167 North Main Street, Room B202, Memphis, Tennessee 38103, [Andrea.L.Carpenter@usace.army.mil](mailto:Andrea.L.Carpenter@usace.army.mil), or (901) 544-0817. For additional information, please visit the following: <https://www.mvm.usace.army.mil/Missions/Projects/North-DeSoto-County-Feasibility-Study/>.

**SUPPLEMENTARY INFORMATION:** The lead agency for this proposed action is the USACE. The DeSoto County Government is the non-Federal sponsor.

**Authority.** The USACE is preparing the DIFR-EIS under the authority of the United States House of Representatives Committee on Transportation and Infrastructure adopted a Resolution on March 7, 1996.

### Memphis Metro Area

The Secretary of the Army reviewed the report of the Chief of Engineers on the Wolf River and Tributaries, Tennessee and Mississippi, published

as House Document Numbered 76, Eighty-fifth Congress, and other pertinent reports, to determine whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to the need for improvements for flood control, environmental restoration, water quality, and related purposes associated with storm water runoff and management in the metropolitan Memphis, Tennessee, area and tributary basins including Shelby, Tipton, and Fayette counties, Tennessee, and DeSoto and Marshall counties, Mississippi. This area includes the Hatchie River, Loosahatchie River, Wolf River, Nonconnah Creek, Horn Lake Creek, and Coldwater River basins. The review shall evaluate the effectiveness of existing Federal and non-Federal improvements and determine the need for additional improvements to reduce the risk of flooding from storm water, to restore environmental resources, and to improve the quality of water entering the Mississippi River and its tributaries.

1. *Background.* Flooding within DeSoto County, Mississippi, has been an issue of concern and repeated study since at least 1971 with the Soil Conservation Service Watershed Report and continuing through the present. The *Horn Lake Creek and Tributaries, Tennessee and Mississippi Project* was constructed in 1998. Construction of the 1986 authorized project (as revised per the 1988 General Design Memorandum) was completed in 1998 per a Project Cooperation Agreement between the Horn Lake Creek Drainage District Commission and the U.S. Army Corps of Engineers. The completed project included: 3.5 miles of selective channel clearing on Horn Lake Creek from Mile 16.75 downstream to Stateline Road, Mile 13.25; 2.75 miles of vegetative clearing on upper Horn Lake Creek between Mile 16.75 and 19.50 (Highway 51); vegetative clearing on the lower 0.62 miles of Cow Pen Creek; 1.85 miles of channel enlargement on Cow Pen Creek between Mile 0.62 and 2.47, requiring a 35-foot bottom width channel enlargement; 2.1 miles of vegetative clearing on the lower end of Rocky Creek downstream to the mouth. The constructed project provided a 25-year level of protection to existing development along Cow Pen Creek; a 1.1-year level of protection along Horn Lake Creek; and a 1.1 to 2-year level of protection along Rocky Creek. Although hiking/biking trails were proposed along Rocky Creek and Cow Pen Creek, these trails have not been constructed to date. More recently, damaging floods

occurred in the area in May 2010, May 2011, September 2014, and March 2016. The area received a Presidential Disaster Declaration in 2011. In DeSoto County, the U.S. Small Business Administration provided federal assistance in the area after the 2014 flood. Flooding inundates major transportation corridors and several neighborhoods, isolates communities, damages public infrastructure and development (residential, commercial and industrial), and threatens life safety. In the area, unstable channels, lack of suitable riparian cover, altered flow regime, and loss of wetlands and floodplains all degrade habitat in the area. Commercial and residential development has reduced floodplain and aquatic habitat. Wetland habitat and bottomland hardwoods have been isolated and degraded. Increased runoff is causing channel instability, scouring and degradation of aquatic habitat.

2. *Alternatives:* The USACE will evaluate a range of alternatives for the proposed action including structural and nonstructural measures within Horn Lake Creek and Tributaries, Hurricane Creek Basin, Johnson Creek Basin, and Coldwater River and Tributaries. Retention and/or detention structures to reduce the flood peak and floodplain restoration in critical reaches are being examined along with other features. Recreation features such as biking and hiking trails will be considered as appropriate.

The USACE will fully evaluate the reasonable and practicable alternatives, including the no action alternative. Alternatives may necessitate avoidance, minimization, and/or compensatory mitigation measures to reduce or offset any impacts. The DIFR-EIS seeks to evaluate the effectiveness of existing Federal and non-Federal improvements and determine the need for additional improvements to reduce the risk of flooding from storm water, to restore environmental resources, and to improve the quality of water entering the Mississippi River and its tributaries and if such improvements are technically feasible, environmentally acceptable, and economically justified. The study will also consider other levels of risk reduction. The significant issues that are likely to be analyzed in depth in the DIFR-EIS include, but are not limited to, the direct, indirect, and cumulative effects on socioeconomic; environmental justice; threatened and endangered species and their critical habitat; other protected species of concern; wildlife resources; air and water quality; prime and unique farmlands; geology and soils; hydrology and hydraulics; cultural resources;

recreation; aesthetics and visual resources; and hazardous, toxic and radioactive waste. USACE will also consider issues identified and comments made throughout scoping, public involvement, and interagency coordination.

3. *Public Involvement*: Public involvement, an essential part of the NEPA process, is integral to assessing the environmental consequences of the proposed action and improving the quality of the environmental decision making. The public includes affected and interested Federal, state, and local agencies; Indian tribes; concerned citizens; stakeholders; and other interested parties. Public participation in the NEPA process will be strongly encouraged, both formally and informally, to enhance the probability of a more technically accurate, economically feasible, and socially acceptable EIS. Public involvement will include, but is not limited to: information dissemination; identification of problems, needs and opportunities; idea generation; public education; problem solving; providing feedback on proposals; evaluation of alternatives; conflict resolution; public and scoping notices and meetings; public, stakeholder and advisory groups consultation and meetings; and making the EIS and supporting information readily available in conveniently located places, such as libraries and on the world wide web at <https://www.mvm.usace.army.mil/Missions/Projects/North-DeSoto-County-Feasibility-Study/>.

4. *Scoping*: Scoping, is the NEPA process utilized for determining the range of alternative and significant issues to be addressed in the EIS. Scoping is used to: (a) Identify the affected public and agency concerns; (b) facilitate an efficient EIS preparation process; (c) define the issues and alternatives that will be examined in detail in the EIS; and (d) save time in the overall process by helping to ensure that the draft EIS adequately addresses relevant issues. USACE invites full public participation to promote open communication on the issues surrounding the proposed action. The public will be involved in the scoping and evaluation process through advertisements, notices, and other means. A Scoping Meeting Notice announcing the locations, dates and times for scoping meetings is anticipated to be posted on the project website, and published in the local newspapers no later than 15 days prior to the meeting dates. Notices of the public scoping meetings will be sent by USACE through email distribution lists,

posted on the Project website, and mailed to public libraries, government agencies, and interested groups and individuals. Interested parties unable to attend the scoping meetings can access additional information on DIFR-EIS at: <https://www.mvm.usace.army.mil/Missions/Projects/North-DeSoto-County-Feasibility-Study/>.

5. *Coordination*: The USACE will serve as the lead Federal agency in the preparation of the EIS. Other federal and/or state agencies may participate as cooperating and/or commenting agencies throughout the EIS process.

In accordance with Executive Order 13807, referred to as One Federal Decision (OFD), the USACE and other agencies with environmental review, authorization, or consultation responsibilities for major infrastructure projects should develop a single EIS for such projects, sign a single Record of Decision (ROD) and issue all necessary authorizations within 90 days thereafter, subject to limited exceptions. An essential element of the OFD framework is the development of a schedule, referred to as the "Permitting Timetable," including key milestones critical to completion of the environmental review and issuance of a ROD. Cooperating agencies required by law to develop schedules for environmental review or authorization processes should transmit a summary of such schedules to the lead agency for integration into the Permitting Timetable.

To ensure timely completion of the environmental review and issuance of necessary authorizations, OMB and CEQ recommend the Permitting Timetable for major infrastructure projects provide for environmental review according to the following schedule:

(1) Formal scoping and preparation of a Draft EIS (DEIS) within 14 months, beginning on the date of publication of the NOI to publish an EIS and ending on the date of the Notice of Availability of the DEIS;

(2) Completion of the formal public comment period and development of the Final EIS (FEIS) within eight months of the date of the Notice of Availability of the DEIS; and

(3) Publication of the final ROD within two months of the publication of the Notice of Availability of the FEIS.

While the actual schedule for any given project may vary based upon the circumstances of the project and applicable law, agencies should endeavor to meet the two-year goal established in E.O. 13807.

The USACE is coordinating with the U.S. Fish and Wildlife Service (USFWS) in documenting existing conditions and

assessing effects of project alternatives through the Fish and Wildlife Coordination Act and pursuant to Section 7 of the Endangered Species Act. Coordination includes the U.S. Environmental Protection Agency and the Mississippi Department of Environmental Quality pursuant to Section 401 of the Clean Water Act, and the Mississippi Department of Wildlife Fisheries and Parks. The USACE is coordinating with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act concerning properties listed, or potentially eligible for listing.

6. *Availability*: The DIFR-EIS is expected to be available for public comment and review in January 2020. At that time, a 45-day public review period will be provided for individuals and agencies to review and comment. USACE will notify all interested agencies, organizations, and individuals of the availability of the draft document at that time. All interested parties are encouraged to respond to this notice and provide a current address if they wish to be notified of the DIFR-EIS circulation.

Dated: August 2, 2019. Approved by:

**Zachary L. Miller,**  
Colonel, Corps of Engineers District  
Commander.

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## DEPARTMENT OF EDUCATION

### **Applications for New Awards; Personnel Development To Improve Services and Results for Children With Disabilities—Leadership Development Programs: Increasing the Capacity of Leaders To Improve Systems Serving Children With Disabilities**

**AGENCY:** Office of Special Education and Rehabilitative Services, Department of Education.

**ACTION:** Notice.

**SUMMARY:** The mission of the Office of Special Education and Rehabilitative Services (OSERS) is to improve early childhood, educational, and employment outcomes and raise expectations for all people with disabilities, their families, their communities, and the Nation. As such, the Department of Education (Department) is issuing a notice inviting applications for new awards for fiscal year (FY) 2019 for Personnel Development to Improve Services and Results for Children with Disabilities—Leadership Development Programs: