

Heights during the Spanish-American War.

**DATES:** Comments must reach the Center of Military History no later than May 31, 1999.

**ADDRESSES:** Persons interested in providing their written comments may submit them to: Roosevelt MOH Panel, U.S. Army Center of Military History, 103 Third Avenue, Building 35, Fort Lesley J. McNair, DC 20319-5058. Public submissions received after May 31, 1999 will not be considered.

**FOR FURTHER INFORMATION CONTACT:** Dr. Graham A. Cosmas, (202) 685-2065, or e-mail to [cosmaga@hqda.army.mil](mailto:cosmaga@hqda.army.mil).

**SUPPLEMENTARY INFORMATION:** This announces the invitation of public submissions of information about Theodore Roosevelt's battlefield courage in the attack on San Juan Heights during the Spanish-American War. Public comment will be accepted by the U.S. Army Center of Military History beginning on April 1, 1999 and ending on May 31, 1999.

The U.S. Army is reviewing then-Colonel Roosevelt's record of valor in the Spanish-American War at the request of Congress. The 60-day public comment period is part of the Army's effort to comply with congressional intent with regard to Pub. L. 105-371, which is a bill authorizing and requesting the President to award the Congressional Medal of Honor posthumously to Theodore Roosevelt.

An independent panel of historians will review the public submissions and then provide a formal report of Roosevelt's valor. Following the review process, the Army will advise the President on whether Roosevelt should be awarded the Medal of Honor.

**Gregory D. Showalter,**

*Army Federal Register Liaison Officer.*

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## DEPARTMENT OF DEFENSE

### Department of the Army

#### Corps of Engineers; Scoping Meetings for Nationwide Permit Program Programmatic Environmental Impact Statement

**AGENCY:** Army Corps of Engineers, DoD.

**ACTION:** Notice of Intent and request for comments.

**SUMMARY:** The Corps is initiating a Programmatic Environmental Impact Statement (PEIS) for the entire Nationwide Permit Program (NWP) to be completed by December 2000. The overall purpose of the PEIS is to review

and evaluate the NWP program as a whole, to ensure that the NWP program authorizes only those activities with minimal individual and cumulative adverse environmental effects on the aquatic environment. This notice is intended to provide other Federal agencies, States, Tribes and the public the opportunity to participate in the scoping of the PEIS. The Corps will hold three meetings to solicit comments on the scope of the PEIS. Comments may be submitted in person at the meeting or in writing to the address given below.

**DATES:** Written comments must be submitted on or before June 4, 1999.

The meeting dates are:

1. May 4, 1999, at 1:00-5:00 p.m. and 7:00-10:00 p.m., Sacramento, CA.
2. May 6, 1999, at 1:00-5:00 p.m. and 7:00-10:00 p.m., Fort Worth, TX.
3. May 24, 1999, at 1:00-5:00 p.m., Washington, D.C.

**ADDRESSES:**

The meeting locations are:

1. Sacramento—Clarion Hotel, 700 Sixteenth Street, Sacramento, CA, 95814
2. Fort Worth (downtown)—Fritz G. Lanham Federal Building (Taylor Street Entrance, 1st floor), 819 Taylor Street, Fort Worth, TX 76102
3. Washington, DC—National Guard Association Building, One Massachusetts Avenue, NW, Washington, DC 20001.

Send written comments to Mr. Robert Brumbaugh, CEWRC-IWR-P, Casey Building, 7701 Telegraph Road, Alexandria, Virginia 22315-3868.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brumbaugh, CEWRC-IWR-P, at (703) 428-6370.

**SUPPLEMENTARY INFORMATION:** On July 1, 1998, the Corps published a Notice document (63 FR 36040, July 1, 1998) containing a proposal to issue 6 new NWPs and modify 6 existing NWPs to replace NWP 26. Further modifications were proposed on October 14, 1998 (63 FR 55095, October 14, 1998) which included withdrawing one of the proposed NWPs, the addition of restrictions on the use of certain NWPs, and extending the NWP process and the expiration of NWP 26 to September 15, 1999. On June 23, 1998, the Corps issued a Finding of No Significant Impact for the NWP program which states that the NWP program does not have significant effects on the quality of the human environment and therefore the preparation of an EIS is not required by NEPA.

Although the Corps determined that an EIS was not required by NEPA, it announced in the July 1, 1998 Notice document (63 FR 36040, July 1, 1998) that it would prepare a PEIS for the

entire NWP program. The overall purpose of the PEIS is to review and evaluate the NWP program as a whole, to ensure that the NWP program authorizes only those activities with minimal individual and cumulative adverse effects on the aquatic environment. The PEIS will provide a programmatic comprehensive and structured review of the effects of the NWP program on the environment. The intent of the PEIS is to evaluate the procedures and process associated with the NWP program and not to examine impacts associated with individual NWP authorizations.

Some of the issues to be addressed in the PEIS include the following: programmatic and procedural alternatives to be evaluated; procedures to evaluate and ensure minimal effects; procedures to ensure protection of endangered species and historic and cultural resources; and evaluation and analysis of costs to the regulated public (including administrative, opportunity and delay costs) and benefits to the public (including navigation, water quality, wetlands, and other public interest benefits).

The scoping meeting will focus on identifying programmatic and procedural alternatives (e.g., combination of Regional General Permits and NWPs), methods of collecting and analyzing NWP data, and other substantial environmental issues to be addressed in the PEIS.

The Corps expects to complete preparation of the Draft PEIS by August 2000. The Final PEIS will be completed by December 2000. Public meetings to present preliminary study findings are planned to be held prior to publication of the Draft PEIS.

Dated: March 17, 1999.

**Charles M. Hess,**

*Chief, Operations Division, Directorate of Civil Works.*

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## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### Coastal Engineering Research Board (CERB)

**AGENCY:** Army Corps of Engineers, DoD.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting:

*Name of Committee:* Coastal Engineering Research Board (CERB).

*Date of Meeting:* April 14–16, 1999.

*Place:* The Ilikai Hotel, Honolulu, Hawaii.

*Time:* 8:30 a.m. to 4:30 p.m. (April 14, 1999); 9:00 a.m. to 10:45 a.m. (April 15, 1999); 9:00 a.m. to 12:00 p.m. (April 16, 1999).

**FOR FURTHER INFORMATION CONTACT:**

Inquiries and notice of intent to attend the meeting may be addressed to Colonel Robin R. Cababa, Executive Secretary, Coastal Engineering Research Board, U.S. Army Engineer Research and Development Center, Waterways Experiment Station, 3909 Halls Ferry Road, Vicksburg, Mississippi 39180–6199.

**SUPPLEMENTARY INFORMATION:**

*Proposed Agenda:* The theme of the meeting is Military Applications of Coastal Engineering. The session on April 14 will consist of a review of CERB business, presentations pertaining to the theme, such as Examples of Past Contributions, Rapidly Installed Breakwater System/Logistics-Over-the-Shore (LOTS), Operations and Research Needs, Office of Naval Research Program, Military Applications of Civil Works Modeling Capabilities, Military Applications of Airborne Lidar Bathymetry, and Naval LOTS Program. Presentations will also include the Iwakuni Air Field Project and the Alaska District Coastal Projects. On the morning of April 15, the presentations include Summary of Marine Board Study on Coastal Engineering Research and Education Needs, Honolulu Coastal projects, Island harbors, New Directions in Coastal Research Needs, and Field Trip overview. The afternoon is devoted to a field trip to the Kaneohe Marine Corps Base for a beach invasion demonstration. On the morning of April 16, presentations include Future Direction of Corps' Shore Protection Program, Geographic Distribution of Coastal Engineering Projects, Hurricane Evacuation Studies for the Islands, and Disaster Related Issues on the Islands.

This meeting is open to the public; participation by the public is scheduled for 11:15 a.m. on April 16.

The entire meeting is open to the public, but since seating capacity of the meeting room is limited, advance notice of intent to attend, although not required, is requested in order to assure adequate arrangements. Oral participation by public attendees is encouraged during the time scheduled on the agenda; written statements may

be submitted prior to the meeting or up to 30 days after the meeting.

**Robin R. Cababa,**

*Colonel, Corps of Engineers, Executive Secretary.*

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**DEPARTMENT OF DEFENSE**

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

**Regulatory Guidance Letters Issued by the Corps of Engineers**

**AGENCY:** Army Corps of Engineers, DoD.

**ACTION:** Notice.

**SUMMARY:** The purpose of this notice is to provide current Regulatory Guidance Letters (RGLs) to all interested parties. RGLs are used by the U.S. Army Corps of Engineers Headquarters as a means to transmit guidance on the permit program (33 CFR parts 320–330) to its division and district commanders. Each future RGL will be published in the Notice Section of the **Federal Register** as a means to insure the widest dissemination of this information while reducing costs to the Federal Government. The Corps no longer maintains a mailing list to furnish copies of the RGLs to the public.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael D. Smith, Regulatory Branch, Office of the Chief of Engineers at (202) 761–0201.

**SUPPLEMENTARY INFORMATION:** RGLs were developed by the Corps as a system to organize and track written guidance issued to its field agencies. RGLs are normally issued as a result of evolving policy; judicial decisions and changes to the Corps regulations or another agency's regulations which affect the permit program. RGLs are used only to interpret or clarify existing Regulatory Program policy, but do provide mandatory guidance to Corps district offices. RGLs are sequentially numbered and expire on a specified date. However, unless superseded by specific provisions of subsequently issued regulations or RGLs, the guidance provided in RGLs generally remains valid after the expiration date. The Corps incorporates most of the guidance provided by RGLs whenever it revises its permit regulations. We are hereby publishing all *current* RGLs, beginning with RGL 94–1 and ending with RGL 96–2. RGLs 92–1, 92–3, and 92–5 expired on December 31, 1997, and RGL 93–1 and 93–2 expired on December 31, 1998. All five RGLs have been removed from this publication. We will continue

to publish each RGL in the Notice Section of the **Federal Register** upon issuance and in early 2000, we will again publish the complete list of all current RGLs.

Dated: March 17, 1999.

**Charles M. Hess.**

*Chief, Operations Division, Directorate of Civil Works.*

**Regulatory Guidance Letter (RGL 94–1)**

*Issued:* May 23, 1994, EXPIRES: December 31, 1999.

*Subject:* Expiration of Geographic Jurisdictional Determinations.

1. Regulatory Guidance Letter (RGL) 90–6, Subject: “Expiration Dates for Wetlands Jurisdictional Delineations” is extended until December 31, 1999, subject to the following revisions.

2. This guidance should be applied to all jurisdictional determinations for all waters of the United States made pursuant to section 10 of the Rivers and Harbors Act of 1899, section 404 of the Clean Water Act, and section 103 of the Marine Protection Research and Sanctuaries Act of 1972.

3. To be consistent with paragraph IV.A. of the January 6, 1994, interagency Memorandum of Agreement Concerning the Delineation of Wetlands for Purposes of section 404 of the Clean Water Act and subtitle B of the Food Security Act, all U.S. Army Corps of Engineers geographic jurisdictional determinations shall be in writing and normally remain valid for a period of five years. The Corps letter (see paragraph 4.(d) of RGL 90–6) should include a statement that the jurisdictional determination is valid for a period of five years from the date of the letter unless new information warrants revision of the determination before the expiration date.

4. For wetland jurisdictional delineations the “effective date of this RGL” referred to in paragraphs 4 and 5 of RGL 90–6 was and remains August 14, 1990. For jurisdictional determinations, other than wetlands jurisdictional delineations, the “effective date of this RGL” referred to in paragraphs 4 and 5 of RGL 90–6 will be the date of this RGL.

5. Previous Corps written jurisdictional determinations, including wetland jurisdictional delineations, with a validity period of three years remain valid for the stated period of three years. The district engineer is not required to issue new letters to extend such period from three years to a total of five years. However, if requested to do so, the district engineer will normally extend the three year period to a total of five years unless new information warrants a new jurisdictional determination.

6. Districts are not required to issue a public notice on this guidance but may do so at their discretion.

7. This guidance expires on December 31, 1999 unless sooner revised or rescinded.