

representative of waterborne commerce as determined by commodity ton-miles and tonnage statistics.

*b. Service.* The Board is required to meet at least semi-annually to develop and make recommendations to the Secretary of the Army on waterways construction and rehabilitation priorities and spending levels for commercial navigation improvements, and report its recommendations annually to the Secretary and Congress.

*c. Appointment.* The operation of the Board and appointment of representative organizations are subject to the Federal Advisory Committee Act (Pub. L. 92-463, as amended) and departmental implementing regulations. Representative organizations serve without compensation but their expenses due to Board activities are reimbursable. The considerations specified in Section 302 for the selection of representative organizations to the Board, and certain terms used therein, have been interpreted, supplemented, or otherwise clarified as follows:

(1) *Carriers and Shippers.* The law uses the terms “primary users and shippers.” Primary users have been interpreted to mean the providers of transportation services on inland waterways such as barge or towboat operators. Shippers have been interpreted to mean the purchasers of such services for the movement of commodities they own or control. Representative firms are appointed to the Board, and they must be either a carrier or shipper or both. For that purpose a trade or regional association is neither a shipper nor primary user.

(2) *Geographical Representation.* The law specifies “various” regions. For the purposes of the Board, the waterways subjected to fuel taxes and described in Public Law 95-502, as amended, have been aggregated into six regions. They are (1) the Upper Mississippi River and its tributaries above the mouth of the Ohio; (2) the Lower Mississippi River and its tributaries below the mouth of the Ohio and above Baton Rouge; (3) the Ohio River and its tributaries; (4) the Gulf Intracoastal Waterway in Louisiana and Texas; (5) the Gulf Intracoastal Waterway east of New Orleans and associated fuel-taxed waterways including the Tennessee-Tombigbee, plus the Atlantic Intracoastal Waterway below Norfolk; and (6) the Columbia-Snake Rivers System and Upper Willamette. The intent is that each region shall be represented by at least one representative organization, with that representation determined by the regional concentration of the firm’s traffic on the waterways.

(3) *Commodity Representation.* Waterway commerce has been aggregated into six commodity categories based on “inland” ton-miles shown in Waterborne Commerce of the United States. These categories are (1) Farm and Food Products; (2) Coal and Coke; (3) Petroleum, Crude and Products; (4) Minerals, Ores, and Primary Metals and Mineral Products; (5) Chemicals and Allied Products; and (6) All Other. A consideration in the selection of representative organizations to the Board will be that the commodities carried or shipped by those firms will be reasonably representative of the above commodity categories.

*d. Nomination.* Reflecting preceding selection criteria, the current representation by the ten (10) organizations whose terms expire includes all Regions 1–6, all carrier and/or shipper representation and all commodity representation.

All ten representative organizations whose interim terms expire are eligible for consideration. Individuals, firms or associations may nominate representative organizations to serve on the Board. Nominations will:

(1) Include the commercial operations of the carrier and/or shipper representative organization being nominated. This commercial operations information will show the actual or estimated ton-miles of each commodity carried or shipped on the inland waterways system in a recent year (or years), using the waterway regions and commodity categories previously listed.

(2) State the region(s) to be represented.

(3) State whether the nominated representative organization is a carrier, shipper or both.

(4) Provide the name of an individual to be the principle person representing the organization and information pertaining to their personal qualifications, to include a bio or a resume.

Previous nominations received in response to notices published in the **Federal Register** in prior years will not be retained for consideration. Renomination of representative organizations is required.

*e. Deadline for Nominations.* All nominations must be received at the address shown above no later than October 1, 2012.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

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## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### Intent To Prepare an Environmental Impact Statement for the Kissimmee Basin Modified Water Control Plan, Okeechobee, Highlands, Polk, Osceola and Orange Counties, FL

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

**ACTION:** Notice of Intent.

**SUMMARY:** The Jacksonville District, U.S. Army Corps of Engineers intends to prepare the Kissimmee Basin Modified Water Control Plan (KBMWCP) & Environmental Impacts Statement (EIS) to achieve a more acceptable balance among flood control, water supply, aquatic plant management, and natural resources. This document will include the operating criteria results of the Kissimmee Basin Modeling Operations Study (KB MOS) and the Lower Kissimmee River Operations Study (LKROS). The KBMWCP and EIS study is a cooperative effort between the U.S. Army Corps of Engineers and the South Florida Water Management District (SFWMD).

**ADDRESSES:** U.S. Army Corps of Engineers, Planning Division, Environmental Branch, P.O. Box 4970, Jacksonville, FL 32232-0019.

**FOR FURTHER INFORMATION CONTACT:** Diana Martuscelli by email at [kbmwcp@usace.army.mil](mailto:kbmwcp@usace.army.mil) or by telephone at 904-232-1877.

#### **SUPPLEMENTARY INFORMATION:**

a. This Notice of Intent (NOI) constitutes a re-issue of the NOI titled: Intent To Prepare a Draft Environmental Impact Statement for the Modification of the Kissimmee Basin Structure Operating Criteria published in the **Federal Register** on August 3, 2005 (70 FR 44584).

b. The authorities to conduct this comprehensive analysis were granted under Section 1135 of the 1986 Water Resources Development Act (WRDA) and the 1992 WRDA.

c. Historically, lake levels within the Kissimmee Chain of Lakes (KCOL) fluctuated within a range of two to ten feet. The lakes had limited outflow capacities and functioned as natural detention reservoirs, allowing water storage in the wet season and continual release of water throughout the year. Under these natural conditions, lake levels would rise in the wet season and overflow to adjoining lands, creating broad, marshy connections between the lakes. These marshes were used by fish and wildlife for spawning and foraging.

Flows would peak in October and November, and then decrease through the dry season. During dry periods and low water levels, connections between the lakes would disappear and bottom sediments would oxidize, preventing accumulation of organic material along the lake edge.

The C&SF Project dramatically altered the fluctuations and timing of discharges. Presently, water levels in the KCOL are regulated by nine structures. Eight of these structures are controlled by seven stage regulation schedules that define the operational criteria for managing lake levels for flood prevention. The current regulation schedules limit water level fluctuations between two to three feet.

d. The KBMWCP & EIS study aims to achieve a more acceptable balance among flood control, water supply, aquatic plant management, and natural resources.

e. All alternative plans will be reviewed under provisions of appropriate laws and regulations, including the Endangered Species Act, Fish and Wildlife Coordination Act, Clean Water Act, and Farmland Protection Policy Act.

f. The Draft EIS is expected to be available for public review in the 4th quarter of 2015. A public meeting will be held during the public review period. The exact location, date, and times of the public meeting will be announced in a public notice and local newspapers.

### Scoping

a. A scoping letter will be used to invite comments from Federal, State, and local agencies, affected Indian tribes, and other interested private organizations and individuals.

b. Public scoping meetings will be held. Assistance for individuals with special needs or language translation will be available as needed by calling 904-232-1613. The exact location, date, and times of the public meeting will be announced in a public notice and local newspapers.

**Agency Role:** As the non-Federal sponsor and leading local expert, SFWMD will provide extensive information and assistance on the resources to be impacted, mitigation measures, and alternatives.

Dated: July 31, 2012.

**Eric Summa,**

Chief, Environmental Branch.

[FR Doc. 2012-19623 Filed 8-9-12; 8:45 am]

**BILLING CODE 3720-58-P**

## DEPARTMENT OF ENERGY

### Amended Notice of Intent To Prepare the Hawai'i Clean Energy Programmatic Environmental Impact Statement

**AGENCY:** Department of Energy (DOE).

**ACTION:** Amended Notice of Intent (NOI) to prepare a Programmatic Environmental Impact Statement (PEIS).

**SUMMARY:** In 2010, DOE announced its intent to prepare a *PEIS for the Hawai'i Interisland Renewable Energy Program (HIREP): Wind* (DOE/EIS-0459) (HIREP: Wind PEIS). In response to public scoping comments on the HIREP: Wind PEIS, as well as regulatory and policy developments since the scoping meetings, DOE proposes to broaden the range of energy efficiency and renewable energy activities and technologies to be analyzed in the PEIS and, accordingly, has renamed it the *Hawai'i Clean Energy PEIS*. DOE's proposal will involve the development of guidance to use in future funding decisions and other actions to support Hawai'i in achieving the goal established in the Hawai'i Clean Energy Initiative (HCEI) to meet 70% of the State's energy needs by 2030 through energy efficiency and renewable energy. Achieving the HCEI goal could involve a diverse range of activities. Accordingly, this PEIS will analyze the potential environmental impacts of activities in the following clean energy categories: (1) Energy Efficiency, (2) Distributed Renewables, (3) Utility-Scale Renewables, (4) Alternative Transportation Fuels and Modes, and (5) Electrical Transmission and Distribution. The State of Hawai'i and the U.S. Department of the Interior's Bureau of Ocean Energy Management (BOEM) are cooperating agencies in preparing this PEIS.

**DATES:** DOE invites public comment on the scope of the PEIS during a 60-day public scoping period ending on October 9, 2012. See *Public Participation: Scoping, EIS Distribution, Schedule* in the **SUPPLEMENTARY INFORMATION** section below for public scoping meeting dates and locations. DOE will consider all comments received or postmarked by the end of the scoping period, and will consider comments received or postmarked after the ending date to the extent practicable.

**ADDRESSES:** Written comments on the scope of the PEIS or a request to be added to the PEIS distribution list may be submitted as follows:

- Email to [hawaiiicleanenergypeis@ee.doe.gov](mailto:hawaiiicleanenergypeis@ee.doe.gov).

- Electronic comments via the PEIS Web site at <http://www.hawaiiicleanenergypeis.com>.

- Facsimile (fax) to (808) 541-2253.

Attention: Hawai'i Clean Energy PEIS.

- U.S. mail to Jim Spaeth, U.S.

Department of Energy, 300 Ala Moana Blvd., P.O. Box 50247, Honolulu, HI 96850-0247.

**FOR FURTHER INFORMATION CONTACT:** For information on DOE's proposed action, contact Jane Summerson, Ph.D., DOE National Environmental Policy Act (NEPA) Document Manager, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, or Jim Spaeth, U.S. Department of Energy, 300 Ala Moana Blvd., P.O. Box 50247, Honolulu, HI 96850-0247, or send an email to [hawaiiicleanenergypeis@ee.doe.gov](mailto:hawaiiicleanenergypeis@ee.doe.gov). Information on the Hawai'i Clean Energy PEIS is available on the PEIS Web site at <http://www.hawaiiicleanenergypeis.com> and at the public libraries listed under *Public Participation: Scoping, EIS Distribution, Schedule* in the **SUPPLEMENTARY INFORMATION** section below.

For general information about the DOE NEPA process, contact Carol Borgstrom, Director, Office of NEPA Policy and Compliance (GC-54), U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585, or (800) 472-2756 or [askNEPA@hq.doe.gov](mailto:askNEPA@hq.doe.gov).

### SUPPLEMENTARY INFORMATION:

#### 1. Background

##### *DOE and the State of Hawai'i Coordination and Collaboration*

DOE and Hawai'i entered into a Memorandum of Understanding (MOU) in January 2008 that established a long-term partnership to transform the way in which energy efficiency and renewable energy resources are planned and used in the State. The MOU established working groups to address key sectors of the energy economy (e.g., electricity, end-use efficiency, transportation, and fuels), which led to the establishment of the HCEI. The goal of the HCEI is to meet 70% of Hawai'i's energy needs by 2030 through energy efficiency and renewable energy (collectively "clean energy").

To support this goal, in 2009, Hawai'i's legislature established a Renewable Portfolio Standard of 15% by 2015, 25% by 2020, and 40% by 2030. [See Haw. Rev. Stat. Sections 269-91 to 296-95 (2012) and Haw. Rev. Stat. Section 196 (2012).] Hawai'i also has established an Energy Efficiency Portfolio Standard that calls for the