

**SUPPLEMENTARY INFORMATION:** On November 5, 2001, the Department of Defense (DoD) published a notice of a Nationwide TRICARE Demonstration Project (66 FR 55928–55930). On October 1, 2004, the Department of Defense (DoD) published a notice (69 FR 58895) to extend the Demonstration through October 31, 2005. On October 12, 2005, the Department of Defense (DoD) published a notice (70 FR 59320) to extend the Demonstration through October 31, 2007. The continued activation of Reserve Component members in support of Noble Eagle/ Operation Enduring Freedom and Operation Iraqi Freedom warrants the continuation of the Demonstration to support the healthcare needs and morale of family members of activated Reservists and guardsmen. The National Defense Authorization Act of 2005 amended existing statutes to authorize the Secretary of Defense to provide these benefits permanently by regulation. The Demonstration needs to be extended to allow sufficient time to complete the rule-making process. The impact, if the Demonstration is not extended before the regulation is completed, includes higher out-of-pocket costs and potential inability of beneficiaries to continue to use the same provider for ongoing care. There are three separate components to the demonstration. First, those who participate in TRICARE Standard will not be responsible for paying the TRICARE Standard deductible. By law, the TRICARE Standard deductible for active duty dependents is \$150 per individual, \$300 per family (\$50/\$150 for E-4's and below).

The second component extends TRICARE payment up to 115 percent of the TRICARE maximum allowable charge, less the applicable patient co-payment, for care received from a provider that does not participate (accept assignment) under TRICARE to the extent necessary to ensure timely access to care and clinically appropriate continuity of care.

Third, the Demonstration authorizes a waiver of the non-availability statement requirement of non-emergency inpatient care. This Demonstration project is being conducted under the authority of 10 U.S.C. 1092. This Demonstration is extended through October 31, 2008.

Dated: June 20, 2007.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 07–2999 Filed 6–18–07; 8:45 am]

**BILLING CODE 5001–06–M**

## DEPARTMENT OF DEFENSE

### Department of the Army

#### Board of Visitors, United States Military Academy (USMA)

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice of open 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:* Board of Visitors, United States Military Academy.

*Date:* Sunday, July 14, 2007.

*Place of Meeting:* The Superintendent's Conference Room, Building 600 (Taylor Hall), West Point, NY.

*Time of Meeting:* Approximately 12:30 p.m. through 4:30 p.m.

*Board Mission:* The Board, under the provisions of 10 U.S.C. 4355, and the Federal Advisory Committee Act of 1972, as amended, shall provide the President of the United States independent advice and recommendations on matters relating to the U.S. Military Academy, to include but not limited to morale and discipline, curriculum, instruction, physical equipment, and academic methods.

*Board Membership:* The Board is composed of 15 members, 9 of which are members of Congress and 6 persons designated by the President. The 2007 Chairman of the Board is Congressman John McHugh, New York—23rd District.

**FOR FURTHER INFORMATION CONTACT:** Ms. Cynthia Kramer, United States Military Academy, West Point, NY 10996–5000, (845) 938–5078 or via e-mail: [Cynthia.kramer@usma.edu](mailto:Cynthia.kramer@usma.edu).

**SUPPLEMENTARY INFORMATION:** *Proposed Agenda:* Summer Meeting of the Board of Visitors. The Board plans to inquire into instruction and physical equipment, and the BRAC relocation of the United States Military Academy Preparatory School. Board members will observe Cadet Summer Training and participate in roundtable discussions with cadet leadership. Members will receive tours and briefings on renovated Cadet Barracks, Jefferson Hall Library and Learning Center, the West Point Museum, and the BRAC-approved United States Military Academy Preparatory School (USMAPS) location at West Point. All Board meeting proceedings are open to the public. Picture identification is required to enter West Point.

*Public Inquiry at Board Meetings:* Any member of the public is permitted to file a written statement with the USMA Board of Visitors. Written statements should be sent to the Designated Federal Officer (DFO) at: United States Military Academy, Office of the Secretary of the

General Staff (MASG), 646 Swift Road, West Point, NY 10996–1905 or faxed to the Designated Federal Officer (DFO) at (845) 938–3214. Written statements must be received no later than five working days prior to the next meeting in order to provide time for member consideration.

By rule, no member of the public attending open meetings will be allowed to present questions from the floor or speak to any issue under consideration by the Board.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 07–3000 Filed 6–18–07; 8:45 am]

**BILLING CODE: 3710–08–M**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Notice of Solicitation for Estuary Habitat Restoration Program

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

**ACTION:** Notice of solicitation for project applications.

**SUMMARY:** Congress has appropriated limited funds to the U.S. Army Corps of Engineers (Corps) to implement the Estuary Habitat Restoration Program as authorized in Section 104 of the Estuary Restoration Act of 2000, Title I of the Estuaries and Clean Waters Act of 2000 (Pub. L. 106–457) (accessible at [http://era.noaa.gov/pdfs/act\\_s835.pdf](http://era.noaa.gov/pdfs/act_s835.pdf)). On behalf of the Estuary Habitat Restoration Council (Council), the Corps is soliciting proposals for estuary habitat restoration projects. This document describes project criteria and evaluation criteria the Council will use to determine which projects to recommend. Recommended projects must provide ecosystem benefits, have scientific merit, be technically feasible, and be cost-effective. Proposals selected for Estuary Habitat Restoration Program funding will be implemented in accordance with a cost-share agreement with the Corps. This is not a grants program.

**DATES:** Proposals must be received on or before August 20, 2007.

**ADDRESSES:** Proposal forms may be accessed at [http://www.usace.army.mil/cw/cecwp/estuary\\_act/index.htm](http://www.usace.army.mil/cw/cecwp/estuary_act/index.htm) or by contacting the individuals listed in the following section. Project proposals may be submitted electronically, by mail, or by courier. Electronic submissions are preferred and will facilitate processing. Please follow the detailed instructions

provided in Section X. of the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** Ms. Ellen Cummings, Headquarters, U.S. Army Corps of Engineers, Washington, DC 20314-1000, (202) 761-4750, e-mail: [Ellen.M.Cummings@usace.army.mil](mailto:Ellen.M.Cummings@usace.army.mil); or, Mr. Chip Smith, Office of the Assistant Secretary of the Army (Civil Works), Washington, DC (703) 693-3655, e-mail: [Chip.Smith@HQDA.Army.Mil](mailto:Chip.Smith@HQDA.Army.Mil).

**SUPPLEMENTARY INFORMATION:**

Arrangements have been made for a conference call to answer questions regarding this solicitation. The call has been scheduled for July 16, 2007 at 1 p.m. EDT. This will be a long distance call but there will be no surcharge above each participant's normal costs for long distance calls. In order to assure adequate lines are available, please send an email with a subject line of "EHRP solicitation conference call" to Ms. Cummings or Mr. Smith by noon on July 11, 2007. A reply will be sent to each message containing the telephone number and access code for the call. A second call will be scheduled at a later date if necessary.

**I. Introduction**

Under the Estuary Habitat Restoration Program, the U.S. Army Corps of Engineers (Corps) is authorized to carry out estuary habitat restoration projects. However, the Estuary Habitat Restoration Council (Council) is responsible for soliciting, reviewing and evaluating project proposals. The Corps may only fund projects on the prioritized list provided by the Council. The Estuary Habitat Restoration Strategy prepared by the Council contains introductory information about the program and provides the context in which projects will be evaluated and the program will be conducted. The Strategy was published in the **Federal Register** (67 FR 71942) on December 3, 2002. It is also accessible at [http://www.usace.army.mil/cw/cecwp/estuary\\_act/index.htm](http://www.usace.army.mil/cw/cecwp/estuary_act/index.htm) in PDF format.

An emphasis will be placed on achieving cost-effective restoration of ecosystems while promoting increased partnerships among agencies and between public and private sectors. Projects funded under this program will contribute to the Estuary Habitat Restoration Strategy goal of restoring 1,000,000 acres of estuary habitat.

For purposes of this program, *estuary* is defined as "a part of a river or stream or other body of water that has an unimpaired connection with the open sea and where the sea water is measurably diluted with fresh water from land drainage." Estuary also

includes the " \* \* \* near coastal waters and wetlands of the Great Lakes that are similar in form and function to estuaries \* \* \*". For this program, estuary is considered to extend from the head of tide to the boundary with the open sea (to downstream terminus features or structures such as barrier islands, reefs, sand bars, mud flats, or headlands in close proximity to the connection with the open sea). In the Great Lakes, riparian and nearshore areas will be considered to be estuaries. Estuary habitat includes the estuary and its associated ecosystems, such as: Salt, brackish, and fresh water coastal marshes; coastal forested wetlands and other coastal wetlands; maritime forests; coastal grasslands; tidal flats; natural shoreline areas; shellfish beds; sea grass meadows; kelp beds; river deltas; and river and stream corridors under tidal influence.

**II. Eligible Restoration Activities**

Section 103 of the Estuary Restoration Act of 2000 (the Act) defines the term *estuary habitat restoration activity* to mean "an activity that results in improving degraded estuaries or estuary habitat or creating estuary habitat (including both physical and functional restoration), with the goal of attaining a self-sustaining system integrated into the surrounding landscape." Projects funded under this program will be consistent with this definition.

Eligible habitat restoration activities include re-establishment of chemical, physical, hydrologic, and biological features and components associated with an estuary. Restoration may include, but is not limited to, improvement of estuarine wetland tidal exchange or reestablishment of historic hydrology; dam or berm removal; improvement or reestablishment of fish passage; appropriate reef/substrate/habitat creation; planting of native estuarine wetland and submerged aquatic vegetation; reintroduction of native species; control of invasive species; and establishment of riparian buffer zones in the estuary. Cleanup of pollution for the benefit of estuary habitat may be considered, as long as it does not meet the definition of excluded activities under the Act (see section III, Excluded Activities, below).

In general, proposed projects should clearly demonstrate anticipated benefits to habitats such as those habitats listed in the Introduction. Although the Council recognized that water quality and land use issues may impact habitat restoration efforts and must be considered in project planning, the Estuary Habitat Restoration Program is intended to fund physical habitat

restoration projects, not measures such as storm water detention ponds, wastewater treatment plant upgrades or combined sewer outfall improvements.

**III. Excluded Activities**

Estuary Habitat Restoration Program funds will not be used for any activity that constitutes mitigation required under any Federal or State law for the adverse effects of an activity regulated or otherwise governed by Federal or State law, or that constitutes restoration for natural resource damages required under any Federal or State law. Estuary Habitat Restoration Program funds will not be used for remediation of any hazardous substances regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601-9675). Additionally, Estuary Habitat Restoration Program funds will not be used to carry out projects on Federal lands.

**IV. Project Sponsor and Cost Sharing**

The Non-Federal Sponsor may be a State, a political subdivision of a State, a Tribe, or a regional or interstate agency. A non-governmental organization may serve as a Non-Federal Sponsor as determined by the Secretary of the Army (Secretary) in consultation with appropriate State and local governmental agencies and Tribes. For purposes of this act the term non-governmental organization does not include for profit enterprises. The Non-Federal Sponsor must be able to provide the real estate interests necessary for implementation, operation, maintenance, repair, rehabilitation and replacement of the project. In most cases this means the Non-Federal Sponsor must have fee title to the lands necessary for the project although in some cases an easement may be sufficient.

The Federal share of the cost of an estuary habitat restoration project shall not exceed 65 percent except that the Federal share shall be 85 percent of the incremental additional cost of pilot testing or demonstration of an innovative technology having the potential for improved cost-effectiveness. Innovative technology is defined as novel processes, techniques and/or materials to restore habitat, or the use of existing processes, techniques, and/or materials in a new restoration application.

Prior to initiation of a project, the Non-Federal Sponsor must enter into a written agreement with the Corps in which the Non-Federal Sponsor agrees to provide its share of the project cost. The Non-Federal Sponsor shall provide

necessary lands, easements, rights-of-way, and relocations. The value of the required real estate interests will be credited towards the Non-Federal Sponsor's share of the project cost. The Non-Federal Sponsor may also provide services and in-kind contributions for credit toward its share of the project cost. Credit for the value of in-kind contributions is subject to satisfactory compliance with applicable Federal labor laws covering non-Federal construction, including but not limited to the Davis-Bacon Act (40 U.S.C. 276a *et seq.*), the Contract Work Hours and Safety Standards Act (40 U.S.C. 327 *et seq.*), and the Copeland AntiKickback Act (40 U.S.C. 276c). Credit may be afforded for the value of required work undertaken by volunteers, using the hourly value in common usage for grants program but not to exceed the Federal estimate of the cost of activity. The Non-Federal Sponsor shall also have a long-term responsibility for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating these projects as well as for the required post-construction monitoring. The cost of these activities will not be included in the total project cost and will not count toward the Non-Federal Sponsor's minimum 35 percent share of the project cost.

Other Federal funds, i.e. funds appropriated to agencies other than the Corps, may not be used by the Non-Federal Sponsor to meet its share of the project cost unless the other Federal agency verifies in writing that expenditure of funds for such purpose is expressly authorized by statute. Otherwise, other Federal funds may be used for the proposed project if consistent with the other agency's authorities and will count as part of the Federal share of the project cost. Any non-Federal funds or contributions used as a match for these other Federal funds or any other Federal program may be used toward the project but will not be considered in determining the non-Federal share in relation to the Corps' costs.

Credit will be provided only for work necessary for the specific project being funded with Estuary Habitat Restoration Program funds. For example, a non-Federal entity is engaged in the removal of ten dams, has removed six dams, and now seeks assistance for the removal of the remaining four dams as an Estuary Habitat Restoration Program project. None of the costs associated with the removal of the six dams is creditable as part of the non-Federal share of the project for removal of four dams.

This is not a grants program. The Corps will not transfer funds to the Non-

Federal Sponsor. The Corps will implement (construct) some portion of the proposed project. To the extent possible the Corps will use the planning, evaluation, and design products provided by the applicant. However, the Corps will be responsible for assuring compliance with Federal environmental statutes, assuring the project is designed to avoid adverse impacts on other properties and that the project can reasonably be expected to provide the desired benefits, and managing construction activities not performed by the Non-Federal Sponsor as in-kind contribution. These Corps activities will be part of the Federal cost of the project, and the Non-Federal Sponsor should consider these costs in developing the project cost estimate. It is recommended that the Non-Federal Sponsor coordinate with the appropriate Corps district office during preparation of the proposal. Information on district locations and boundaries may be found at <http://www.usace.army.mil/ContactUs.html>. If additional assistance is required please contact Ms. Cummings (see **FOR FURTHER INFORMATION CONTACT** section).

#### V. Funding Availability

Limited funds have been appropriated for implementation of projects under the Estuary Habitat Restoration Program. The Council will not accept proposals that indicate an estimated Federal cost of less than \$100,000 or more than \$1,000,000. There is no guarantee that sufficient funds will be available to fund all eligible proposals. The number of proposals funded as a result of this notice will depend on the number of eligible proposals received, the estimated amount of funds required for each selected project, and the merit and ranking of the proposals. The exact amount of the Federal and non-Federal cost share for each selected project will be specified in the written agreement discussed in Project Sponsor and Cost Sharing, Section IV above. Projects selected for funding must be capable of producing the ecosystem benefits described in the proposal in the absence of Federal funding beyond that established in the cost-share agreement.

#### VI. Proposal Review Process

Proposals will be screened as discussed in section VII.A. below to determine eligibility. The staff of the agencies represented on the Council will conduct a technical review of the eligible proposals in accordance with the criteria described in section VII.B. below. Agency scientists involved in estuarine research or the development and application of innovative methods

for restoring estuary habitats will also review proposals that indicate the use of innovative technologies. Each agency will score and rank the proposals; the staff of the five agencies will use these rankings as the basis for a consolidated recommendation. The Council will consider the staff recommendation, the items discussed in sections VII.C. and D. below, and possibly other factors when preparing its prioritized list of recommended projects for the Secretary's use.

#### VII. Proposal Review Criteria

This section describes the criteria that will be used to review and select projects to be recommended to the Secretary for funding under the Act. It will benefit applicants to ensure that project proposals clearly address the criteria set forth under the following four subsections: Initial Screening of Project Proposals; Evaluation of Project Proposals; Priority Elements; and Other Factors.

##### A. Initial Screening of Project Proposals

Proposals will be screened according to the requirements listed in sections 104(b) and 104(c)(2) of the Act as described below. In addition, proposed projects must not include excluded activities as discussed in Section III above. Proposals that do not meet all of these initial screening criteria will not be evaluated further. To be accepted the proposal must:

- (1) Originate from a Non-Federal Sponsor (section 104(b));
- (2) address restoration needs identified in an estuary habitat restoration plan (section 104(c)(2)(A)). The Act defines "estuary habitat restoration plan" as any Federal or State plan for restoration of degraded estuary habitat that was developed with substantial participation of the public (section 103(6));
- (3) be consistent with the Estuary Habitat Restoration Strategy (section 104(c)(2)(B)) by:
  - (a) including eligible restoration activities that provide ecosystem benefits;
  - (b) addressing estuary habitat trends (including historic losses) in the project region, and indicating how these were considered in developing the project proposal;
  - (c) involving a partnership approach, and
  - (d) clearly describing the benefits expected to be realized by the proposed project;

(4) include a monitoring plan that is consistent with standards developed by NOAA under section 104(c)(2)(C)) (available at: <http://era.noaa.gov/htmls/>

era/era\_monitoring.html, or from the contacts listed in the **FOR FURTHER INFORMATION CONTACT** section). Minimum monitoring requirements include monitoring over a period of five years and tracking of at least one structural and one functional element. Examples of structural and functional elements are contained in the monitoring document cited above, and;

(5) include satisfactory assurances that the Non-Federal Sponsor has adequate authority and resources to carry out items of local cooperation and properly maintain the project (section 104(c)(2)(D)).

### B. Evaluation of Project Proposals

Proposals that meet the initial screening criteria in A. above will be eligible for further review using the criteria listed below. The following criteria are listed in order of relative importance with the most important criteria first. The first four criteria are the most important. If the reviewers find that a response to any of the first four criteria is completely inadequate, the proposals will be rejected. For each of the listed criteria the focus will be on the factors mentioned below but other factors may also be considered.

#### (1) Ecosystem Benefits

Proposals will be evaluated based on the extent of proposed habitat restoration activities and the type(s) of habitat(s) that will be restored. Following are specific factors that reviewers will consider as part of this criterion:

(a) Prevention or reversal of estuary habitat loss or degradation in the project area and the nature and extent of the proposed project's potential contribution to the long-term conservation of estuary habitat functions,

(b) benefits for Federally listed endangered or threatened species, species proposed for Federal listing, recently delisted species or designated or proposed critical habitat in the project areas,

(c) extent to which the project will provide, restore, or improve habitat important for estuary-dependent fish and/or migratory birds (e.g. breeding, spawning, nursery, foraging, or staging habitat),

(d) prevention or reduction of nonpoint source pollution or other contaminants to estuary habits or restoration of estuary habitats that are already contaminated, and

(e) benefits or nearby existing habitat areas, or contribution to the creation of wildlife/ecological corridors connecting existing habit areas.

Examples of activities that would not qualify would be restoration of an oyster bed open to commercial harvest or a fish hatchery. Educational facilities such as classrooms, botanical gardens, or recreational facilities such as trails or boat ramps would also not qualify for cost sharing under this program although they may be included in the project if they do not conflict with the environmental benefits expected from project implementation.

#### (2) Cost-Effectiveness

Reviewers will evaluate the relationship between estimated project costs, including the costs of remaining planning, design, construction, required lands, and annual operation, maintenance, repair, rehabilitation and replacement and monitoring cost, to the monetary and non-monetary benefits described in the proposal. Clear quantitative and qualitative descriptions of the proposed outputs will facilitate this evaluation. Examples of units of measure include: acres restored, flood damage reduction levels, changes in water quality parameters, increases in the productivity of various species, and presence and absence of certain species. The estimated persistence of the proposed project outputs will be considered. For examples, will the area be maintained as a wetland, or allowed to erode or become upland? Will the proposed project produce additional benefits due to synergy between the proposed project and other ongoing or proposed projects? Reviewers will consider if the proposed project is a cost-effective way to achieve the proposed benefits. In some instances the costs and benefits of proposed projects may be compared to the costs and benefits of other similar projects in the area. The significance of the proposed outputs is also a factor to be considered as part of cost-effectiveness. The significance of restoration outputs should be recognized in terms of institutional (such as laws, adopted plans, or policy statements), public (such as support for the project), or technical (such as addresses scarcity, increases limiting habitat, or improves or increases biodiversity) importance.

#### (3) Technical Feasibility

Reviewers will evaluate the extent to which, given current and projected environmental conditions of the restoration site—e.g., soils, flood regime, presence of invasive species, surrounding land use—the proposed project is likely to be successfully implemented. Consideration will also be given to:

(a) Potential success of restoration techniques, based on history of successful implementation in field or pilot projects,

(b) implementation schedule,

(c) expected length of time before success can be demonstrated,

(d) proposed corrective actions using monitoring information,

(e) project management plans, and

(f) experience and qualifications of project personnel.

#### (4) Scientific Merit

Reviewers will evaluate the extent to which the project design is based on sound ecological principles and is likely to meet project goals. This may be indicated by the following factors:

(a) Goals of the project are reasonable considering the existing and former habitat types present at the site and other local influences,

(b) the proposed restoration methodology demonstrates an understanding of habitat function, and

(c) specific methods proposed (if successfully implemented—see criteria on technical feasibility) have a good chance of meeting project goals and achieving long-term sustainability.

#### (5) Agency Coordination

Reviewers will evaluate the degree to which the project will encourage increased coordination and cooperation among Federal, State, and local government agencies. Some of the indicators used to evaluate coordination are:

(a) The State, Federal, and local agencies involved in developing the project and their expected roles in implementation,

(b) the nature of agency coordination, e.g., joint funding, periodic multi-agency review of the project, collaboration on adaptive management decisions, joint monitoring, opportunities for future collaboration, etc., and

(c) whether a formal agreement, such as a Memorandum of Understanding (MOU), exists between/among agencies as part of the project.

#### (6) Public/Private Partnerships

One of the focuses of the Act is the encouragement of new public/private partnerships. Reviewers will evaluate the degree to which the project will foster public/private partnerships and uses Federal resources to encourage increased private sector involvement. Indicators of the success at meeting this criteria follow. How will the project promote collaboration or create partnerships among public and private entities, including potential for future

new or expanded public/private partnerships? What mechanisms are being used to establish the partnership, e.g., joint funding, shared monitoring, joint decision-making on adaptive management strategies? Is there a formal agreement, such as an MOU, between/among the partners as part of the project? Also important is the extent to which the project creates an opportunity for long-term partnerships among public and private entities.

(7) Level of Contribution

Reviewers will consider the level and type (cash or in-kind) of Non-Federal contribution. Providing more than the minimum 35-percent share will be rated favorably. It must be clear how much of the total project cost the Estuary Habitat Restoration Program is expected to provide, how much is coming from other Federal sources, how much is coming directly from the sponsor, and how much is available or expected to be provided by other sources (either cash or in-kind).

(8) Monitoring Plan

Reviewers will consider the following factors in evaluating the quality of the monitoring plan:

- (a) Linkage between the monitoring methods and the project goals, including success criteria,
- (b) how results will be evaluated (statistical comparison to baseline or reference condition, trend analysis, or other quantitative or qualitative approach),
- (c) how baseline conditions will be established for the parameters to be measured,
- (d) if applicable, the use and selection of reference sites, where they are located, how they were chosen, and whether they represent target conditions for the habitat or conditions at the site without restoration,
- (e) the appropriateness of the nature, frequency, and timing of measurements and which areas will be sampled,
- (f) provisions for adaptive management, and data reporting, and
- (g) whether the length of the proposed monitoring plan is appropriate for the project goals. The minimum required monitoring period is five years.

(9) Multiple Benefits

In addition to the ecosystem benefits discussed in criterion (1) above, restored estuary habitats may provide additional benefits. Among those the reviewers will consider are: flood damage reduction, protection from storm surge, water quality and/or quantity for human uses, recreational opportunities, and benefits to commercial fisheries.

(10) Dedicated Funding Source

Reviewers will consider if the State in which the proposed project will be located has a dedicated source of funding to acquire or restore estuary habitat, natural areas, and open spaces for the benefit of estuary habitat restoration or protection.

(11) Supports Regional Restoration Goals

Reviewers will evaluate the extent to which the proposed project contributes to meeting and/or strengthening the needs, goals, objectives and restoration priorities contained in regional restoration plans, and the means that will be used to measure such progress.

(12) Supports Federal Plan

If the proposed project supports a Federal plan (examples of Federal plans are listed in section 103(b)(B) of the Act), reviewers will consider the extent to which the project would contribute to meeting and/or strengthening the plan's needs, goals, objectives and restoration priorities, and the means that will be used to measure such progress.

*C. Priority Elements*

Section 104(c)(4) of the Act directs the Secretary to give priority consideration to a project that merits selection based on the above criteria if it:

- (1) Occurs within a watershed where there is a program being implemented that addresses sources of pollution and other activities that otherwise would adversely affect the restored habitat; or
- (2) includes pilot testing or demonstration of an innovative technology having the potential to achieve better restoration results than other technologies in current practice, or comparable results at lower cost in terms of energy, economics, or environmental impacts.

The Council will also consider these priority elements in ranking proposals.

*D. Other Factors*

In addition to considering the composite ratings developed in the evaluation process and the priority elements listed in C. above, the Council will consider other factors when preparing its prioritized list for the Secretary's use. These factors include (but may not be limited to) the following:

- (1) Readiness of the project for implementation. Among the factors to be considered when evaluating readiness are the steps that must be taken prior to project implementation, potential delays to project implementation, and the status of real estate acquisition.

(2) Balance between large and small projects, as defined in the Estuary Habitat Restoration Strategy.

(3) Geographic distribution of the projects.

**VIII. Project Selection and Notification**

The Secretary will select projects for funding from the Council's prioritized list of recommended projects after considering the criteria contained in section 104(c) of the Act, availability of funds and reasonable additional factors. It is expected that the Secretary will select proposals for implementation approximately 100 days after the close of this solicitation or 30 days after receiving the list from the Council, whichever is later. The Non-Federal Sponsor of each proposal will be notified of its status at the conclusion of the selection process. Staff from the appropriate Corps Districts will work with the Non-Federal Sponsor of each selected project to develop the cost-sharing agreements and schedules for project implementation.

**IX. Project Application Form Clarifications**

Most of the entries are relatively self-explanatory, however, based on experience some clarifying comments are provided to facilitate completion of the form.

A. Project name should be short but unique and descriptive.

B. Organization Point of Contact. The individual listed should be the person that can answer project specific questions and will be the day-to-day contact for the project. This may be a different individual than the individual signing the Non-Federal certification.

C. Item 8. Funding and Partners. Post-construction costs including monitoring do not count as a cost share for projects funded under the Estuary Restoration Act and should not be included in the estimated total project cost. In the table, list the share of the project cost being sought from the Estuary Habitat Restoration Program as from the Corps. For this entry the "contribution type" is in-kind and the entire amount originates from a Federal funding source.

D. Include the name of the organization as well as the title of the individual signing the Non-Federal Sponsor certification.

E. If submitting a proposal electronically, a hard copy of the Letter of Assurance and Certification may be submitted if it is post-marked by the closing date for this announcement and the electronic submission has the text of the Letter of Assurance and Certification with an indication of the date signed and name/title/organization of the

individual signing these documents. The Letter of Assurance should be addressed to "Chairman, Estuary Habitat Restoration Council" and sent to the address in Section X for hard copy submittals.

F. In the project description section of the project application form the phrase "Estimated life cycle of the project" refers to the functional life of the project. As an example a wetland may fill with sediment over time and its functionality diminished. The "life-cycle" would be the number of years until the project no longer provided the original benefits.

G. The proposed project should only be described as innovative if the Non-Federal Sponsor is requesting the special cost sharing for the incremental costs of including testing of or a demonstration of an innovative technology as defined as defined in the application form.

#### X. Application Process

Proposal application forms are available at [http://www.usace.army.mil/cw/cecwp/estuary\\_act/index.htm](http://www.usace.army.mil/cw/cecwp/estuary_act/index.htm) or by contacting Ms. Ellen Cummings, Headquarters, U.S. Army Corps of Engineers, Washington, DC 20314-1000, (202) 761-4750, e-mail: [Ellen.M.Cummings@usace.army.mil](mailto:Ellen.M.Cummings@usace.army.mil); or Chip Smith, Office of the Assistant Secretary of the Army (Civil Works), Washington, DC (703) 693-3655, e-mail: [Chip.Smith@HQDA.Army.Mil](mailto:Chip.Smith@HQDA.Army.Mil). The application form has been approved by OMB in compliance with the Paper Work Reduction Act and is OMB No. 0710-0014 with an expiration date of 04/30/2008. Electronic submissions are preferred and should be sent to [estuary.restoration@usace.army.mil](mailto:estuary.restoration@usace.army.mil). Multiple e-mail messages may be required to ensure successful receipt if the files exceed 4MB in size. Questions may also be sent to the same e-mail address. Hard copy submissions may be sent or delivered to HQUSACE, ATTN: CECW-PB, 7701 Telegraph Road #3D72, Alexandria, VA 22315-3860. The part of the nomination prepared to address the "proposal elements" portion of the application should be no more than twelve double-spaced pages, using a 10 or 12-point font. Paper copies should be printed on one side only of an 8.5 in. X 11 in. page and not bound. Only one hard copy is required. A PC-compatible floppy disk or CD-ROM in either Microsoft Word or WordPerfect format may accompany the paper copy. Nominations for multiple projects submitted by the same applicant must

be submitted in separate e-mail messages and/or envelopes.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 07-3002 Filed 6-18-07; 8:45 am]

**BILLING CODE 3710-92-M**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PR07-14-000]

#### Bridgeline Holdings, L.P.; Notice of Rate Filing

June 12, 2007.

Take notice that on June 1, 2007, Bridgeline Holdings, L.P. (Bridgeline) filed a petition for rate approval pursuant to section 284.123(b)(2) of the Commission's regulations. Bridgeline requests the Commission to approve a maximum interruptible rate of \$0.3452 per MMBtu, a maximum firm usage charge of \$0.2449 per MMBtu, a monthly reservation charge of \$3.05 per MMBtu, and fuel retention of 0.29 percent for transportation service under section 311(a)(2) of the Natural Gas Policy Act of 1978.

Any person desiring to participate in this rate proceeding must file a motion to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the

"eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time June 27, 2007.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E7-11740 Filed 6-18-07; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP07-367-000]

#### Columbia Gas Transmission Corporation; Notice of Application

May 16, 2007.

Take notice that on May 3, 2007, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, SE., Charleston, West Virginia 25314, filed an application in Docket No. CP07-367-000, pursuant to sections 7(b) and 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing it to construct and operate facilities located in Ohio, West Virginia, and Virginia, for its Eastern Market Expansion (EME) Project. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

As part of the EME project, Columbia is seeking authorization to construct approximately 15.26 miles of pipeline, drill 9 new wells and recondition 14 existing wells at the Crawford, Coco A, and Coco C storage fields, install 12,280 horsepower at the Lanham, Lost River, and Seneca compressor stations, and upgrade various existing delivery points. When completed, the facilities will allow Columbia to provide up to 97,050 Dth per day of firm storage service, all as more fully set forth in the