

[FR Doc. E9-20009 Filed 8-20-09; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal Nos. 09-48]

36(b)(1) Arms Sales Notification

AGENCY: Department of Defense, Defense Security Cooperation Agency.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104-164 dated 21 July 1996.

FOR FURTHER INFORMATION CONTACT: Ms. B. English, DSCA/DBO/CFM, (703) 601-3740.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittals 09-48 with attached transmittal and policy justification.

Dated: August 12, 2009.

Patricia L. Toppings,
OSD Federal Register Liaison Officer,
Department of Defense.

BILLING CODE 5001-06-M



DEFENSE SECURITY COOPERATION AGENCY

201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

AUG 06 2009

**The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, DC 20515-6501**

Dear Madam Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 09-48, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to The Netherlands for defense articles and services estimated to cost \$133 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

Sincerely,

**Beth M. McCormick
Deputy Director**

Enclosures:

- 1. Transmittal**
- 2. Policy Justification**

Same ltr to:

**House
Committee on Foreign Affairs
Committee on Armed Services
Committee on Appropriations**

**Senate
Committee on Foreign Relations
Committee on Armed Services
Committee on Appropriations**



Transmittal No. 09-48

**Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act, as amended**

- (i) **Prospective Purchaser:** The Netherlands
- (ii) **Total Estimated Value:**
- | | |
|--------------------------|----------------------|
| Major Defense Equipment* | \$ 2 million |
| Other | <u>\$131 million</u> |
| TOTAL | \$133 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** continuation of a Continental United States (CONUS)-based Royal Netherlands Air Force F-16 Formal Training Unit (FTU), 12,000 RR-188 Training Chaff, 2,250 BDU-33 (ZP61C) low-drag training bombs, 20,000 MJU-7 (F071A) Infrared Decoy Flares, pilot training, JP-8 fuel, air refueling support, airlift services, CONUS base start up, base operating support, facilities, training munitions, technical data and publications, personnel training and training equipment, contractor technical and logistics personnel services, and other related elements of logistics support.
- (iv) **Military Department:** Air Force (NZN, Amd #3)
- (v) **Prior Related Cases, if any:** FMS case NZS - \$122 million - 31Dec06
- (vi) **Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:** none
- (vii) **Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:** none
- (viii) **Date Report Delivered to Congress:** AUG 06 2009

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

The Netherlands – F-16 Pilot Training and Logistics Support

The Government of Netherlands has requested a possible sale for the continuation of a Continental United States (CONUS)-based Royal Netherlands Air Force F-16 Formal Training Unit (FTU), 12,000 RR-188 Training Chaff, 2,250 BDU-33 (ZP61C) low-drag training bombs, 20,000 MJU-7 (F071A) Infrared Decoy Flares, pilot training, JP-8 fuel, air refueling support, airlift services, CONUS base start up, base operating support, facilities, training munitions, technical data and publications, personnel training and training equipment, contractor technical and logistics personnel services, and other related elements of logistics support. The estimated cost is \$133 million.

This proposed sale contributes to the foreign policy and national security objectives of the U.S. by improving the military capabilities of The Netherlands and enhancing standardization and interoperability with U.S. forces.

Springfield-Beckley Air National Guard Base, Ohio, is the location where the Netherlands Air Force will train aircrews in aircraft operations and tactics. This training will enhance the Royal Netherlands Air Force's ability to continue contributions to Overseas Contingency Operations and to North Atlantic Treaty Organization air policing operations in Afghanistan, as well as, to possible future coalition operations.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The U.S. Air Force will provide program management for the FTU. The Ohio Air National Guard will provide instruction, flight operations, and maintenance support and facilities. There is no prime contractor involved in this program. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any U.S. Government or contractor representatives to The Netherlands.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. E9-20008 Filed 8-20-09; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Intent To Prepare an Environmental Impact Statement for the Conveyance of Federal Lands at Lake Texoma to the State of Oklahoma, Marshall County, OK

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

ACTION: Notice of Intent.

SUMMARY: The purpose of the Environmental Impact Statement (EIS) is to address alternatives and environmental impacts associated with the conveyance of approximately 1,022 acres of Federal land located in Marshall County, Oklahoma, at Lake Texoma, Oklahoma and Texas, to the State of Oklahoma.

ADDRESSES: Questions or comments concerning the proposed action should be addressed to Mr. Stephen L. Nolen, Chief, Environmental Analysis and Compliance Branch, Tulsa District, U.S. Army Corps of Engineers, CESWT-PE-E, 1645 S. 101st E. Ave., Tulsa, OK 74128-4629.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen L. Nolen, (918) 669-7660, fax: (918) 669-7546, e-mail: Stephen.L.Nolen@usace.army.mil.

SUPPLEMENTARY INFORMATION: The Water Resources Development Act of 1999 (Pub. L. 106-53 113 Stat. 359) directed the Secretary of the Army (Secretary) to convey to the State of Oklahoma, at fair market value, all right, title and interest of the United States in and to approximately 1,580 acres of land located in Marshall County, OK and leased to the State of Oklahoma for public park and recreation purposes. In 2005, approximately 558 acres of these lands were conveyed to the State of Oklahoma through the Oklahoma Commissioners of the Land Office. The State of Oklahoma, through the Oklahoma Tourism and Recreation Department, is now requesting conveyance of additional lands up to the balance (approximately 1,022 acres) of that authorized by the Water Resources Development Act of 1999.

The exact acreage and description of the real property shall be determined by a survey that is satisfactory to the Secretary. The real property is currently held in fee by the U.S. Government and managed under the jurisdiction of the Tulsa District Corps of Engineers as a

part of Lake Texoma, a multipurpose reservoir located along the Red River in Oklahoma and Texas. The lands subject to this action are located east of Kingston, Oklahoma along the western shore of the Washita River Arm of Lake Texoma in Marshall County, OK. Conveyed lands are anticipated to be subject to development, in conjunction with development of lands previously conveyed and adjacent private lands, to include such features as single and multi-family residential housing, hotel and conference facilities, restaurants, golf course(s), retail and commercial space, public boat ramp(s), beach and camping amenities, courtesy boat slips, and related commercial development facilities.

Reasonable alternatives to be considered include varying amounts of acreages to be conveyed, alternative deed restrictions on conveyed lands, varying development features and locations, alternative locations and nature of shoreline development, and no action.

Issues to be addressed in the EIS include but are not limited to: (1) Socioeconomic impacts associated with planned development, (2) matters pertaining to shoreline management and development, (3) potential impacts to cultural and ecological resources, (4) public access and safety, (5) impacts to lake use, public parks and recreation, (6) aesthetics, (7) water and wastewater infrastructure, (8) lake water quality, (9) traffic patterns, (10) terrestrial and aquatic fish and wildlife habitat, (11) Federally-listed threatened and endangered species, (12) potential use of dry-stack boat storage or other boat storage methods, and (13) cumulative impacts associated with past, current, and reasonably foreseeable future actions at Lake Texoma.

A public scoping meeting for the action will be conducted in early fall, 2009 in Kingston, OK or the vicinity. News releases and notices informing the public and local, state, and Federal agencies of the proposed action and date of the public scoping meeting will be published in local newspapers. Comments received as a result of this notice, news releases, and the public scoping meeting will be used to assist the Tulsa District Corps of Engineers in identifying potential impacts to the quality of the human or natural environment. Affected Federal, state, or local agencies, affected Indian tribes, and other interested private organizations and parties are encouraged to participate in the scoping process by forwarding written comments to (see **ADDRESSES**) or attending the scoping meeting.

The draft EIS will be available for public review and comment. While the specific date for release of the draft EIS has yet to be determined, all interested agencies, tribes, organizations and parties expressing an interest in this action will be placed on a mailing list for receipt of the draft EIS. In order to be considered, any comments and suggestions should be forwarded to (see **ADDRESSES**) in accordance with dates specified upon release of the draft EIS.

Dated: August 11, 2009.

Anthony C. Funkhouser,
Colonel, U.S. Army, District Commander.

[FR Doc. E9-20132 Filed 8-20-09; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Army

Corps of Engineers: Intent To Prepare a Draft Environmental Impact Statement for Proposed Lake on Yellow Creek in Lamar County, AL (Department of Army Permit Number SAM-2005-4302-MNS)

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

ACTION: Notice of Intent.

SUMMARY: The Mobile District, U.S. Army Corps of Engineers (Corps) intends to prepare a Draft Environmental Impact Statement (DEIS) to address the potential impacts associated with construction of a 2,040-acre water supply lake along Yellow Creek in Lamar County, AL. The Corps will be evaluating the proposed project under the authority of Section 404 of the Clean Water Act. The DEIS will be used as a basis for ensuring compliance with the National Environmental Policy Act (NEPA).

DATES: A public scoping meeting will be held on October 15, 2009.

ADDRESSES: The public scoping meeting will be held at the Lamar County Courthouse, Third Floor Courtroom, 44690 Highway 17, Vernon, Alabama 35592.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action, NEPA process, and the DEIS should be addressed to Mr. Michael B. Moxey, Regulatory Division, Inland Team Leader, Phone (251) 694-3771 or e-mail at michael.b.moxey@usace.army.mil, Mobile District, U.S. Army Corps of Engineers, Regulatory Division, P.O. Box 2288, Mobile, AL 36628-0001.

SUPPLEMENTARY INFORMATION: 1. The Lamar County Commission is the permit applicant. The applicant is proposing to