

comments should be filed on or before December 10, 2001, and must be served on the applicant. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link.

David P. Boergers,
Secretary.

[FR Doc. 01-29721 Filed 11-29-01; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

Regulations Governing Off-the-Record Communications; Public Notice

November 23, 2001.

This constitutes notice, in accordance with 18 CFR 385.2201(h), of the receipt

of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or a prohibited off-the-record communication relevant to the merits of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such requests only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record

communication should serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt and prohibited off-the-record communications received in the Office of the Secretary within the preceding 14 days. Copies of this filing are on file with the Commission and are available for public inspection. The documents may be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance).

Exempt

| Number and docket nos. | Date | Name |
|---|----------|------------------------------|
| 1. Docket Nos. CP01-4-000, CP01-4-000, CP01-8 | 11-16-01 | Karen Jacobs. |
| 2. Docket No. CP97-315-000 | 11-16-01 | Terry Shaffer. |
| 3. Project No. 2042-000 | 11-16-01 | Frank Winchell. |
| 4. Project No. 2042-000 | 11-16-01 | Tim Bachelder. |
| 5. Project No. 2042-000 | 11-16-01 | Duke Engineering. |
| 6. Docket Nos. CP01-176-000 et al | 11-16-01 | Mark Kline. |
| 7. Docket Nos. CP01-176-000, et al | 11-16-01 | Barry Wenger. |
| 8. Docket Nos. CP01-176-000, et al | 11-16-01 | Laura Brinkman. |
| 9. Docket Nos. CP01-176-000, et al | 11-16-01 | Mark Kline and Mike Timpson. |
| 10. Docket Nos. CP01-176-000, et al | 11-16-01 | Todd Mattson. |
| 11. Docket Nos. CP01-176-000, et al | 11-16-01 | Todd Mattson. |

Linwood A. Watson, Jr.,
Acting Secretary.

[FR Doc. 01-29723 Filed 11-29-01; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6624-2]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section

309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated May 18, 2001 (97 FR 27647).

Draft EISs

ERP No. D-AFS-L65372-AK Rating NS Threemile Timber Sale, Implementation, Petersburg Ranger District, Tongass National Forest, AK.

Summary: EPA Region 10 used a screening tool to conduct a limited review of this action. Based on the screen, EPA does not foresee having any environmental objections to the proposed project. Therefore, EPA will not be conducting a detailed review.

ERP No. D-AFS-L65387-AK Rating NS Helicopter Landing Tours on the Juneau Icefield 2002 to 2006, Combination Fixed-Wing and Helicopter Landing Tour Operations to Antler Glacier Lake, Special Use Permits Issuance, Tongass National Forest, City and Borough of Juneau, AK.

Summary: EPA used a screening tool to conduct a limited review of the draft

EIS and based upon the screen, EPA does not foresee having any environmental objections to the proposed project. Therefore, EPA will not be conducting a detailed review.

ERP No. D-FHW-K40246-CA Rating EC2 CA-905 Freeway or Tollway Construction Project, Route Location, Adoption and Construction, Otay Mesa Port of Entry to I-805, Funding and US Army COE Section 404 Permit Issuance, San Diego County, CA.

Summary: EPA expressed environmental concerns about the project potentially restricting wildlife movement and requested additional information on the indirect and cumulative impacts of the project as well as on certain modeling assumptions.

ERP No. D-FHW-L40214-WA Rating EO2 I-405 Corridor Transportation Improvements, I-5 in the City of Tukwila to I-5 in Snohomish County, Funding and Possible COE Section 404 Permits Issuance, King and Snohomish Counties, CA.

Summary: EPA raised environmental objections to the creation of impervious surface from alternatives 3 and 4 and its effect on watersheds. EPA also expressed concerns about the insufficient assessment of cumulative effects.

ERP No. D-IBR-K39070-CA Rating EC2 American River Pump Station Project, Providing Placer County Water Agency (PCWA) with the Year-Round Access to its Middle Fork Project (MFP) Water Entitlements from the American River, Placer County, CA.

Summary: EPA expressed environmental concerns related to adverse diversion-related Cumulative impacts and proposed increase in Placer County Water Agency's (PCWA) diversion. EPA urged the Bureau and PCWA to develop alternative diversion points and to assure a long-term, sustainable balance between available water supplies, ecosystem health and water supply demand. EPA also requested that the cumulative impact analysis describe potential mitigation measures and other non-Bureau actions.

ERP No. D-NOA-E91009-00 Rating EC1 Dolphin and Wahoo Fishery Management Plan, Establishing Fishery Management Units, Stock Status Determination and Harvesting Restrictions, Initial Regulatory Flexibility Analysis, South Atlantic, Caribbean, and Gulf of Mexico.

Summary: EPA conceptually supports the proposed FMP for dolphin and wahoo and primarily defers to the expertise of the NMFS/Councils on the proposed actions. However, EPA's DEIS comments should be considered/

clarified including the role of NMFS versus Councils, permit fees, EFHs in pelagic waters and FMP enforcement.

ERP No. D-TPT-K61154-CA Rating EC2, Presidio Trust Implementation Plan (PTIP), An Updated Plan for the Area B of the Presidio of San Francisco, Implementation, San Francisco Bay Area, Marin County, CA.

Summary: While general management issues are addressed by several of the alternatives, EPA expressed environmental concerns and requested additional information regarding: impacts to wetlands, traffic and air quality.

ERP No. DE-NOA-L64015-AK Rating EC2, Steller Sea Lion Protection Measures in the Alaska Groundfish Fisheries, Fishery Management Plans for Groundfish of the Gulf of Alaska and the Groundfish Fishery of the Bering Sea and Aleutian Islands Area, AK.

Summary: EPA had environmental concerns that alternatives may not adequately conserve the Steller sea lion populations because most alternatives do not address large ecological concerns such as total allowable catch, the lack of information on the long-term cumulative effects of fishing on the fishery and predators of the fish, and the lack of reasonable and prudent measures that mitigate potential future problems. EPA recommended that the final EIS address our concerns and demonstrate that alternatives would successfully protect and recover listed Steller sea lions.

Final EISs

ERP No. F-AFS-L65344-AK, Emerald Bay Timber Sale, Implementation, Ketchikan-Misty Fiords Ranger District, Tongass National Forest, U.S. Coast Guard Bridge Permit, NPDES Permit, and COE Section 10 and 404 Permits, Cleveland Peninsula, AK.

Summary: No formal comment letter was sent to the preparing agency.

ERP No. FS-SFW-B82009-00, Lake Champlain Sea Lamprey Control Long-Term Program, Proposal is to Achieve Fish Population, Recreational Fishery and Economic Benefits Associated with Reduced Sea Lamprey Predation Implementation, Clinton, Essex and Washington Counties, NY and Addison and Chittenden Counties, VT.

Summary: EPA reiterated environmental concerns about the project purpose and need, the appropriate NEPA action for new treatment areas, the time frame to treat the Poultny River, raised new concerns about dioxin contamination and advised the USFWS to continue to coordinate with the EPA on the possibility that a

Clean Water Act NPDES permit may be required for lampricide applications.

Dated: November 27, 2001.

B. Katherine Biggs,

Associate Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 01-29788 Filed 11-29-01; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6624-1]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 or www.epa.gov/oeca/ofa
Weekly receipt of Environmental Impact Statements

Filed November 19, 2001 Through November 23, 2001

Pursuant to 40 CFR 1506.9.

EIS No. 010443, Draft EIS, AFS, WA, Gardin—Taco Ecosystem Restoration Projects, Implementation, Vegetative Restoration, Road Closures, and Decommissioning, and other Road Improvements, Colville National Forest, Newport Ranger District, Pend Oreille and Stevens Counties, WA, Comment Period Ends: January 14, 2002, Contact: Dan Dallas (509) 447-7300.

EIS No. 010444, Final EIS, STB, SD, WY, MN, Powder River Basin Expansion Project, Construction of New Rail Facilities, Finance Docket No. 33407 Dakota, Minnesota and Eastern Railroad, SD, WY and MN, Wait Period Ends: December 31, 2001, Contact: Victoria Rutson (202) 565-1545.

EIS No. 010445, Final EIS, EPA, NC, New Wilmington Ocean Dredged Material Disposal Site, Designation, Wilmington Harbor, North Carolina State Port and the Military Ocean Terminal (Sunny Point (MOTSU)), NC, Wait Period Ends: December 31, 2001, Contact: Gary Collins (404) 564-9395.

EIS No. 010446, Draft EIS, AFS, ID, Middle-Black Analysis Project, Proposes Vegetative Management, Watershed Restoration, and Noxious Weed Activities Aimed at Ecosystem Restoration, Clearwater National Forest, North Fork Ranger District, Clearwater County, ID, Comment Period Ends: January 28, 2002, Contact: Douglas Gober (208) 476-4541.

EIS No. 010447, Final EIS, AFS, ID, Iron Honey Resource Area Project, Aquatic, Vegetative and Wildlife Habitat Improvement Activities,