

the estimated annual cost to the public of this information collection will be about \$128,263.

### C. Request for Comments

The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

- Whether the collection of information described above is necessary for the proper performance of the Commission's functions, including whether the information would have practical utility;
- Whether the estimated burden of the proposed collection of information is accurate;
- Whether the quality, utility, and clarity of the information to be collected could be enhanced; and
- Whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Dated: April 25, 2003.

**Todd A. Stevenson,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 03-10993 Filed 5-2-03; 8:45 am]

BILLING CODE 6355-01-P

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## DEPARTMENT OF DEFENSE

### Department of the Army

#### Notice of Availability of the Chemical and Biological Defense Program (CBDP) Draft Programmatic Environmental Impact Statement (DPEIS)

**AGENCY:** U.S. Army Medical Research and Materiel Command (USAMRMC), Department of the Army, DoD.

**ACTION:** Notice of availability.

**SUMMARY:** The Army has prepared a DPEIS covering the execution of an integrated CBDP designed to protect our soldiers, sailors, marines, and airmen from the evolving chemical and biological (CB) threats they may encounter on the battlefield. The DPEIS evaluates the potential environmental impacts associated with the execution of the DoD CBDP. The National Defense Authorization Act for Fiscal Year 1994 mandated the coordination and integration of all DoD CB defense programs. The Army is the executive agency for the CBDP.

**DATES:** The public comment period for the DPEIS will end 45 days after

publication of the Notice of Availability in the **Federal Register** by the U.S. Environmental Protection Agency.

**ADDRESSES:** Written comments or requests for copies of the DPEIS may be made to Ms. JoLane Souris, Environmental Coordinator, U.S. Army Medical Research and Materiel Command, Attn: MCMR-ZC-S, 504 Scott Street, Fort Detrick, MD 21702-5012 or visit the CBDP DPEIS Web site at <http://chembioeis.detrack.army.mil>.

**FOR FURTHER INFORMATION CONTACT:** Ms. JoLane Souris by calling (301) 619-2004 or by fax at (301) 619-6627.

**SUPPLEMENTARY INFORMATION:** The mission of the DoD CBDP is to provide CB defense capabilities to allow the military forces of the United States to survive and successfully complete their operational missions in battle space environments contaminated with CB warfare agents. If our military forces are not fully and adequately prepared to meet this threat, the consequences could be devastating. The CBDP to support this mission comprises research, development, and acquisition activities. Some of these CBDP activities necessarily involve the use of hazardous chemicals or infectious disease agents for research, development, and production purposes. The controls on and the potential environmental consequences of such use for both the proposed action and the alternative were primary focuses of the CBDP DPEIS.

The activities take place at numerous military installations and contractor facilities throughout the United States. Details concerning the CBDP are contained in the CBDP Annual Report to Congress, April 2002 at <http://www.acq.osd.mil/cp/reports.html>. The proposed action consists of the execution of an integrated CBDP designed to protect our soldiers, sailors, marines, and airmen from the evolving CB threats they may encounter on the battlefield. The no action alternative, continuation of current CBDP operations as described in and covered by existing environmental analyses, also was evaluated. No other alternatives were identified during the public scoping process.

Although numerous environmental documents dating back to the Biological Defense Research Program Final PEIS (April 1989) have been prepared analyzing the potential environmental consequences of various elements of the CBDP, no one document analyzes the potential environmental impacts of the full range of CBDP activities. In keeping with the purposes of NEPA, DoD has now prepared such a document in the

form of the CBDP DPEIS. This document creates an overarching framework that will continue to ensure fully informed Government decision making within the CBDP and will provide a single, up-to-date information resource for the public.

Comments, including names and addresses of respondents, will be available for public review during regular business hours at the address shown in the **ADDRESSES** section of this Notice. Individual respondents may request confidentiality. If you wish to withhold your name and address from public review or disclosure, you must state this prominently at the beginning of your comment. Such requests will be honored to the extent allowed by law. Anonymous comments, however, will not be considered. All submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses will be made available for public inspection in their entirety.

Dated: April 28, 2003.

**Raymond J. Fatz,**

*Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health) OASA(I&E).*

[FR Doc. 03-10973 Filed 5-2-03; 8:45 am]

BILLING CODE 3710-08-M

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## DEPARTMENT OF ENERGY

### Bonneville Power Administration

#### South Fork Flathead Watershed/Westslope Cutthroat Trout Conservation Program

**AGENCY:** Bonneville Power Administration (BPA), Department of Energy (DOE).

**ACTION:** Notice of intent to prepare an Environmental Impact Statement (EIS).

**SUMMARY:** This notice announces BPA's intention to prepare an EIS on removal of all fish from selected lakes in the South Fork of the Flathead River drainage that harbor non-native species that threaten to genetically contaminate native fish in streams leading from those lakes, down into the South Fork Flathead River and Hungry Horse Reservoir. The specific lakes proposed for treatment are located in the Montana Counties of Flathead, Missoula, and Powell. This proposed action would take place within floodplains and waters located directly adjacent to and below the high water marks of these lakes.

**DATES:** Written comments are due to the address below no later than June 19,

2003. Comments may also be made at an EIS scoping meeting open house to be held on May 22, 2003, at the time and address below.

**ADDRESSES:** Send letters with comments and suggestions on the proposed scope of the Draft EIS that is being developed, and requests to be placed on the project mailing list, to Communications, Bonneville Power Administration—DM-7, P.O. Box 12999, Portland, Oregon, 97212. Comments may also be sent to the BPA Internet address at [comment@bpa.gov](mailto:comment@bpa.gov).

On May 22, 2003, a scoping meeting open house will be held from 4 p.m. to 8 p.m. at the Regional Headquarters of Montana Fish, Wildlife & Parks, 490 N. Meridian Road, Kalispell, Montana.

Information about the project can also be obtained from a BPA website at: <http://www.efw.bpa.gov/cgi-bin/PSA/NEPA/SUMMARIES/MountainLakesTrout>.

**FOR FURTHER INFORMATION, CONTACT:**

Colleen Spiering, Environmental Project Manager, Bonneville Power Administration—KEC-4, P.O. Box 3621, Portland, Oregon, 97208-3621; direct telephone number 503-230-5756; toll-free telephone number 1-800-282-3713; fax number 503-230-5699; e-mail address: [caspiering@bpa.gov](mailto:caspiering@bpa.gov).

**SUPPLEMENTARY INFORMATION:**

*Lead and Cooperating Agencies:* BPA shall be the lead agency in preparing and issuing an EIS for this project. The United States Forest Service (USFS), Flathead National Forest, Department of Agriculture; and Montana Fish Wildlife & Parks (MFWP) will participate as cooperating agencies.

*Responsible Officials:*

- Stephen J. Wright, Administrator and Chief Executive Officer, Bonneville Power Administration, PO Box 3621, Portland, Oregon, 97208-3621.
- Cathy Barbouletos, Forest Supervisor, Flathead National Forest, 1935 3rd Ave. East, Kalispell, Montana, 59901.
- Dan Vincent, Regional Supervisor, Montana Fish, Wildlife & Parks, 490 North Meridian Road, Kalispell, Montana, 59901.

*Nature of Decisions To Be Made:* BPA will be deciding whether to fund the project. USFS will determine if the use of fish toxins and motorized equipment will be permitted in the Bob Marshall Wilderness, the Jewel Basin Hiking Area, and the Flathead National Forest. The rationales for the decisions will be documented in two separate Records of Decision. The USFS decision will be subject to appeal under applicable USFS regulations.

*Background:* The South Fork Flathead River, above Hungry Horse Dam, contains one of the largest natural populations of native westslope cutthroat trout in the nation. Hungry Horse Dam protects the entire South Fork drainage from exotic fish invasion from fish downstream of the dam. Further protection is afforded in that the entire watershed is on National Forest land, wilderness, and proposed wilderness. However, numerous lakes that drain into the South Fork contain non-native rainbow and Yellowstone cutthroat trout that have interbred with westslope cutthroat trout creating hybrid populations. Presently these populations are providing sources of hybrid trout that threaten genetically pure native cutthroat trout populations downstream of the lakes and in the South Fork Flathead River.

*Purpose and Need for Action:* Development of the hydropower system in the Columbia River Basin has had far-reaching effects on many species of fish and wildlife. BPA is responsible for protecting, mitigating, and enhancing fish and wildlife affected by the development, operation, and management of Federal hydroelectric facilities on the Columbia River and its tributaries. (See Pacific Northwest Electric Power Planning and Conservation Act, 16 U.S.C. 839b(h)(10)(A).) BPA meets this responsibility, in part, by funding projects identified through a regional process led by the Northwest Power Planning Council. The South Fork Flathead Watershed/Westslope Cutthroat Trout Conservation Program, a portion of the Hungry Horse Dam Mitigation Program, was proposed by MFWP for BPA funding. The project is a cooperative effort with MFWP and USFS, Flathead National Forest.

Of the 355 lakes in the South Fork drainage above Hungry Horse Dam, 50 have fish. Twenty-nine of these have genetically pure populations of native westslope cutthroat trout and approximately 21 have hybrid populations (confirmed through the University of Montana's Wild Trout and Salmon Genetics Laboratory)—see Sage, Huston, Leary, Rumsey and Cavigli cited below). The lakes with hybrid populations are being targeted in this project.

Genetic contamination by exotic trout occurred in the past when anglers or fish managers planted the lakes with non-native rainbow and Yellowstone cutthroat trout to provide or enhance recreational angling opportunities. Some of the lakes have no record of stocking of these species, but the exotic trout are present in the lakes. Genetic

surveys have shown that exotic populations in headwater lakes are out-migrating. This threatens to compromise the genetic integrity of pure stocks downstream (Huston 1988, Huston 1989, Huston 1990, Sage 1993, Leary 2002, Rumsey and Cavigli 2002). Extensive examination of westslope cutthroat trout in the South Fork Flathead River presently confirms their genetic purity; however, their continued genetic purity is at great risk due to hybridization from upstream lakes.

Since 1986, most of the lakes have been stocked with genetically pure westslope cutthroat trout from Montana State's M012 brood stock in an attempt to shift the populations toward a genetically pure state through progressive inbreeding. The M012 stock was derived from wild westslope cutthroat trout from 12 populations in the South Fork Flathead River drainage and two from the Clark Fork River drainage. Once the wild fish were acclimated to the hatchery, they were genetically tested to assure purity.

The underlying need for action is to protect the genetically pure populations of native westslope cutthroat trout currently existing in the Flathead River Watershed from hybridization with rainbow trout and Yellowstone cutthroat trout.

*Proposed Action:* The Proposed Action is to remove all fish from selected lakes in the South Fork of the Flathead River Watershed in the Flathead National Forest, the Bob Marshall Wilderness, and the Jewel Basin Hiking Area. These selected lakes harbor non-native species that threaten to enter and genetically contaminate streams leading from those lakes, down into the Flathead River and Hungry Horse Reservoir. There are approximately 21 lakes targeted for treatment. Two or three lakes would be treated each year for about a 10-year period. The proposed method of fish removal is to utilize registered compounds that are toxic to fish.

*Floodplains and Wetlands:* In accordance with DOE regulations for compliance with floodplains and wetlands environmental review requirements, BPA will prepare a floodplain and wetlands assessment and will perform this proposed action in a manner so as to avoid or minimize potential harm to or within the affected floodplain and wetlands. The assessment and a floodplain statement of findings will be included in the EIS being prepared for the proposed project in accordance with the National Environmental Policy Act (NEPA).

*Process to Date:* BPA sent a letter to the public dated November 16, 2001,

announcing that an Environmental Assessment (EA) would be developed for this project. In preparing the EA, BPA and USFS identified issues that may be significant in the context of NEPA and, therefore, the agencies decided that an EIS should be prepared.

*Alternatives Proposed for Consideration:* (1) The application of fish-killing toxins, either with Rotenone or Antimycin, by aircraft and motorboat, with transportation to the lakes by aircraft, livestock, or vehicle. (2) Alternative methods for removing fish include angling, genetic "swamping," introducing predatory fish, construction of fish passage barriers, gill netting, seining, trap netting, electrofishing, explosives, and lake dewatering. (3) Not removing the fish (or the No-Action Alternative) is also proposed for consideration.

*Identification of Environmental Issues:* The potential environmental issues identified for most fish and wildlife projects include land use, cultural resources, sensitive plants and animals, erosion/soils, wetlands, floodplains, and fish and water resources. The significant environmental issues for this project may include the use of helicopters and motorized equipment in the wilderness, and potential impacts to amphibians and other non-targeted species from the use of fish toxins.

*Public Participation:* The scoping process will help BPA ensure that a full range of issues related to this proposal is addressed in the EIS, and also will identify significant or potentially significant impacts that may result from the proposed project. This notice of intent is a major component of the scoping process and guides the development of the EIS. BPA has established a 45-day scoping period during which affected landowners, concerned citizens, special interest groups, local governments, and any other interested parties are invited to comment on the scope of the proposed EIS. Public and internal scoping on this project will also include, in addition to the information gathered during BPA's related EA process, one public open house meeting; one mailing to Federal, State and local agencies, organizations, and individuals; personal conversations between interdisciplinary team members and the public; and news media releases.

When completed, the Draft EIS will be circulated for review and comment for 45 days, and a meeting will be held with the public to discuss the Draft EIS. BPA and the cooperating agencies will consider and respond in the Final EIS to comments received on the Draft EIS.

Maps and further information are available from BPA at the address above.

Issued in Portland, Oregon, on April 25, 2003.

**Stephen J. Wright,**

*Administrator and Chief Executive Officer.*

[FR Doc. 03-11010 Filed 5-2-03; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EC03-70-000]

#### Almagre Power Holdings, LLC, Mesquite Colorado HoldCo, L.L.C., Mesquite Investors, L.L.C.; Notice of Filing

April 28, 2003.

Take notice that on April 23, 2003, Mesquite Colorado HoldCo, L.L.C. (Mesquite Colorado) and Mesquite Investors, L.L.C. (Mesquite Investors) filed with the Federal Energy Regulatory Commission a Notice of Withdrawal of the application filed in the above-referenced docket on March 21, 2003, to effectuate a transfer of all of Mesquite Colorado's membership interests in Front Range Power Company, L.L.C. to Almagre Power Holdings, LLC, a direct wholly owned subsidiary of ArcLight Energy Partners Fund I, L.P. Mesquite Colorado and Mesquite Investors state that the application is being withdrawn because the underlying transaction has been terminated.

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, 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 motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, 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. 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. The Commission strongly encourages electronic filings.

*Comment Date:* May 5, 2003.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 03-10963 Filed 5-2-03; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP98-53-000 and GP98-29-000]

#### Kinder Morgan Interstate Gas Transmission, LLC ONEOK Resources Co.; Notice of Settlement Conference

Issued April 28, 2003.

A settlement conference will be held on Tuesday, May 13, 2003, to address the outstanding ad valorem tax issues in the above dockets. The conference will begin at 10 a.m. and will be held in the offices of Kinder Morgan, 370 Van Gordon Street, Lakewood, Colorado, 80228.

Steven A. Rothman, a mediator with the Commission's Dispute Resolution Service, will mediate the conference. He will be available to communicate in private with any party prior to the conference. If a party has any questions regarding the conference, please call Mr. Rothman at (202) 502-8643 or send an e-mail to [Steven.Rothman@ferc.gov](mailto:Steven.Rothman@ferc.gov). Parties may also communicate with Richard Miles, the Director of the Commission's Dispute Resolution Service at 1 877 FERC ADR (337-2237) or (202) 208-8702. Mr. Miles is also available at [Richard.Miles@ferc.gov](mailto:Richard.Miles@ferc.gov). If you plan on attending the conference, please contact Bud J. Becker at Kinder Morgan at (303) 763-3496. Kinder Morgan also will arrange for telephone conferencing.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 03-10966 Filed 5-2-03; 8:45 am]

**BILLING CODE 6717-01-P**