

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.*

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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](http://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,

Implementation, Coeur d'Alene River Ranger District, Idaho Panhandle National Forests, Kootenai and Shoshone Counties, ID, Wait Period Ends: December 31, 2001, Contact: Joseph P. Stringer (208) 664-2318.

EIS No. 010448, Draft EIS, NOAA, Deep-sea Red Crab (*chaceon quinque-dens*) Fisheries, Fishery Management Plan, Development and Implementation, Norfolk Canyon in the South to the Haque Line in the North, Continental United States and Exclusive Economic Zone (EEZ), Comment Period Ends: January 07, 2002, Contact: Paul J. Howard (978) 465-3116. Under Section 1506.10(d) of the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act the US Environmental Protection Agency has Granted a 7-Day Waiver for the above EIS.

EIS No. 010449, Final EIS, FRC, NY, Upper Hudson River Hydroelectric Project, Relicensing the E.J. West Project (FERC No. 2318-002), Stewart Bridge Project (FERC No. 2047-004), Hudson River Project (FERC No. 2482-014) and Feeder Dam Hydroelectric Project (FERC No. 2554-003), Saratoga, Fulton and Hamilton Counties, NY, Wait Period Ends: December 31, 2001, Contact: Lee Emery (202) 219-2779.

EIS No. 010500, Draft Supplement, BIA, NV, Moapa Paiute Energy Center/Associated Facilities Construction, Operation and Maintenance of a 760 Megawatt (MW) Baseload Natural Gas-Fired Combined Cycle Power Plant, Additional Information, Land Lease and Water Use Approval, R-O-W Grants, Temporary Use, COE Section 10/404 and EPA NPDES Permits, Moapa River Indian Reservation and BLM, Comment Period Ends: January 04, 2002, Contact: Amy L. Heuslien (602) 379-6750. The US Department of Interior's Bureau of Land Management and Bureau of Indian Affairs are Joint Lead Agencies for the above Project.

#### Amended Notices

EIS No. 010423, Draft EIS, UAF, OK, Altus Air Force Base (AFB), Proposed Airfield Repairs, Improvements, and Adjustments to Aircrew Training, Installation of an Instrument Landing System (ILS) and a Microwave Landing System (MLS), Jackson County, OK, Comment Period Ends: December 31, 2001, Contact: Ron Voorhees (210) 652-3656. Published FR-11-16-01—Correction to State from OR to OK.

EIS No. 010428, Draft EIS, FHW, KY, IN, Louisville-Southern Indiana Ohio River Bridges Projects, To Improve Cross-River Mobility between Jefferson County, KY and Clark County, IN, Coast Guard Bridge Permit, COE Section 10 and 404 Permits, Jefferson County, KY and Clark County, IN, Comment Period Ends: February 25, 2002, Contact: John Ballantyne (502) 223-6747. Published FR 11-16-01 Correction to State from ID to IN.

Dated: November 27, 2001.

**B. Katherine Biggs,**

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

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### COUNCIL ON ENVIRONMENTAL QUALITY

#### Comment Request; Notice of Public Meeting

**AGENCY:** Council of Environmental Quality.

**ACTION:** Request for comments and notice of public meeting.

**SUMMARY:** The Council on Environmental Quality (CEQ) regulations for implementation of the National Environmental Policy Act (NEPA) includes procedures for referring to CEQ federal interagency disagreements concerning proposed major federal actions that might cause unsatisfactory environmental effects (40 CFR part 1504).

On October 16, 2001 CEQ received a referral from the Department of Commerce National Oceanic and Atmospheric Administration (NOAA) regarding the Department of the Army Corps of Engineers (COE) Final Supplement III to the Final Environmental Impact Statement (FEIS) for the Manteo (Shallowbag) Bay Project (MSBP) located in Dare County, North Carolina. The referral letter from NOAA stated in part:

The selected alternative identifies construction of a dual jetty system and channel deepening from the present 14 feet to a design depth of 20 feet, to improve navigation at Oregon Inlet. The project would be built on the dynamic barrier islands of the Outer Banks. NOAA strongly supports the goal of providing safe navigation for the commercial and recreational fishing vessels using Oregon Inlet. However, we believe there are alternatives that can achieve this goal in an environmentally acceptable manner. Accordingly, NOAA is compelled to disagree with the COE's selected alternative of jetty construction because it would cause unacceptable environmental harm to

commercial and recreational fishery resources.

The COE responded to the referral with a cover letter dated November 13, 2001 and five accompanying documents:

- "Literature Review for the Assessment of Larval Fish and Shellfish Movement through Oregon Inlet and the Potential Effects of Inlet Stabilization by Jetties" (July 1980)
- "Oregon Inlet Larval Transport Sensitivity Study" (October 1980)
- Correspondence from David R. Colby, Fishery Biologist, National Marine Fisheries Center, Beaufort, NC (May 1980)
- "Larval Fish and Shellfish Transport through Inlets" (1988)
- "A Brief Review of Flow

Circulation in the Vicinity of Natural and Jettied Inlets: Tentative Observations on Implications for Larval Transport at Oregon Inlet, NC"

The COE maintained in the cover letter that their accompanying documents fully address the referral issues elevated by NOAA.

CEQ invites written comments on the issues raised by NOAA. We also intend to hold a public meeting at 7 pm on December 12 to take comment on the issues raised by the referral.

**DATES:** We will accept written comments until January 18, 2002. The public meeting date and time is December 12, 2001, at 7 p.m.

**ADDRESSES:** Because of restrictions related to security within the Executive Office of the President, we cannot receive comments via U.S. mail or any other mail delivery system. You may send comments by electronic mail (e-mail) to [ceqreferral@ceq.eop.gov](mailto:ceqreferral@ceq.eop.gov) or you may fax comments to the attention of Bill Perhach at (202) 456-0753. If a commentator does not have access to e-mail or fax to transmit comments, please call Dinah Bear, General Counsel, at (202) 395-7421 to arrange for an alternative system. The public meeting location is the Dare County Administrative Annex, 204 Ananias Street, Manteo, North Carolina.

**FOR FURTHER INFORMATION CONTACT:** Interested parties can review relevant documents at our website at <http://www.whitehouse.gov/ceq/referrals> or call Bill Perhach at (202) 395-0826 to arrange for transmittal of documents.

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract/The Referral Process

One of the duties and functions of CEQ is to review and appraise the various programs and activities of the Federal Government in light of the policy set forth in title I of the National