

ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 04, 2003 (68 FR 16511).

#### Draft EISs

*ERP No. D-AFS-J65397-WY Rating LO*, Woodrock Project, Proposal for Timber Sale, Travel Management and Watershed Restoration, Implementation, Bighorn National Forest, Tongue Ranger District, Sheridan County, WY.

*Summary:* EPA has lack of objections to the proposed action based on the predicted overall improvement of forest resource conditions. EPA suggests that the final EIS provide quantification sediment from erosion estimates and monitor water quality and habitat quality in streams.

*ERP No. D-AFS-K65265-AZ Rating LO*, Bar T Bar Anderson Springs Allotment Management Plans to Authorize Permitted Livestock Grazing for a 10-Year Period, Coconino National Forest, Mogollon Rim and Mormon Lake Ranger District, Coconino County, AZ.

*Summary:* EPA has no objections to the Preferred Alternative but EPA requested more detailed information for monitoring, specifically impacts to vegetation.

*ERP No. D-AFS-L65444-OR Rating LO*, Eyerly Fire Salvage Project, Burned and Damaged Trees Salvage, Reforestation and Fuels Treatment, Implementation, Deschutes National Forest, Sisters Ranger District, Jefferson County, OR.

*Summary:* While EPA has no objection to the proposed action it did request clarification on consultation with Tribes, Environmental Justice and measures to protect workers from health risks associated with the use of fire retardants.

*ERP No. D-DOE-E09014-KY Rating EC1*, Paducah, Kentucky, Site Depleted Uranium Hexafluoride Conversion Facility, Construction and Operation, McCracken County, KY.

*Summary:* EPA expressed environmental concerns regarding the capability and capacity of the two disposal facilities to accept the proposed waste products from the Paducah conversion facility. EPA requested that DOE include this information in the final EIS.

*ERP No. D-NPS-E61076-00 Rating LO*, Low Country Gullah Culture Special Resource Study, Gullah Culture Preservation and Protection Analysis to Consider the Suitability and Feasibility for Inclusion in the National Park Service System, SC, NC, GA and FL.

*Summary:* EPA expressed lack of objections.

Dated: February 10, 2004.

**Ken Mittleholtz,**

*Environmental Specialist, Office of Federal Activities.*

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**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

**[ER-FRL-6648-3]**

#### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed February 2, 2004 Through February 6, 2004

Pursuant to 40 CFR 1506.9.

*EIS No. 040055*, Final Supplement, AFS, OR, Deep Vegetation Management Project, Implementation, Preferred Alternative C was Selected, Ochoco National Forest, Paulina Ranger District, Crook and Wheeler Counties, OR, Wait Period Ends: March 15, 2004, Contact: Mike Lawrence (541) 477-6900.

This document is available on the Internet at: <http://www.fs.fed.us/r6/centraloregon>

*EIS No. 040056*, Draft EIS, FRA, CA, California High-Speed Train System, Proposes a High-Speed Train (HST) System for Intercity Travel, Extending from Sacramento and the San Francisco Bay Area in the north, through Central Valley, to Los Angeles and San Diego in the south, Orange County, CA, Comment Period Ends: May 14, 2004, Contact: David Valenstein (202) 493-6368.

This document is available on the Internet at: <http://www.cahighspeedrail.ca.gov>.

*EIS No. 040057*, Final EIS, NPS, NJ, Morristown National Historical Park General Management Plan, Implementation, Morris and Somerset Counties, NJ, Wait Period Ends: March 15, 2004, Contact: Brian Aviles (617) 223-5319.

*EIS No. 040058*, Final EIS, DOE, Hanford Site Solid (Radioactive and Hazardous) Waste Program, New Information on Waste Management Alternatives, Waste Management Practices Enhancement for Low-Level Radioactive Waste, Mixed Low-Level Radioactive Waste and Transuranic Waste, Richland, Benton County, WA, Wait Period Ends: March 15, 2004,

Contact: Michael S. Collins (509) 376-6536.

*EIS No. 040059*, Draft EIS, AFS, AZ, Arizona Snowbowl Facilities Improvements, Proposal to Provide a Consistent/Reliable Operating Season, Coconino National Forest, Coconino County, AZ, Comment Period Ends: March 29, 2004, Contact: Ken Jacobs (928) 774-1147.

This document is available on the Internet at: <http://www.nws.usace.army.mil>.

*EIS No. 040060*, Draft EIS, USA, GA, Digital Multi-Purpose Range Complex at Fort Benning, Construction, Operation and Maintenance, Gunnery Training Facilities for the Bradley Fighting Vehicle (BFV) and the Abrams M1A1 Tank System (Tank), Fort Benning, GA, Comment Period Ends: March 29, 2004, Contact: Richard McDowell (706) 545-2211.

This document is available on the Internet at: <http://www.benning.army.mil/EMD/Legal&PublicNotices.htm>.

*EIS No. 040061*, Draft EIS, BIA, UT, Tekoi Balefill Project on the Skull Valley Band of Goshute Indians Reservation, Approval of Long-Term Lease of Indian Land for a Commercial Solid Waste Disposal Facility, Salt Lake City, Tooele County, UT, Comment Period Ends: March 29, 2004, Contact: Amy Heuslein (602) 379-6750.

*EIS No. 040062*, Draft Supplement, NOAA, Proposed Rule to Implement Management Measures for the Reduction of Sea Turtle Bycatch and Bycatch Mortality in the Atlantic Pelagic Longline Fishery, Comment Period Ends: March 15, 2004, Contact: Christopher Roger (301) 713-2347. Under Section 1502.9(c)(4) the CEQ has Approved Alternative Procedures for the above project by Granting a 31-day Public Comment Period.

*EIS No. 040063*, Draft EIS, AFS, AK, Couverden Timber Sales, Harvesting Timber, NPDES, Coast Guard Bridge Permit, U.S. Army COE Section 10 and 404 Permits, Tongass National Forest, Juneau Ranger District, Chilkat Peninsula, AK, Comment Period Ends: March 29, 2004, Contact: Dave Carr (907) 586-8800.

*EIS No. 040064*, Draft Supplement, EPA, MS, FL, AL, Eastern Gulf of Mexico Offshore Oil and Gas Extraction, Updated Information on Issuance of New National Pollutant Discharge Elimination System General Permit and the Ocean Discharge Criteria Evaluation, MS, AL and FL, Comment Period Ends: April 13, 2004, Contact: Lena Scott (404) 562-9607.

This document is available on the Internet at: <http://www.epa.gov/region4/water/permits>.

**EIS No. 040065**, Final EIS, FHW, MS, Airport Parkway Extension, Improvements to MS-475 from I-20 to Old Brandon Road, U.S. Army COE Section 404 Permit, Rankin County, MS, Wait Period Ends: March 15, 2004, Contact: Cecil W. Vick, Jr. (601) 965-4217.

#### Amended Notices

**EIS No. 030567**, DRAFT EIS, FHW, NY, NY-17 Parkville/SH-5223, Liberty-County Line, Part 1 Construction and Reconstruction to Interstate Standards, Funding and U.S. Army COE Section 404 Permit Issuance, Town of Liberty, Sullivan County, NY, Comment Period Ends: February 18, 2004, Contact: Robert E. Arnold (518) 472-3636. Revision of FR Notice Published on 12/24/2004: CEQ Comment Period Ending 2/06/2004 has been Corrected to 2/18/2004

Dated: February 10, 2004.

**Ken Mittelholtz**,

*Environmental Protection Specialist, Office of Federal Activities.*

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## ENVIRONMENTAL PROTECTION AGENCY

[Docket #OR-04-001; FRL-7623-3]

### Oregon Maintenance of Effort Reduction

**AGENCY:** Environmental Protection Agency

**ACTION:** Notice; proposed determination with request for comments and notice of opportunity for public hearing.

**SUMMARY:** The Environmental Protection Agency (EPA) announces an opportunity for public hearing and comment on a proposed determination that the Oregon Department of Environmental Quality (ODEQ) should be allowed a reduced Maintenance of Effort (MOE) level for Fiscal Year (FY) 2003, consistent with MOE requirements of the Clean Air Act (CAA) and EPA financial assistance policies and procedures.

**DATES:** Comments and/or requests for a public hearing must be received by EPA by March 15, 2004.

**ADDRESSES:** Written comments on this proposed action should be sent to: Paul Koprowski, EPA, Oregon Operations Office, 811 SW Sixth Ave., Portland, OR 97204. Electronic comments should be sent either to [r10.aircom@epa.gov](mailto:r10.aircom@epa.gov) or to

<http://www.regulations.gov>, which is an alternative method for submitting electronic comments to EPA. To submit comments, please follow the detailed instructions described in the **SUPPLEMENTARY INFORMATION** section. Copies of the documents relevant to this action are available for public inspection during normal business hours at the EPA, Oregon Operations Office, 811 SW Sixth Ave., Portland, OR 97202.

**FOR FURTHER INFORMATION CONTACT:** Paul Koprowski, EPA Project Officer, Oregon Operations Office, 811 SW Sixth Ave., Portland, OR 97204, (503) 326-6363, or e-mail address at [koprowski.paul@epa.gov](mailto:koprowski.paul@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The EPA provides financial assistance to the ODEQ, for the operation of its Air Pollution Control Program through an annual continuing environmental program grant agreement. EPA awards the grant pursuant to section 105(a) of the CAA (42 United States Code 7405) and Code of Federal Regulations (CFR) parts 30 and 35.140.

Section 105(c)(1) of the CAA, 42 U.S.C. 7405(c)(1), provides that "No agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year. In order for the Administrator to award grants under this section in a timely manner each fiscal year, the Administrator shall compare an agency's prospective expenditure level to that of its second preceding year." EPA may still award financial assistance to an agency not meeting this requirement, however, if EPA, "after notice and opportunity for public hearing, determines that a reduction in expenditures is attributable to a non-selective reduction in the expenditures in the programs of all Executive branch agencies of the applicable unit of Government" (CAA section 105(c)(2)). These statutory requirements are repeated in EPA's implementing regulations at 40 CFR 35.146.

On December 31, 2003, ODEQ submitted a request to reduce the MOE level in their FY03 Section 105 air program grant in accord with 40 CFR 35.146. ODEQ submitted supporting budget documentation that shows that during 2002 and 2003 the State of Oregon experienced several revenue shortfalls resulting in across-the-board agency budget cuts. The total reduction

to the Oregon air quality MOE due to these non-selective budget cuts is \$310,070. More specifically, \$259,394 of the \$310,070 is a prorated permanent agency budget reduction required by the implementation of Oregon HB 5100 for the period February 2003 to September 2003. HB 5100 identified across-the-board reductions if voters rejected a tax increase on January 28, 2003. The tax increase was rejected. The remaining \$50,676 of the \$310,070 is a prorated amount based on the Governor's administrative budget reductions due to revenue shortfall in December 2003. The Governor has authority to administratively reduce budgets without legislative action but the reductions have to be across-the-board. The documentation included with the ODEQ request clearly shows that across-the-board cuts were applied to all Executive branch agencies in Oregon.

After reviewing the information submitted with the ODEQ request, EPA concludes that ODEQ's budget reduction meets the CAA criteria as non-selective since the budgets of all executive branch agencies were cut uniformly and the ODEQ air program was not singled out in the budget reductions.

##### II. Action

As described above, based upon the preceding discussion and the information submitted by the ODEQ, EPA proposes to approve ODEQ's request for EPA to consider the FY 2003 reductions in nonfederal funding of ODEQ's air pollution control program as non-selective. Based on materials submitted, the EPA Region 10 Administrator believes the reductions were non-selective and therefore hereby proposes to find that this \$310,070 reduction was a non-selective reduction within the meaning of Section 105(c) of the CAA. This action would reduce the matching requirement from \$16,016,683 to \$15,706,613 for the October 1, 2003 to September 30, 2003 period.

##### III. Invitation To Comment, Opportunity for Public Hearing

This notice constitutes a request for public comment and an opportunity for public hearing as required by the CAA. All written comments received by March 15, 2004, on this proposal will be considered. EPA will conduct a public hearing on this proposal only if a written request for a public hearing is received by EPA at the address above by March 15, 2004. If no written request for a hearing is received, EPA will proceed to the final determination. While notice of the final determination will not be published in the **Federal Register**,