

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

**Records Governing Off-the Record Communications; Public Notice**

August 7, 2006.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

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

Prohibited communications are included in a public, non-decisional file

associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a 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 a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall 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 are 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 off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please 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.

Exempt:

Docket No.	Date received	Presenter or requester
1. CP05-420-000 .....	8-1-06	Heinz J. Mueller.
2. CP06-12-000, CP06-13-000 .....	8-1-06	Heinz J. Mueller.
3. CP06-369-000, CP06-275-000 .....	7-27-06	Hon. Tim Murphy.
4. Project No. 1971-000 .....	8-3-06	Donna L. Street.
5. Project No. 12053-000 .....	8-1-06	Cindy Charles.
6. Project No. 12053-001 .....	8-3-06	Alan Mitchnick.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E6-13145 Filed 8-10-06; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-6678-2]

**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 April 7, 2006 (71 FR 17845).

**Draft EISs**

*EIS No. 20060096, ERP No. D-BOP-B81010-NH, Berlin, Coos County,*

Proposed Federal, Correctional Institution, Construction and, Operation, City of Berlin, Coos County, NH.

*Summary:* EPA expressed environmental concerns about wetland impacts and mitigation. Rating EC2.

*EIS No. 20060143, ERP No. D-NPS-B61025-MA, Cape Cod National Seashore (CACO) Hunting Program, General Management Plan, Implementation, Barnstable County, MA.*

*Summary:* EPA does not object to the proposed project.  
Rating LO.

*EIS No. 20060152, ERP No. D-BLM-K65308-00, Surprise Field Office Project, Resource, Management Plan, Implementation, Cedarville; Modoc and Lassen, CA and Washoe and Humboldt, Counties, NV.*

*Summary:* EPA expressed environmental concerns about potential impacts to vegetation, soils, and riparian areas from the Preferred Alternative, and requested that additional mitigation and measures be incorporated.  
Rating EC2.

*EIS No. 20060208, ERP No. D-AFS-K65309-00, Heavenly Mountain Resort Master Plan Amendment 2005 (MPA 05), Improve and Enhance the Resorts Over Winter and Summer Recreation Opportunities, Special-Use-Permit, Lake Tahoe Basin, El Dorado County, CA and Douglas County, NV.*

*Summary:* EPA expressed environmental concerns about impacts to water resources, habitat, and old growth forests.  
Rating EC2.

**Final EISs**

*EIS No. 20060107, ERP No. F-AFS-B65013-VT, Green Mountain National Forest, Propose Revised Land and Resource Management Plan, Implementation, Forest Plan Revision, Addison, Bennington, Rutland, Washington, Windham and Windsor Counties, VT.*

*Summary:* EPA does not object to the proposed project.

*EIS No. 20060291, ERP No. F-NOA-E91016-00, Consolidated Atlantic Highly Migratory Species Fishery Management Plan for Atlantic Tunas,*