

construction, road use, and pipeline stream crossings.

The proposal and detailed proposed action is being developed with environmental concerns in mind. Detailed project design criteria and mitigation measures to reduce environmental impacts will be developed and adopted as part of the proposed action and will be listed in the DEIS.

Possible Alternatives

No other alternatives are currently proposed. Several "route options" were considered in the development of the current proposed pipeline route by SGI; however, those options were not incorporated into the proposed route due to constructability and engineering issues and/or due to private landowner refusal to allow access. One or more alternatives to the proposed action may be analyzed for the DEIS, based on issues determined through public scoping.

Lead and Cooperating Agencies

The Forest Service is the lead agency for the NRPA analysis. The BLM will participate as a cooperating agency. The BLM has the authority to authorize a right-of-way for natural gas pipelines under the Mineral Leasing Act, with Forest Service concurrence, when portions of the pipeline are on NFS lands. However, the White River National Forest has prepared a Memorandum of Understanding (MOU) taking on the lead role for the NEPA analysis for the Bull Mountain pipeline project, with the Grand Mesa, Uncompahgre, Gunnison National Forests and the BLM as cooperating agencies.

Responsible Officials

The Responsible Official for making a decision on this proposal for approving a pipeline right-of-way is Jamie Connell, Field Office Manager, Glenwood Springs Field Office of the BLM. The Responsible Official for making a decision on the proposed amendment to the Grand Mesa, Uncompahgre and Gunnison National Forests Land and Resource Management Plan is Charles Richmond, Forest Supervisor, Grand Mesa, Uncompahgre and Gunnison National Forests. The Responsible Official for making a decision on the proposed amendment to the White River National Forest Land and Resource Management Plan is Maribeth Gustafson, Forest Supervisor, White River National Forest. The lead Line Officer for this NEPA analysis is the District Ranger on the Rifle Ranger District, White River National Forest.

Nature of Decisions To Be Made

The decisions to be made are (1) to authorize the right-of-way as proposed by SGI or an alternative; and (2) whether or not to approve Forest Plan amendments for the White River National Forest and the Grand Mesa, Uncompahgre and Gunnison National Forests to change the management area direction for the pipeline right-of-way to a management prescription of a utility corridor. The decision to construct the pipeline construction and permit a right-of-way is not contingent upon Forest Plan amendments to designate the pipeline route as a utility corridor by either the White River National Forest or the Grand Mesa, Uncompahgre and Gunnison National Forests.

Permits or Licenses Required

Additional permits or licenses, which may be required in addition to Forest Service authorizations, include a Stormwater Management Plan and a Department of the Army, Corps of Engineers Clean Water Act Section 404 permit. A complete list of local and federal permits required is available upon request. An operation and monitoring plan will be required from the proponent, which will be approved by the Forest Service and the BLM. Some mitigation measures may be added to the decision for public safety during construction operations.

Early Notice of Importance of Public Participation

The comment period on the draft environmental impact statement will not be less than 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of

these court rulings, it is very important that those interested in this proposed action participate by the close of the comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Comments received, including the names and addresses of those who comment, will be considered part of the public record and will be available for public inspection.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: August 24, 2005.

Don Carroll,

Acting Forest Supervisor, White River National Forest.

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DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

Privacy Act of 1974; Systems of Records

AGENCY: Natural Resources Conservation Service (NRCS), USDA.

ACTION: NRCS is revising the System of Records from 1994.

SUMMARY: Publication of the NRCS revision to the System of Records to reflect an Agency reorganization changing the name of the Soil Conservation Service to the Natural Resources Conservation Service, to change the system name to reflect categories of files contained in the system, to add a routine use to allow records to be accessed by technical service providers and contractors, and to update authorities, agency contact

information, system accessibility, file maintenance, storage, and retrieval.

EFFECTIVE DATES: August 30, 2005.

FOR FURTHER INFORMATION, CONTACT: Edward M. Biggers, Jr., Director, Management Services Division, 1400 Independence Avenue SW., Room 6136-S, Washington, DC 20250.

SUPPLEMENTARY INFORMATION: Section 2701 of the 2002 Farm Bill amended Section 1242 of the Food Security Act to require the Secretary of Agriculture to provide technical assistance for conservation programs authorized under Title XII of the Food Security Act to an agricultural producer eligible for that assistance “directly * * * or at the option of the producer, through a payment * * * to the producer for an approved third party, if available.” The Secretary of Agriculture delegated authority to implement Section 1242 to NRCS.

Amended Section 1242 of the Food Security Act greatly expands the availability of technical assistance to landowners, operators, producers, cooperators, or participants by allowing non-USDA providers of technical assistance to assist in the delivery of technical services. In order to provide technical assistance for Title XII programs, third party providers of technical services must be able to access landowner, operator, producer, cooperator, or participant information.

This Notice of Revision to Privacy Act System of Record, by adding a new routine use (7) to the NRCS System of Records (see attachment), allows disclosure to contractors and technical service providers for the purpose of providing technical services to a landowner, operator, producer, cooperator, or participant.

Summary of Changes

As published, the current system of records contains information that is in need of updating.

System Name: The name of the system is changed from “Program Cooperators—Soil Conservation Service, USDA/SCS” to “Landowner, Operator, Producer, Cooperator, or Participant Files—Natural Resources Conservation Service, USDA/NRCS.”

System Location: System location is changed by updating the name of the system and adding an Internet address and data center information.

Categories of Individuals Covered by the System: Categories of individuals covered by the System is changed by adding categories of individuals covered by the system.

Categories of Records in the System: Categories of Records in the System is

changed by adding categories of records covered by the system.

Authority for Maintenance of the System: Authority for maintenance of the system is changed from “16 U.S.C. 590 a–f, q, q–1 and 42 U.S.C. 3271–3274” to “16 U.S.C. 590 a–f, q, q–1 and other applicable authorities.”

Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses: This section was changed by adding a new Routing Use, #7, which states, “[d]isclosure may be made to contractors or to technical service providers as necessary to provide technical services to NRCS landowners, operators, producers, cooperators, and participants and such disclosure shall be made subject to the purposes for which the contractor or technical service provider is hired.”

Storage: Storage is changed by updating the methods by which records are stored.

Retrievability: Retrievability is changed by updating the methods by which records are retrieved.

Safeguards: Safeguards is changed by updating the name of the Agency and how files are maintained, and by adding system access and authorization.

Retention and Disposal: Retention and disposal is changed by updating the categories of individuals covered by the system.

System Manager(s) and Address: System manager(s) and address is changed by adding an Internet address and updating the Agency name.

Notification Procedure: Notification procedure is changed by updating how individuals may request information regarding the system.

Record Access Procedures: Record access procedures are changed by updating how individuals may obtain procedures for gaining access to a record in the system.

Contesting Record Procedures: Contesting record procedures are changed by updating how individuals may obtain procedures for contesting a record in the system.

Record Source Categories: Record source categories are changed by updating the categories of individuals covered by the system and the Agency name.

Signed in Washington, DC on August 24, 2005.

Mike Johanns,
Secretary.

Department of Agriculture/Natural Resources Conservation Service—1

SYSTEM NAME:

Landowner, Operator, Producer, Cooperator, or Participant Files—

Natural Resources Conservation Service, USDA

SYSTEM LOCATION:

Program landowner, operator, producer, cooperator, or participant files are maintained in all NRCS county field delivery locations, mostly USDA Field Service Centers in the county seat. Addresses of each field office are listed in the local telephone directories of the field office locations under the heading, “United States Government, Department of Agriculture, Natural Resources Conservation Service.” Addresses may also be obtained at <http://www.nrcs.usda.gov>. Program landowner, operator, producer, cooperator, or participant files are also maintained in USDA data centers at Fort Collins, Colorado; Kansas City, Missouri, St. Louis, Missouri, and other authorized secure data centers.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Landowners, operators, producers, cooperators, or participants with NRCS programs.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system consists of electronic databases and file folders containing information on an individual's conservation plans, cost-share agreements, conservation practice designs, hardcopy and electronic resource and planning maps, resource inventory data, assistance notes, personal and economic data, and other material necessary to provide assistance to the landowner, operator, producer, cooperator, or participant in conserving natural resources on their land they manage.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

16 U.S.C. 590 a–f, q, q–1 and other applicable authorities.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) Records may be disclosed to cooperating Federal, State, and local agencies, as necessary for implementation of conservation programs.

(2) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(3) Disclosure to Federal, State, and local agencies, when necessary to certify that a conservation plan is in effect for land users to qualify for other USDA program benefits.

(4) Referral to the Department of Justice with (a) the Agency, or any

component thereof; or (b) any employee of the Agency in his/her official capacity; or (c) any employee of the Agency in his/her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the Agency determines that litigation is likely to affect the Agency or any of its components, is a part to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided, however, that in each case, the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(5) Disclosure in a proceeding before a court or adjudicative body before which the Agency is authorized to appear, when (a) the Agency, or any component thereof; or (b) any employee of the Agency in his/her official capacity; or (c) any employee of the Agency in his/her individual capacity where the Agency has agreed to represent the employee; or (d) the United States, where the Agency determines that litigation is likely to affect the Agency or any of its components, is a part to litigation or has an interest in such litigation, and the Agency determines that use of such records if relevant and necessary to the litigation, provided, however, that in each case, the Agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(6) Referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto.

(7) Disclosure may be made to contractors or to technical service providers as necessary to provide NRCS technical services to landowners, operators, producers, cooperators, and participants and such disclosure shall be made subject to the purposes for which the contractor or technical service provider is hired.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in an electronic retrieval system and in file folders in county field delivery offices.

RETRIEVABILITY:

Records are retrieved by name of landowner, operator, producer, cooperator, or participant, or location on a map, unit identification number, location code, farm type, soil resources survey area, soil resources conservation district code, resource management systems and practices, and program contract information.

SAFEGUARDS:

System access is restricted to authorized Natural Resources Conservation Service employees and conservation district employees and technical service providers working to assist with the implementation of natural resources programs. NRCS field employees are authorized to access system records of landowners, operators, producers, cooperator, or participants in their service area or outside of their service area if the landowner, operator, producer, cooperator, or participant has authorized access. Conservation district employees are authorized to access system records of their district landowners, operators, producers, cooperators, or participants only in their official capacity as district employees.

The electronic data retrieval system is secured by the USDA Common Computing Environment user authentication process and USDA eAuthentication login and password protection. Hardcopy files are maintained in file cabinets, which should be locked when not in use. Offices are locked during non-business hours.

RETENTION AND DISPOSAL:

Records are maintained as long as the landowner, operator, producer, cooperator, or participant qualifies for conservation programs.

SYSTEM MANAGER(S) AND ADDRESS:

District conservationists or their designees are in charge of delivering services in county offices. Addresses of each field office are listed in the telephone directories of the field office locations under "United States Government, Department of Agriculture, Natural Resources Conservation Service." Addresses may also be obtained at <http://www.nrcs.usda.gov>.

NOTIFICATION PROCEDURE:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her by contacting the respective district conservationist or other designee. If the specific location of the record is not known, the individual should address his/her request to the Director, Management Services Division, USDA-Natural Resources Conservation Service, P. O. Box 2890, Washington, DC 20013, who will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and other relevant information (e.g., name or nature of program, name of cooperating body, etc.).

RECORD ACCESS PROCEDURES:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to the district conservationist or his/her designated representative or to the Director, Management Services Division, USDA-Natural Resources Conservation Service, P.O. Box 2890, Washington, DC 20013.

CONTESTING RECORD PROCEDURES:

Any individual may obtain information as to the procedures for contesting a record in the system which pertains to him/her by submitting a written request to the district conservationist or his/her designated representative or to the Director, Management Services Division, USDA-Natural Resources Conservation Service, P.O. Box 2890, Washington, DC 20013.

RECORD SOURCE CATEGORIES:

Information in this system comes from landowners, operators, producers, cooperators, or participants and NRCS field conservationists who provide technical and program assistance to them.

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CIVIL RIGHTS COMMISSION

Agenda and Notice of Public Meeting of the Florida Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a conference call of the Florida Advisory Committee will convene at 2 p.m. (EST) and adjourn at 3 p.m. (EST) on Thursday, September 8, 2005. The purpose of the meeting is to