

will be announced at a later date in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Rick DeVictor, Southeast Regional Office, telephone: 727-824-5305, or email: [rick.devictor@noaa.gov](mailto:rick.devictor@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

An NOI to prepare a DEIS for Regulatory Amendment 17 was published in the **Federal Register** on December 4, 2013 (78 FR 72867) and requested public comment through January 3, 2014. The NOI announced that the Council will consider alternatives to modify existing marine protected areas (MPAs) implemented through Amendment 14 to the Fishery Management Plan for the Snapper-Grouper Fishery in the South Atlantic Region (74 FR 1621, January 13, 2009) and establish new MPAs within Regulatory Amendment 17. Through these proposed actions, the Council intends to further reduce bycatch mortality of speckled hind and warsaw grouper and increase protection to their deep-water habitat.

In the NOI, NMFS announced scoping meeting dates, times, and locations that were scheduled to occur in January 2014. However, at its December 2013 meeting, the Council decided to continue development of Regulatory Amendment 17 but postpone the scoping meetings to a future date that is not yet known. The Council decided to delay the scoping meetings to allow the Council's Snapper-Grouper Advisory Panel to consider additional scientific information, such as the predicted effectiveness of the proposed MPAs and to provide MPA recommendations to the Council based on that information. In addition, the Council decided to hold public meetings on their snapper-grouper fishery visioning project before holding the Regulatory Amendment 17 scoping meetings. This would allow for an improved decision making process that incorporates the results of the Council's visioning project into the development of Regulatory Amendment 17. NMFS will announce, through a document published in the **Federal Register**, the exact dates, times, and locations of future scoping meetings for Regulatory Amendment 17.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: December 11, 2013.

**Sean Corson,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2013-29852 Filed 12-16-13; 8:45 am]

**BILLING CODE 3510-22-P**

**BUREAU OF CONSUMER FINANCIAL PROTECTION**

**Privacy Act of 1974, as Amended**

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Notice of a revised Privacy Act System of Records.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended, the Bureau of Consumer Financial Protection, hereinto referred to as the Consumer Financial Protection Bureau (CFPB or Bureau), gives notice of the establishment of a revised Privacy Act System of Records.

**DATES:** Comments must be received no later than January 16, 2014. The new system of records will be effective January 27, 2014, unless the comments received result in a contrary determination.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Electronic:* [privacy@cfpb.gov](mailto:privacy@cfpb.gov).
- *Mail/Hand Delivery/Courier:* Claire Stapleton, Chief Privacy Officer,

Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552.

Comments will be available for public inspection and copying at 1700 G Street NW., Washington, DC 20552 on official business days between the hours of 10 a.m. and 5 p.m. Eastern Time. You can make an appointment to inspect comments by telephoning (202) 435-7220. All comments, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly.

**FOR FURTHER INFORMATION CONTACT:**

Claire Stapleton, Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552, (202) 435-7220.

**SUPPLEMENTARY INFORMATION:** The CFPB revises its Privacy Act System of Records Notice (SORN) "CFPB.011—Correspondence Tracking Database." In revising this SORN, the CFPB modifies the purpose(s) for which the system is maintained; the categories of individuals for the system; the categories of records for the system; the record source categories for the system; the method by which records are retrieved in the system; and the retention and disposal of records in the system. Additionally, as part of a biennial review of this System of Record, the CFPB modifies: the notification procedures for individuals

seeking access to records maintained in this system; the system location and address; and makes several non-substantive changes to the routine use section to ensure compliance with the Privacy Act, 5 U.S.C. 552a.

The report of the revised system of records has been submitted to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Office of Management and Budget, pursuant to Appendix I to OMB Circular A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated November 30, 2000,<sup>1</sup> and the Privacy Act, 5 U.S.C. 552a(r). The revised system of records entitled "CFPB.011—Correspondence Tracking Database" is published in its entirety below.

Dated: December 12, 2013.

**Claire Stapleton,**

*Chief Privacy Officer, Bureau of Consumer Financial Protection.*

**CFPB.011**

**SYSTEM NAME:**

Correspondence Tracking Database

**SYSTEM LOCATION:**

Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals who submit correspondence, or who have correspondence submitted on their behalf to the CFPB, or who request to receive correspondence from the Bureau, and CFPB employees responsible for processing, reviewing, and/or responding to such correspondence.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Records in this system may contain (1) correspondence (including, without limitation, official letters, memoranda, faxes, telegrams, and emails) received and sent by the Bureau; (2) mailing lists of individuals who submit correspondence, or who have correspondence submitted on their behalf to the Bureau or request to receive correspondence from the Bureau; (3) identifying information regarding individuals who submit the

<sup>1</sup> Although pursuant to section 1017(a)(4)(E) of the Consumer Financial Protection Act, Public Law 111-203, the CFPB is not required to comply with OMB-issued guidance, it voluntarily follows OMB privacy-related guidance as a best practice and to facilitate cooperation and collaboration with other agencies.

correspondence, individuals or entities on whose behalf such correspondence is submitted, or individuals who request to receive correspondence from the Bureau, such as name, phone number, address, email address, and any other disclosed identifiable information; (4) information about the correspondence, including disposition, tracking dates, and where applicable, the type of correspondence; and (5) information concerning the CFPB employee responsible for processing the correspondence, including contact information, position or title, and information about internal assignments. Supporting records may include correspondence between the CFPB and the individual. This system does not contain all correspondence received or sent by the Bureau—for example, records related to consumer complaints will not be contained in this system—and some correspondence is maintained in other Bureau systems of records.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Public Law 111–203, Title X, Sections 1011, 1012, 1013, codified at 12 U.S.C. 5491, 5492, 5493.

**PURPOSE(S):**

The purpose of the Correspondence Tracking Database is to enable the CFPB to track correspondence, including responsibilities for processing, tracking, responding to, or referring sensitive and/or time-critical correspondence for appropriate processing and responsive action, and to manage mailing lists of individuals who submit correspondence to the Bureau, have correspondence submitted on their behalf, or have requested to receive correspondence from the Bureau.

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

These records may be disclosed, consistent with the CFPB's Disclosure of Records and Information Rules, promulgated at 12 CFR part 1070 *et seq.*, to:

(1) Appropriate agencies, entities, and persons when: (a) the CFPB suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the CFPB has determined that, as a result of the suspected or confirmed compromise, there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the CFPB or another agency or entity) that rely upon the compromised

information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the CFPB's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm;

(2) Another federal or state agency to (a) permit a decision as to access, amendment or correction of records to be made in consultation with or by that agency, or (b) verify the identity of an individual or the accuracy of information submitted by an individual who has requested access to or amendment or correction of records;

(3) The Office of the President in response to an inquiry from that office made at the request of the subject of a record or a third party on that person's behalf;

(4) Congressional offices in response to an inquiry made at the request of the individual to whom the record pertains;

(5) Contractors, agents, or other authorized individuals performing work on a contract, service, cooperative agreement, job, or other activity on behalf of the CFPB or Federal Government and who have a need to access the information in the performance of their duties or activities;

(6) The DOJ for its use in providing legal advice to the CFPB or in representing the CFPB in a proceeding before a court, adjudicative body, or other administrative body, where the use of such information by the DOJ is deemed by the CFPB to be relevant and necessary to the advice or proceeding, and such proceeding names as a party in interest:

(a) The CFPB;

(b) Any employee of the CFPB in his or her official capacity;

(c) Any employee of the CFPB in his or her individual capacity where DOJ has agreed to represent the employee; or

(d) The United States, where the CFPB determines that litigation is likely to affect the CFPB or any of its components;

(7) A grand jury pursuant either to a federal or state grand jury subpoena, or to a prosecution request that such record be released for the purpose of its introduction to a grand jury, where the subpoena or request has been specifically approved by a court. In those cases where the Federal Government is not a party to the proceeding, records may be disclosed if a subpoena has been signed by a judge;

(8) A court, magistrate, or administrative tribunal in the course of an administrative proceeding or judicial proceeding, including disclosures to opposing counsel or witnesses (including expert witnesses) in the

course of discovery or other pre-hearing exchanges of information, litigation, or settlement negotiations, where relevant or potentially relevant to a proceeding, or in connection with criminal law proceedings;

(9) Appropriate agencies, entities, and persons, to the extent necessary to respond to or refer correspondence; and

(10) Appropriate federal, state, local, foreign, tribal, or self-regulatory organizations or agencies responsible for investigating, prosecuting, enforcing, implementing, issuing, or carrying out a statute, rule, regulation, order, policy, or license if the information may be relevant to a potential violation of civil or criminal law, rule, regulation, order, policy or license.

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

**STORAGE:**

Paper and electronic records.

**RETRIEVABILITY:**

Records are retrievable by a variety of fields including, but not limited to, an individual's name, email address or other contact information, by date of correspondence, topic of correspondence, correspondence control number or by some combination thereof.

**SAFEGUARDS:**

Access to electronic records is restricted to authorized personnel who have been issued non-transferrable access codes and passwords. Other records are maintained in locked file cabinets or rooms with access limited to those personnel whose official duties require access.

**RETENTION AND DISPOSAL:**

Per N1–587–12–06, records in this system are deleted or destroyed three (3) years after the calendar year in which it was created.

**SYSTEM MANAGER(S) AND ADDRESS:**

Consumer Financial Protection Bureau, Chief Operating Officer, 1700 G Street NW., Washington, DC 20552.

**NOTIFICATION PROCEDURE:**

Individuals seeking notification and access to any record contained in this system of records, or seeking to contest its content, may inquire in writing in accordance with instructions appearing the CFPB's Disclosure of Records and Information Rules, promulgated at 12 CFR part 1070 *et seq.* Address such requests to: Chief Privacy Officer, Bureau of Consumer Financial Protection, 1700 G Street NW., Washington, DC 20552.

**RECORD ACCESS PROCEDURES:**

See "Notification Procedures" above.

**CONTESTING RECORD PROCEDURES:**

See "Notification Procedures" above.

**RECORD SOURCE CATEGORIES:**

Information contained in the system will be collected from a variety of sources, including, without limitation, individuals who submit correspondence, or who have correspondence submitted on their behalf to the CFPB, or who have requested to receive correspondence from the Bureau, and CFPB employees responsible for processing, reviewing, and/or responding to such correspondence.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

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**DEPARTMENT OF DEFENSE****Department of the Army; Corps of Engineers****Notice of Intent To Prepare a Draft Environmental Impact Statement and Dam Safety Modification Study Report for the Cherry Creek Project, Arapahoe County, Colorado**

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers; DoD.

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the National Environmental Policy Act of 1969, as amended, the U.S. Army Corps of Engineers, Omaha District (Corps) intends to prepare a draft Environmental Impact Statement (EIS) for the federal action to remediate dam safety concerns at Cherry Creek Dam. The dam safety concerns are primarily related to a hydrologic deficiency resulting from an extreme precipitation event and the large population that could be affected by such an event. Cherry Creek Dam and Lake is located on Cherry Creek, 11.4 miles upstream of its confluence with the South Platte River, in Aurora, Colorado (southeast Denver metropolitan area). The remediation actions will be identified through a Dam Safety Modification Study (DSMS) being conducted in accordance with Corps policy as described in Engineering Regulation 1110-2-1156 "Safety of Dams—Policy and Procedures."

**ADDRESSES:** Omaha District Corps of Engineers, 1616 Capitol Ave, Omaha, NE 68102-4926 (Attn: Margaret Oldham CENWO-PAO).

**FOR FURTHER INFORMATION CONTACT:**

Current and archival information regarding Cherry Creek Dam may be obtained by contacting the Omaha District. The point of contact is Margaret Oldham, Phone: (402) 995-2416; email: *Margaret.E.Oldham@usace.army.mil*. Questions or comments regarding the upcoming studies at Cherry Creek Dam should also be directed to Ms. Oldham.

**SUPPLEMENTARY INFORMATION:**

1. *Background Information.* The Cherry Creek Dam project was authorized in the 1940s for the primary purpose of protecting the city of Denver against floods from Cherry Creek. The dam is located in a densely populated area and provides flood protection to over 200,000 people. Starting in 2005, the Corps sought to better categorize the risk at all of its dams. Risk considers both the probability and consequences of a dam failure. Cherry Creek Dam received an elevated risk rating primarily because of the hydraulic deficiency resulting from an extreme precipitation event and the large population which is protected by the dam. Estimation of extreme precipitation events is based on the Probable Maximum Precipitation (PMP) for a given location. A PMP is an extremely rare event and is defined as the maximum amount of precipitation that could occur if all meteorological elements were optimal to allow a perfect environment for forming precipitation. The resulting stream flow from a PMP is a flood defined as the Probable Maximum Flood (PMF).

Multiple past studies have indicated that Cherry Creek may not be able to adequately pass a PMF event. Hydrologic deficiency issues associated with Cherry Creek Dam were initially brought to light in 1970 after the National Weather Service (NWS) completed a site-specific PMP study of the upper South Platte River basin for the design of Chatfield Dam (a nearby dam on the South Platte River). Applying the 1970 PMP criteria to the Cherry Creek basin resulted in a larger stream flow than used in the project's original design and indicated the dam had a potential hydrologic deficiency. Since 1970, the NWS and the Corps have completed several PMP and PMF estimates including a Cherry Creek basin, site-specific PMP study completed by the NWS in 1995. Applying the current estimate of the PMF, which is also based on the 1995 PMP study, Cherry Creek Dam has a hydrologic deficiency even if the pool elevation at the start of the PMF was at normal operating levels.

Because of the risk rating, Omaha District completed an Issue Evaluation Study (IES) in 2011 to further evaluate Cherry Creek Dam's safety issues and corresponding risk. The IES findings were presented to a Senior Oversight Group (SOG) appointed by the Corps' Headquarters. The SOG reviewed the IES and confirmed the risk rating for the dam. Omaha District was directed to proceed into a DSMS, which is currently under way, with the task of defining in detail the risk associated with the Cherry Creek Dam's safety issues and assessing possible options for mitigating the risk. Those options may include federal actions which will be the subject of the EIS.

2. *Remediation Alternatives.* The draft EIS will address an array of remediation alternatives that could reduce the risk of life loss, extensive downstream damage, functional loss of the project, and the loss of all project benefits. The nature and extent of the remediation alternatives will be determined based on the results of on-going engineering studies, public and agency input during the scoping period, and preparation of the draft EIS.

3. *Issues To Be Addressed.* The draft EIS will address environmental issues concerning the remediation alternatives proposed. Issues will be identified based on public input during the scoping process and during preparation of the draft EIS. Environmental issues initially identified as potentially significant include, but are not limited to: hydrology and water quality, noise and vibration, air quality, socioeconomics, water supply, land use, recreation, visual and aesthetic resources, traffic and transportation, historical and cultural resources, vegetation and wildlife, special status species, and fisheries.

4. *Public Involvement.* Public scoping meetings will be held in 2014 at specific locations to be announced within the local Cherry Creek Dam project area. The purpose of the public scoping meetings will be to present information to the public regarding the array of remediation alternatives that may be addressed in the draft EIS, receive public comments, and solicit input regarding dam safety issues, remediation alternatives to consider, and environmental issues of concern to the public. These meetings are intended to initiate the process to involve concerned individuals, and local, state, and federal agencies. The public scoping meeting place, date, and time will be advertised in advance in local newspapers, and meeting announcement letters will be sent to interested parties.