

country is prohibited in the absence of a Presidential permit issued pursuant to Executive Order (EO) 10485, as amended by EO 12038.

On December 31, 1998, PNM, a regulated public utility, filed an application with the Office of Fossil Energy (FE) of DOE for a Presidential permit. PNM proposed to construct two high-voltage transmission circuits within a single right-of-way. Both circuits would have originated at the switchyard adjacent to the PVNGS located west of Phoenix, Arizona, and extended to the U.S.-Mexico border in one of three two-mile wide corridors preliminarily identified by PNM. From the U.S.-Mexico border, the proposed facilities would have extended approximately 60 miles into Mexico where they would have connected with complementary transmission facilities of the Comision Federal de Electricidad (CFE), the national electric utility of Mexico, at CFE's existing Santa Ana Substation.

Parts of the proposed transmission corridor identified by PNM were on Federal land managed by the U.S. Department of the Interior's Bureau of Land Management and the U.S. Department of Agriculture's U.S. Forest Service; both were cooperating agencies in preparation of the EIS. Activities by those agencies with respect to the EIS are also terminated.

Issued in Washington, DC on February 15, 2005.

**Anthony J. Como,**

*Deputy Director, Electric Power Regulation,  
Office of Fossil Energy.*

[FR Doc. 05-3326 Filed 2-18-05; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application for Temporary Waiver of Minimum Flows and Soliciting Comments, Motions To Intervene, and Protests

February 14, 2005.

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Temporary waiver of minimum flows.

b. *Project No.:* 2426-196.

c. *Date Filed:* February 9, 2005.

d. *Applicant:* California Department of Water Resources and the City of Los Angeles.

e. *Name of Project:* California Aqueduct Project.

f. *Location:* The project is located on the California Aqueduct, in San Bernadino, Los Angeles, San Luis Obispo, Ventura, and Kern Counties, California. This project does not occupy any Federal or tribal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a) 825(r) and 799 and 801.

h. *Applicant Contact:* Dr. Eva Begley, California State Dept. of Water Resources, 1416 Ninth Street, Room 1115-9, Sacramento, CA 95814, (916) 653-5951.

i. *FERC Contacts:* Any questions on this notice should be addressed to Rebecca Martin at (202) 502-6012, or e-mail address: [rebecca.martin@ferc.gov](mailto:rebecca.martin@ferc.gov).

j. *Deadline for filing comments and or motions:* March 7, 2005.

All documents (original and eight copies) should be filed with: Ms. Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P-2426-196) on any comments or motions filed. Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages e-filings.

k. *Description of Request:* California Department of Water Resources (DWR) is seeking Commission approval for a temporary waiver of the minimum flow requirement for the Piru Creek below Pyramid Dam which is required under article 52 of its license. DWR requests this temporary variance to avoid an incidental take of the arroyo toad which is a listed species under the Endangered Species Act. By letter dated February 2, 2005, the U.S. Fish and Wildlife Service supports this request for more natural flows in order to not adversely affect the arroyo toad and its habitat.

l. *Location of the Application:* The filing is available for review at the Commission in the Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, 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 (866) 208 3676 or TTY, contact (202) 502-8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. *Agency Comments*—Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

q. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link.

**Linda L. Mitry,**

*Deputy Secretary.*

[FR Doc. E5-681 Filed 2-18-05; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[OW-2003-0039, FRL-7875-5]

**Agency Information Collection  
Activities: Proposed Collection;  
Comment Request; Reporting  
Requirements for BEACH Act Grants,  
EPA ICR Number 2048.01, OMB  
Control Number 2040-0244**

**AGENCY:** Environmental Protection  
Agency.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request to renew an existing approved collection. This ICR is scheduled to expire on July 31, 2005. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before April 25, 2005.

**ADDRESSES:** Submit your comments, referencing docket ID number OW-2003-0039, to EPA online using EDOCKET (our preferred method), by e-mail to [ow-docket@epa.gov](mailto:ow-docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Water Docket (4101T), 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Lars Wilcut, Standards and Health Protection Division, Office of Science and Technology (4305T), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-0447; fax number: (202) 566-0409; e-mail address: [wilcut.lars@epa.gov](mailto:wilcut.lars@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has established a public docket for this ICR under Docket ID number OW-2003-0039, which is available for public viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2422. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified above.

Any comments related to this ICR should be submitted to EPA within 60 days of this notice. EPA's policy is that public comments, whether submitted

electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 *FR* 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

**Affected entities:** Entities potentially affected by this action are those coastal and Great Lakes state, local, and tribal governments which are eligible for BEACH Act grants. These are governments that develop and implement programs for monitoring and notification of coastal (marine and Great Lakes) recreation waters adjacent to beaches or similar points of access that are used by the public.

**Title:** Reporting Requirements for BEACH Act Grants.

**Abstract:** Congress passed the Beaches Environmental Assessment and Coastal Health (BEACH) Act in October 2000 to amend the Clean Water Act, in part by adding section 406, "Coastal Recreation Water Monitoring and Notification." Section 406(b) authorizes EPA to make grants to States and local governments to develop and implement programs for monitoring and public notification for coastal recreation waters adjacent to beaches or similar points of access that are used by the public, if the State or local government satisfies the requirements of the BEACH Act.

Several of these requirements require a grant recipient to collect and submit information to EPA as a condition for receiving the grant. Section 406(b) requires a grant recipient to provide the factors that the state or local government uses to prioritize funds and a list of waters for which the grant funds will be used. Section 406(b) also requires that a grant recipient's program be consistent with the performance requirements set by EPA under section 406(a); EPA needs information from the grant recipients to determine if the monitoring and notification programs are consistent

with these criteria. On July 19, 2002, EPA published the National Beach Guidance and Required Performance Criteria for Grants (67 *FR* 47540). Section 406(b) also requires that a grant recipient submit a report to EPA that describes the data collected as part of a monitoring and notification program and the actions taken to notify the public when water quality standards are exceeded. Section 406(c) requires a grant recipient to identify lists of coastal recreation waters, processes for States to delegate to local governments the responsibility for implementing a monitoring and notification program, and the content of the monitoring and notification program.

The information covered by this ICR is required of States and local governments that seek to obtain BEACH Act funding. It allows EPA to properly review State and local governments' monitoring and notification programs to determine if they are eligible for BEACH Act grant funding. This information also enables EPA to fulfill its obligations to make this information available to the public as required by sections 406(e) and (g).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 1,993 hours per grant recipient per year. This burden represents a report and accompanying data which are submitted each year by the 35 eligible States and Territories. In

subsequent years, authorized Tribes and local governments may also become eligible for BEACH Act grants. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Dated: February 9, 2005.

**Geoffrey H. Grubbs,**

*Director, Office of Science and Technology.*

[FR Doc. 05-3356 Filed 2-18-05; 8:45 am]

BILLING CODE 6560-50-P

## EXECUTIVE OFFICE OF THE PRESIDENT

### Office of Administration; Notice of Meeting of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction

**ACTION:** Notice.

**SUMMARY:** The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction ("Commission") will meet in closed session on Wednesday, March 9, 2005, and Thursday, March 10, 2005, in its offices in Arlington, Virginia.

Executive Order 13328 established the Commission for the purpose of assessing whether the Intelligence Community is sufficiently authorized, organized, equipped, trained, and resourced to identify and warn in a timely manner of, and to support the United States Government's efforts to respond to, the development of Weapons of Mass Destruction, related means of delivery, and other related threats of the 21st Century. This meeting will consist of briefings and discussions involving classified matters of national security, including classified briefings from representatives of agencies within the Intelligence Community; Commission discussions based upon the content of classified intelligence documents the Commission has received from agencies

within the Intelligence Community; and presentations concerning the United States' intelligence capabilities that are based upon classified information.

While the Commission does not concede that it is subject to the requirements of the Federal Advisory Committee Act (FACA), 5 United States Code Appendix 2, it has been determined that the March 9-10, 2005, meeting would fall within the scope of exceptions (c)(1) and (c)(9)(B) of the Sunshine Act, 5 United States Code, Sections 552b(c)(1) & (c)(9)(B), and thus could be closed to the public if FACA did apply to the Commission.

**DATES:** Wednesday, March 9, 2005 (9 a.m. to 5 p.m.), and Thursday, March 10, 2005 (9 a.m. to 2 p.m.).

**ADDRESSES:** Members of the public who wish to submit a written statement to the Commission are invited to do so by facsimile at (703) 414-1203, or by mail at the following address: Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, Washington, D.C., 20503. Comments also may be sent to the Commission by e-mail at [comments@wmd.gov](mailto:comments@wmd.gov).

#### FOR FURTHER INFORMATION CONTACT:

Brett C. Gerry, Associate General Counsel, Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, by facsimile, or by telephone at (703) 414-1200.

**Victor E. Bernson, Jr.,**

*Executive Office of the President, Office of Administration, General Counsel.*

[FR Doc. 05-3275 Filed 2-18-05; 8:45 am]

BILLING CODE 3130-W5-P

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice; correction.

**SUMMARY:** On January 21, 2005, the Commission published a notice inviting the general public and other Federal agencies to take the opportunity to comment on information collection(s) for OMB Control No. 3060-1061. On page 5446, columns 1 and 2, the Needs and Uses for the information collection were inaccurately described. This notice contains the correct description of the Needs and Uses for the Information Collection.

**ADDRESSES:** Direct all Paperwork Reduction Act (PRA) comments to Judith B. Herman, Federal Communications Commission, Room 1-C804, 445 12th Street, SW., Washington, DC 20554 or via the Internet at [Judith-B.Herman@fcc.gov](mailto:Judith-B.Herman@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection, contact Judith B. Herman at 202-418-0214 or via the Internet at [Judith-B.Herman@fcc.gov](mailto:Judith-B.Herman@fcc.gov).

**SUPPLEMENTARY INFORMATION:** On February 2, 2005 (70 FR 5446), the Federal Communications Commission published a Notice requesting comments on Public Information Collection(s) Being Reviewed by the Federal Communications Commission. In the summary for OMB 3060-1061, the Needs and Uses section of the summary contained an inaccurate description of the decision of the Report and Order (R&O) titled, "*In the Matter of Procedures to Govern the Use of Satellite Earth Stations on Board Vessels (ESV) in the 5925-6425 MHz/3700-4200 MHz Bands and 14.0-14.5 GHz/11.7-12.2 GHz Bands*," IB Docket No. 02-10, FCC 04-286. On page 5446, in the first and second column, the Needs and Uses section is corrected to read as follows:

*Needs and Uses:* The R&O includes the following new Paperwork Reduction Act (PRA) reporting requirements: (1) C- and Ku-band must collect and maintain vessel tracking data to assist the Commission and affected operators in identifying and resolving sources of interference; (2) C-band ESV operators that coordinate their use of the 5925-6425 MHz band with the Fixed Services (FS) shall file a notification of that coordination with the Commission to be placed on Public Notice; (3) Ku-band ESV operators that coordinate their use of the 14.0-14.2 GHz and 14.47-14.5 GHz bands through the National Telecommunications and Information Administration (NTIA) Interdepartment Radio Advisory Committee (IRAC) shall file a notification of that coordination with the Commission to be placed on Public Notice; and (4) C- and Ku-band ESV operators must have a contact that is available in the United States 24 hours a day, 7 days a week, to respond to Fixed Satellite Service (FSS) operators' requests. The name, telephone number, and other pertinent information of the contact will be posted on the Commission's Web site, <http://www.fcc.gov>.

The Commission established licensing and service rules to govern ESV operations and to prevent interference to existing users within the C- and Ku-