

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

### Notice of Public Meeting of the Committee on Regulation

**AGENCY:** Administrative Conference of the United States.

**ACTION:** Notice of meeting.

**SUMMARY:** Notice is hereby given that the Administrative Conference of the United States will host a second public meeting of the Committee on Regulation of the Assembly of the Conference on Tuesday, November 2, 2010 from 9:30 a.m. to 12:30 p.m. to discuss a proposed recommendation for improved agency procedures for determining whether to preempt state law. To facilitate public participation, the Administrative Conference is inviting public comment on the recommendation that will be considered at the meeting, to be submitted in writing no later than October 28, 2010.

**DATES:** Meeting to be held November 2, 2010. Comments must be received by October 28, 2010.

**ADDRESSES:** Meeting to be held at Administrative Conference of the United States, Suite 706 South, 1120 20th Street, NW., Washington, DC 20036. Submit comments to either of the following:

(1) *E-mail:* [Comments@acus.gov](mailto:Comments@acus.gov), with "Preemption Recommendation" in the subject line; or

(2) *Mail:* Preemption Recommendation Comments, Administrative Conference of the United States, Suite 706 South, 1120 20th Street, NW., Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Emily F. Schleicher, Designated Federal Officer, Administrative Conference of the United States, Suite 706 South, 1120 20th Street, NW., Washington, DC 20036; Telephone 202-480-2080.

**SUPPLEMENTARY INFORMATION:** The Administrative Conference of the United States (ACUS) is charged with developing recommendations for the improvement of Federal administrative procedures (5 U.S.C. 591). The objectives of these recommendations are to ensure that private rights may be fully protected and regulatory activities and other Federal responsibilities may be carried out expeditiously in the public interest, to promote more effective public participation and efficiency in the rulemaking process, to reduce unnecessary litigation in the regulatory process, to improve the use of science in the regulatory process, and to improve the effectiveness of laws applicable to the regulatory process.

The Conference has engaged a Professor of Law at New York University School of Law, Catherine M. Sharkey, to research and prepare a report regarding the best practices of federal agencies in obtaining input from state and local governments and other procedures for determining whether to preempt state law (the "Preemption Report"). The Committee on Regulation is already scheduled to meet on October 19, 2010 to discuss the Preemption Report, a copy of which is available at <http://www.acus.gov>. The Committee on Regulation has been tasked with reviewing this report and developing recommendations for consideration by the Assembly of the Conference. A draft recommendation will be prepared based upon the Preemption Report (the "Preemption Recommendation").

From 9:30 a.m. to 2:30 p.m. on November 2, 2010, the Committee on Regulation will hold a second public meeting to consider the Preemption Recommendation. This meeting will be open to the public and may end prior to 12:30 p.m. if business is concluded prior to that time. Members of the public are invited to attend the meeting in person, subject to space limitations, and the Conference will also provide remote public access to the meeting. A copy of the Preemption Recommendation will be available at <http://www.acus.gov>.

Anyone who wishes to attend the meeting in person is asked to RSVP to [Comments@acus.gov](mailto:Comments@acus.gov). Remote access information will be posted on the Conference's Web site, <http://www.acus.gov>, by no later than October 29, 2010, and will also be available by

the same date by calling the phone number listed above. Members of the public who attend the Committee's meeting may be permitted to speak only at the discretion of the Committee Chair, with unanimous approval of the Committee. The Conference welcomes the attendance of the public and will make every effort to accommodate persons with physical disabilities or special needs. If you need special accommodations due to a disability, please inform the Designated Federal Officer no later than 7 days in advance the meeting using the contact information provided above.

Members of the public may submit written comments on the Preemption Recommendation to either of the addresses listed above no later than October 28, 2010. All comments will be delivered to the Designated Federal Officer listed on this notice. The Designated Federal Officer will post all comments that relate to the Preemption Recommendation on the Conference's Web site after the close of the comments period.

Dated: October 7, 2010.

**Paul R. Verkuil,**  
Chairman.

[FR Doc. 2010-25731 Filed 10-12-10; 8:45 am]

**BILLING CODE 6110-01-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Mt. Hood National Forest, Oregon; Cooper Spur-Government Camp Land Exchange

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an environmental impact statement.

**SUMMARY:** The proposed action includes the conveyance of approximately two parcels totaling 120 acres of National Forest System (NFS) land adjacent to Government Camp in exchange for the acquisition of approximately 770 acres of land owned by Mt. Hood Meadows Oreg., LLC, in Hood River County, Oregon.

**DATES:** Comments concerning the scope of the analysis must be received by November 29, 2010. The draft environmental impact statement is expected January, 2012 and the final

environmental impact statement is expected June, 2012.

**ADDRESSES:** Send written comments to Mt. Hood National Forest, 16400 Champion Way, Sandy, OR 97055. Comments may also be sent via e-mail to [comments-pacificnorthwest-mthood@fs.fed.us](mailto:comments-pacificnorthwest-mthood@fs.fed.us), or via facsimile to (503) 668-1413.

**FOR FURTHER INFORMATION CONTACT:** Kristy Boscheinen, Forest Planner, Mt. Hood National Forest, at (503) 668-1645 or by e-mail at [kboscheinen@fs.fed.us](mailto:kboscheinen@fs.fed.us).

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday.

#### **SUPPLEMENTARY INFORMATION:**

##### **Purpose and Need for Action**

The purpose of the proposed land exchange between the Mt. Hood National Forest and Mt. Hood Meadows Oreg., LLC is to comply with the Omnibus Public Land Management Act of March 30, 2009 (123 Stat. 991, Pub. L. 111-11), which provides direction for this land exchange.

##### **Proposed Action**

The proposed action includes the conveyance of approximately two parcels totaling 120 acres of National Forest System (NFS) land adjacent to Government Camp in exchange for the acquisition of approximately 770 acres of land owned by Mt. Hood Meadows Oreg., LLC, in Hood River County, Oregon.

The Omnibus legislation states that a conservation easement shall be placed on a portion of the Government Camp parcels in order to protect an existing wetland, and that the easement shall allow "equivalent mitigation measures to compensate for minor wetland encroachments necessary for the orderly development of the Federal land." (Pub. L. 111-11, 129 Stat. 1019) The legislation also states that a trail easement be used at the Government Camp parcels to allow nonmotorized public access to existing trails, to allow roads, utilities, and infrastructure facilities to cross the trails, and to allow for the improvement or relocation of the trails to accommodate development of the federal land.

The Omnibus legislation also directed that the majority of the acquired lands be placed into a new management unit called the "Crystal Springs Watershed Special Resources Management Unit.

##### **Responsible Official**

The Responsible Official is the Regional Forester, USDA Forest Service Pacific Northwest Region.

##### **Preliminary Issues**

A preliminary analysis of potential effects to resource areas including wildlife, fisheries, water quality, wetlands and floodplains, and cultural/historic sites revealed the following preliminary issues:

(1) Camp Creek and an intermittent tributary of Camp Creek run through the Federal parcels. Neither reach of the stream is fish bearing. Camp Creek is not 303(d)-listed, but it does have water quality problems associated with Government Camp (such as sewage and runoff from the roads). Depending on the type and quality of development that might occur on the parcels after the exchange, the water quality could further decrease. However, the impacts of development should be lessened by the Congressionally-mandated conservation easement on the wetland, through which the streams flow. Detailed information is not available regarding fisheries or water quality on the non-Federal parcel.

Surveys for wetlands and floodplains on both parcels have been completed and are being reviewed. Wetlands are present on the Federal parcels, and narrow, stream-associated wetlands exist on the non-Federal parcel. It appears that the Forest Service will be conveying more wetlands than would be acquired.

Executive Order 11990 requires no net loss of wetlands. The Forest Hydrologist will be involved to consider possible mitigation measures.

In the Omnibus bill (a)(G)(i), Congress mandated that a conservation easement, as identified by the Oregon Department of State Lands, would be placed upon the wetlands at Government Camp. The easement would protect the wetland and allow for equivalent wetland mitigation measures necessary for the orderly development of the conveyed land. The acquisition of the wetlands at Cooper Spur and the easement on the wetlands at Government Camp may result in no net loss of wetlands.

Cultural and Heritage resource surveys were conducted on the Federal parcel. The survey revealed the potential for an adverse effect to a site of archaeological/cultural interest. Mitigation measures will be developed with Tribal and State Historic Preservation Officer (SHPO) consultation.

Trails 755, 755A, and 755B cross the Federal parcels. A trail easement has

been congressionally mandated, so that non-motorized users would continue to be able to use the trails to get to Federal land, so that roads, utilities, and infrastructure facilities could be built across the trails, and to allow for improvement or relocation of the trails so that development of the conveyed parcels could occur. While the trails (or relocated trails) would still exist, the recreation experience could be negatively impacted by new development (such as buildings and parking lots) or the presence of new infrastructure.

##### **Scoping Process**

This notice of intent initiates the scoping process, which guides the development of the environmental impact statement. A public scoping meeting will be held in or near Portland, Oregon, on October 26th, 2010, from 5 to 7 p.m. The location is to be determined. When the location is determined, the public will be notified via the Mt. Hood National Forest's Web site and a news release.

It is important that reviewers provide their comments at such times and in such manner that they are useful to the agency's preparation of the environmental impact statement. Therefore, comments should be provided prior to the close of the comment period and should clearly articulate the reviewer's concerns and contentions.

Comments received in response to this solicitation, including names and addresses of those who comment, will be part of the public record for this proposed action. Comments submitted anonymously will be accepted and considered, however.

Dated: October 6, 2010.

**Kathryn J. Silverman,**  
*Acting Forest Supervisor.*

[FR Doc. 2010-25698 Filed 10-12-10; 8:45 am]

**BILLING CODE 3410-11-P**

## **DEPARTMENT OF DEFENSE**

### **Department of the Army; Corps of Engineers**

## **DEPARTMENT OF AGRICULTURE**

### **Forest Service**

#### **Superior National Forest, Minnesota**

Intent to prepare a supplemental draft environmental impact statement for the construction and operation of an open pit copper/nickel/cobalt/precious metals mine, an ore processing plant, and tailings basin proposed by PolyMet