

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ACTING ASSISTANT REGIONAL AD-
MINISTRATOR FOR PROGRAM
COORDINATION AND SERVICES,
REGION III (ATLANTA)

Designation

The officers appointed to (or any officer duly designated to serve in an acting capacity in) the following listed positions in Region III (Atlanta) are hereby designated to serve as Acting Assistant Regional Administrator for Program Coordination and Services, Region III, during the absence of the Assistant Regional Administrator for Program Coordination and Services, with all the powers, functions, and duties redelegated or assigned to the Assistant Regional Administrator for Program Coordination and Services: *Provided*, That no officer is authorized to serve as Acting Assistant Regional Administrator for Program Coordination and Services unless all other officers whose titles precede his in this designation are unable to serve by reason of absence:

1. Deputy Assistant Regional Administrator for Program Coordination and Services.
2. Director, Planning Division.
3. Director, Economic and Market Analysis Division.
4. Director, Relocation Division.

This designation supersedes the designation effective March 22, 1967 (32 F.R. 4368-4369, Mar. 22, 1967).

(Delegation of authority effective May 4, 1962 (27 F.R. 4319, May 4, 1962); Dept. Interim Order II (31 F.R. 815, Jan. 21, 1966))

Effective as of the 12th day of May 1970.

EDWARD H. BAXTER,

Regional Administrator, Region III.

[F.R. Doc. 70-5794; Filed, May 11, 1970; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration
AIR TRAFFIC CONTROL TOWER,
NORWOOD MUNICIPAL AIRPORT,
NORWOOD, MASS.

Notice of Commissioning

Notice is hereby given that an Air Traffic Control Tower will be commissioned at Norwood Municipal Airport, Norwood, Mass., on or about May 1, 1970. It will provide for the safe and expeditious movement of terminal traffic consisting predominantly of general aviation aircraft. Communications to the Air Traffic Control Tower should be addressed as follows:

Air Traffic Control Tower, Department of Transportation, Federal Aviation Administration, Norwood Municipal Airport, Norwood, Mass. 02062.

(Sec. 313(a), 72 Stat. 752; 40 U.S.C. 1354)

Issued in New York, N.Y., on April 29, 1970.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 70-5780; Filed, May 11, 1970; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 22027; Order 70-5-29]

LOFTLEIDIR, H.F., AND SEABOARD
WORLD AIRLINES, INC.

Order of Tentative Approval of Aircraft Leasing Transaction

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 7th day of May 1970.

By joint application filed March 20, 1970, Loftleidir, H.F. (Icelandic), and Seaboard World Airlines, Inc. (Seaboard), request Board approval without a hearing under section 408(b) of the Federal Aviation Act of 1958, as amended, (the Act) with respect to the dry lease of two DC-8-63F aircraft by Seaboard, as lessor, to Icelandic as lessee.

Icelandic is a foreign air carrier which holds a permit authorizing it to engage in foreign air transportation between the United States, Iceland, and Europe. Seaboard is a U.S. certificated air carrier operating all cargo and mail services over transatlantic route 119. Seaboard's certificate does not include authorization to serve points in Iceland.

By lease agreement dated February 26, 1970, Seaboard has agreed to lease two DC-8-63F aircraft to Icelandic for the 2-year period commencing May 13 and 14, 1970, respectively, and terminating April 30, 1972, with respect to both aircraft.¹ Pursuant to the lease agreement Icelandic will pay Seaboard monthly rentals of \$165,000 for each aircraft. Icelandic may renew the lease agreement for either or both aircraft on the same terms and conditions for an additional year.

The application recites that the aircraft in question are two of the 11 DC-8-63F aircraft which constitute Seaboard's operating fleet. It is further asserted that the two aircraft to be leased are not required, during the term of the lease, by Seaboard in operation of

its certificated services. These operations, according to the application, will require utilization of only five or six of Seaboard's 11 aircraft, and, in light of recent cutbacks in Military Airlift Command (MAC) procurement of civil airlift, only three of the remaining aircraft are utilized in charter service for the Department of Defense.

In further support of the transaction, the application recites that Seaboard is currently experiencing substantial losses in its operations due to MAC procurement cutbacks. In addition, it is asserted that the revenues Seaboard will receive by leasing the two aircraft to Icelandic are vitally needed by Seaboard at this time.

Comments on the lease were filed by Pan American.

Upon consideration of the foregoing, the Board concludes that the lease of two DC-8-63F aircraft to Icelandic by Seaboard would involve the leasing of a substantial portion of the properties of the latter, within the meaning of section 408 of the Act, and therefore, the lease is subject to such section. However, the Board has concluded tentatively that the lease transaction does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly, and does not tend to restrain competition. Furthermore, no person disclosing a substantial interest is currently requesting a hearing, and it is found that the public interest does not require a hearing.

It appears that Seaboard may, at the present time, be operating with a surplus of large jet aircraft, attributable, to some extent, to reductions in MAC civil airlift requirements. In this light, we believe that the lease of the two DC-8-63F aircraft which appear to be surplus to Seaboard's needs may prove beneficial to Seaboard through realization of apparently much needed revenues.²

In view of the foregoing, the Board tentatively concludes that it should approve without hearing under the third proviso of section 408(b) of the Act the lease of two DC-8-63F aircraft from Seaboard by Icelandic.

In accordance with section 408(b) of the Act, this order constituting notice of the Board's tentative findings, will be published in the FEDERAL REGISTER and interested persons will be afforded

¹ By virtue of a supplemental letter from Seaboard to Icelandic, dated Feb. 26, 1970, the parties to the instant lease transaction have agreed that if Icelandic does, in fact, lease the two aircraft from Seaboard, then Seaboard will assume Icelandic's outstanding lease obligations incurred through its subsidiary, Hekla Holdings Ltd., for one DC-8-65 aircraft for a maximum of 47 and 17/31 aircraft months. The latter transaction may be qualified for the exemption from section 408 of the Act provided by Part 299 of the Board's economic regulations, and therefore is properly fileable thereunder. The aircraft involved is the subject of a wet lease agreement between Seaboard and Japan Air Lines (Docket 21628), approved in Order 70-3-156, Mar. 31, 1970.

² Pan American suggests that the Board refrain from processing the instant application until conclusion of the bilateral negotiations currently taking place between the governments of Iceland and the United States, so that the overall interest of the United States in the jet capacity of Icelandic will not be prejudiced. In view of Seaboard's need for the revenues it will receive from this transaction, and because the retention of jurisdiction over the transaction will enable the Board to take whatever action may be required in the public interest, we shall process the application at this time. That portion of Pan American's comments which requests disapproval of the wet lease by Seaboard to Japan Airlines of a DC-8-35 which Seaboard assumed from Icelandic is moot by virtue of our action in Order 70-3-156, Mar. 31, 1970.

an opportunity to file comments or request a hearing on the Board's tentative decision.²

Accordingly, it is ordered, That:

1. The lease without crew of two DC-8-63F aircraft from Seaboard to Iceland be and it hereby is tentatively approved;

2. Interested persons are hereby afforded a period of time until May 12, 1970 in which to file comments or request a hearing with respect to the Board's proposed action;³ and

3. The Attorney General of the United States be furnished a copy of this order within 1 day of publication.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[F.R. Doc. 70-5798; Filed, May 11, 1970;
8:48 a.m.]

CIVIL SERVICE COMMISSION

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of National Chairman, White House Conference on Children and Youth, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-5799; Filed, May 11, 1970;
8:48 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Director, Relocation and

² In its final order, the Board will reserve jurisdiction over the transaction to take whatever action may be required in the public interest.

³ Comments so filed shall conform to the requirements of the Board's rules of practice (14 CFR Part 302) for the filing of documents. Further, since an opportunity to file comments is provided for, petitions for reconsideration of this order will not be entertained.

Special Services, Renewal and Housing Management.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-5800; Filed, May 11, 1970;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the Secretary, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-5801; Filed, May 11, 1970;
8:48 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Office of Economic Opportunity to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Director, Community Action Program.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-5802; Filed, May 11, 1970;
8:48 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Office of Economic Opportunity to fill by noncareer executive assignment in the excepted service the position of Director, Office of Research and Evaluation, Office of Planning, Research and Evaluation.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-5803; Filed, May 11, 1970;
8:48 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Office of Economic Opportunity to fill by noncareer executive assignment in the excepted service the position of Deputy General Counsel, Office of General Counsel.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-5804; Filed, May 11, 1970;
8:48 a.m.]

POST OFFICE DEPARTMENT

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Post Office Department to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Postmaster General—Construction Engineering, Bureau of Facilities.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-5805; Filed, May 11, 1970;
8:48 a.m.]

TAX COURT OF THE UNITED STATES

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Tax Court of the United States to fill by noncareer executive assignment in the excepted service the position of Executive Director.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-5806; Filed, May 11, 1970;
8:48 a.m.]

COUNCIL ON ENVIRONMENTAL QUALITY

STATEMENTS ON PROPOSED FEDERAL ACTIONS AFFECTING THE ENVIRONMENT

Interim Guidelines

APRIL 30, 1970.

1. Purpose. This memorandum provides interim guidelines to Federal departments, agencies and establishments

for preparing detailed environmental statements on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, as required by section 102(2)(C) of the National Environmental Policy Act (Public Law 91-190) (hereafter "the Act"). Underlying the preparation of such environmental statements is the mandate of both the Act and Executive Order 11514 (35 F.R. 4247) of March 5, 1970, that all Federal agencies, to the fullest extent possible, direct their policies, plans and programs so as to meet national environmental goals.

2. *Policy.* Before undertaking major action or recommending or making a favorable report on legislation that significantly affects the environment, Federal agencies will, in consultation with other appropriate Federal, State, and local agencies, assess in detail the potential environmental impact in order that adverse effects are avoided, and environmental quality is restored or enhanced, to the fullest extent practicable. In particular, alternative actions that will minimize adverse impact should be explored and both the long- and short-range implications to man, his physical and social surroundings, and to nature, should be evaluated in order to avoid to the fullest extent practicable undesirable consequences for the environment.

3. *Agency and BOB procedures.* (a) Pursuant to section 2(f) of Executive Order 11514, the heads of Federal agencies have been directed to proceed with measures required by section 102(2)(C) of the Act. Consequently, each agency will establish no later than June 1, 1970, its own formal procedures for (1) identifying those agency actions requiring environmental statements, (2) obtaining information required in their preparation, (3) designating the officials who are to be responsible for the statements, (4) consulting with and taking account of the comments of appropriate Federal, State and local agencies, and (5) meeting the requirements of section 2(b) of Executive Order 11514 for providing timely public information on Federal plans and programs with environmental impact. These procedures should be consonant with the guidelines contained herein. Each agency should file seven (7) copies of all such procedures with the Council on Environmental Quality, which will provide advice to agencies in the preparation of their procedures and guidance on the application and interpretation of the Council's guidelines.

(b) Each Federal agency should consult, with the assistance of the Council on Environmental Quality if desired, with other appropriate Federal agencies in the development of the above procedures so as to achieve consistency in dealing with similar activities and to assure effective coordination among agencies in their review of proposed activities.

(c) It is imperative that existing mechanisms for obtaining the views of Federal, State, and local agencies on proposed Federal actions be utilized to the extent practicable in dealing with

environmental matters. The Bureau of the Budget will issue instructions, as necessary, to take full advantage of existing mechanisms (relating to procedures for handling legislation, preparation of budgetary material, new policies and procedures, water resource and other projects, etc.).

4. *Federal agencies included.* Section 102(2)(C) applies to all agencies of the Federal Government with respect to recommendations or reports on proposals for (i) legislation and (ii) other major Federal actions significantly affecting the quality of the human environment. The phrase "to the fullest extent possible" in section 102(2)(C) is meant to make clear that each agency of the Federal Government shall comply with the requirement unless existing law applicable to the agency's operations expressly prohibits or makes compliance impossible. (Section 105 of the Act provides that "The policies and goals set forth in this Act are supplementary to those set forth in existing authorizations of Federal agencies.")

5. *Actions included.* The following criteria will be employed by agencies in deciding whether a proposed action requires the preparation of an environmental statement:

(a) "Actions" include but are not limited to:

- (i) Recommendations or reports relating to legislation and appropriations;
- (ii) Projects and continuing activities;

—Directly undertaken by Federal agencies;

—Supported in whole or in part through Federal contracts, grants, subsidies, loans, or other forms of funding assistance;

—Involving a Federal lease, permit, license, certificate or other entitlement for use;

(iii) Policy—and procedure-making.

(b) The statutory clause "major Federal actions significantly affecting the quality of the human environment" is to be construed by agencies with a view to the overall, cumulative impact of the action proposed (and of further actions contemplated). Such actions may be localized in their impact, but if there is potential that the environment may be significantly affected, the statement is to be prepared. Proposed actions the environmental impact of which is likely to be highly controversial should be covered in all cases. In considering what constitutes major action significantly affecting the environment, agencies should bear in mind that the effect of many Federal decisions about a project or complex of projects can be individually limited but cumulatively considerable. This can occur when one or more agencies over a period of years puts into a project individually minor but collectively major resources, when one decision involving a limited amount of money is a precedent for action in much larger cases or represents a decision in principle about a future major course of action, or when several Government agencies individually make decisions about partial aspects of a major action. The lead

agency should prepare an environmental statement if it is reasonable to anticipate a cumulatively significant impact on the environment from the Federal action.

(c) Section 101(b) of the Act indicates the broad range of aspects of the environment to be surveyed in any assessment of significant effect. The Act also indicates that adverse significant effects include those that degrade the quality of the environment, curtail the range of beneficial uses of the environment or serve short-term, to the disadvantage of long-term, environmental goals. Significant effects can also include actions which may have both beneficial and detrimental effects, even if, on balance, the agency believes that the effect will be beneficial. Significant adverse effects on the quality of the human environment include both those that directly affect human beings and those that indirectly affect human beings through adverse effects on the environment.

(d) Because of the Act's legislative history, the regulatory activities of Federal environmental protection agencies (e.g., the Federal Water Quality Administration of the Department of the Interior and the National Air Pollution Control Administration of the Department of Health, Education, and Welfare) are not deemed actions which require the preparation of an environmental statement under section 102(2)(C) of the Act.

6. *Recommendations or reports on proposals for legislation.* The requirement for following the section 102(2)(C) procedure as elaborated in these guidelines applies to both (i) agency recommendations on their own proposals for legislation and (ii) agency reports on legislation initiated elsewhere. (In the latter case only the agency which has primary responsibility for the subject matter involved will prepare an environmental statement.) The Bureau of the Budget will supplement these general guidelines with specific instructions relating to the way in which the section 102(2)(C) procedure fits into its legislative clearance process.

7. *Content of environmental statement.* (a) The following points are to be covered:

(i) The probable impact of the proposed action on the environment, including impact on ecological systems such as wild life, fish and marine life. Both primary and secondary significant consequences for the environment should be included in the analysis. For example, the implications, if any, of the action for population distribution or concentration should be estimated and an assessment made of the effect of any possible change in population patterns upon the resource base, including land use, water, and public services, of the area in question.

(ii) Any probable adverse environmental effects which cannot be avoided (such as water or air pollution, damage to life systems, urban congestion, threats to health or other consequences adverse to the environmental goals set out in section 101(b) of Public Law 91-190).

(iii) Alternatives to the proposed action (section 102(2)(D) of the Act requires the responsible agency to "study, develop and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources"). A rigorous exploration and objective evaluation of alternative actions that might avoid some or all of the adverse environmental effects is essential. Sufficient analysis of such alternatives and their costs and impact on the environment should accompany the proposed action through the agency review process in order not to foreclose prematurely options which might have less detrimental effects.

(iv) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity. This in essence requires the agency to assess the action for cumulative and long-term effects from the perspective that each generation is trustee of the environment for succeeding generations.

(v) Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. This requires the agency to identify the extent to which the action curtails the range of beneficial uses of the environment.

(vi) Where appropriate, a discussion of problems and objections raised by other Federal agencies and State and local entities in the review process and the disposition of the issues involved. (This section may be added at the end of the review process in the final text of the environmental statement.)

(b) With respect to water quality aspects of the proposed action which have been previously certified by the appropriate State or interstate organization as being in substantial compliance with applicable water quality standards, mere reference to the previous certification is sufficient.

(c) Each environmental statement should be prepared in accordance with the precept in section 102(2)(A) of the Act that all agencies of the Federal Government "utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and decision making which may have an impact on man's environment."

8. *Federal agencies to be consulted in connection with preparation of environmental statement.* The Federal agencies to be consulted in connection with preparation of environmental statements are those which have "jurisdiction by law or special expertise with respect to any environmental impact involved" or "which are authorized to develop and enforce environmental standards". These Federal agencies include components of (depending on the aspect or aspects of the environment involved):

Department of Agriculture,
Department of Commerce,
Department of Defense,

Department of Health, Education, and Welfare,
Department of Housing and Urban Development,
Department of the Interior,
Department of Transportation,
Atomic Energy Commission.

For actions specially affecting the environment of their regional jurisdictions, the following Federal agencies are also to be consulted:

Tennessee Valley Authority,
Appalachian Regional Commission.

Agencies obtaining comment should determine which one or more of the above listed agencies are appropriate to consult. It is recommended that the above listed Departments establish contact points for providing comments and that Departments from which comment is solicited coordinate and consolidate the comments of their component entities. The requirement in section 102(2)(C) to obtain comment from Federal agencies having jurisdiction or special expertise is in addition to any specific statutory obligation of any Federal agency to coordinate or consult with any other Federal or State agency. Agencies seeking comment may establish time limits of not less than thirty days for reply, after which it may be presumed the agency consulted has no comment to make.

9. *State and local review.* Where no public hearing has been held on the proposed action at which the appropriate State and local review has been invited, and where review of the proposed action by State and local agencies authorized to develop and enforce environmental standards is relevant, such State and local review shall be provided for as follows:

(a) For direct Federal development projects and projects assisted under programs listed in Attachment D of the Bureau of the Budget Circular No. A-95, review by State and local governments will be through procedures set forth under Part 1 of Circular No. A-95.

(b) State and local review of agency procedures, regulations, and policies for the administration of Federal programs of assistance to State and local governments will be conducted pursuant to procedures established by Bureau of the Budget Circular No. A-85.

(c) Where these procedures are not appropriate and where the proposed action affects matters within their jurisdiction, review of the proposed action by State and local agencies authorized to develop and enforce environmental standards and their comments on the draft environmental statement may be obtained directly or by publication of a summary notice in the FEDERAL REGISTER (with a copy of the environmental statement and comments of Federal agencies thereon to be supplied on request). The notice in the FEDERAL REGISTER may specify that comments of the relevant State and local agencies must be submitted within 60 days of publication of the notice.

10. *Use of statements in agency review processes; distribution to Council on Environmental Quality.* (a) Agencies will

need to identify at what stage or stages of a series of actions relating to a particular matter the environmental statement procedures of this directive will be applied. It will often be necessary to use the procedures both in the development of a national program and in the review of proposed projects within the national program. However, where a grant-in-aid program does not entail prior approval by Federal agencies of specific projects, the view of Federal, State, and local agencies in the legislative, and possibly appropriation, process may have to suffice. The principle to be applied is to obtain views of other agencies at the earliest feasible time in the development of program and project proposals. Care should be exercised so as not to duplicate the clearance process, but when actions being considered differ significantly from those that have already been reviewed an environmental statement should be provided.

(b) Seven (7) copies of draft environmental statements (when prepared), seven (7) copies of all comments received thereon (when received), and seven (7) copies of the final text of environmental statements should be supplied to the Council on Environmental Quality in the Executive Office of the President (this will serve as making environmental statements available to the President). It is important that draft environmental statements be prepared and circulated for comment and furnished to the Council early enough in the agency review process before an action is taken in order to permit meaningful consideration of the environmental issues involved.

11. *Application of section 102(2)(C) procedure to existing projects and programs.* To the fullest extent possible the section 102(2)(C) procedure should be applied to further major Federal actions having a significant effect on the environment even though they arise from projects or programs initiated prior to enactment of Public Law 91-190 on January 1, 1970. Where it is not practicable to reassess the basic course of action, it is still important that further incremental major actions be shaped so as to minimize adverse environmental consequences. It is also important in further action that account be taken of environmental consequences not fully evaluated at the outset of the project or program.

12. *Availability of environmental statements and comments to public.* The agency which prepared the environmental statement is responsible for making such statement and the comments received available to the public pursuant to the provisions of the Freedom of Information Act (5 U.S.C. sec. 552).

13. *Review of existing authority, policies and procedures in light of National Environmental Policy Act.* Pursuant to section 103 of the Act and section 2(d) of Executive Order 11514, all agencies, as soon as possible, shall review their present statutory authority, administrative regulations, and current policies and procedures, including those relating to loans, grants, contracts, leases, licenses, certificates and permits, for the purpose of determining whether there are any

deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of the Act. After such review each agency shall report to the Council on Environmental Quality not later than September 1, 1970, the results of such review and their proposals to bring their authority and policies into conformity with the intent, purposes and procedures set forth in the Act.

14. *Supplementary guidelines; evaluation of procedures.* (a) The Council on Environmental Quality after examining environmental statements and agency procedures with respect to such statements will issue such supplements to these guidelines as are necessary.

(b) Agencies will assess their experience in the implementation of the section 102(2)(C) provisions of the Act and in conforming with these guidelines and report thereon to the Council on Environmental Quality by December 1, 1970. Such reports should include an identification of problem areas and suggestions for revision or clarification of these guidelines to achieve effective coordination of views on environmental aspects (and alternatives, where appropriate) of proposed actions without imposing unproductive administrative procedures.

RUSSELL E. TRAIN,
Chairman.

[F.R. Doc. 70-5769; Filed, May 11, 1970;
8:46 a.m.]

FEDERAL MARITIME COMMISSION

MATSON NAVIGATION CO. AND UNITED STATES LINES, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed for approval by:

Peter P. Wilson, Matson Navigation Co., 100 Mission Street, San Francisco, Calif. 94105.

Agreement No. DC-46 between Matson Navigation Co. (Matson) and United States Lines, Inc. (U.S. Lines), provides for the lease of container chassis owned by Matson, to U.S. Lines for use on the Island of Oahu.

By its terms U.S. Lines will have complete control and supervision over the equipment while in its possession. U.S. Lines will be liable for any damage or loss arising out of its use, operation, and possession of the chassis, and will release, agree to defend and hold harmless Matson in such an event.

Charges shall accrue to Matson at the rate of \$10 per diem, excluding the day of the interchange. Matson will be responsible for any repairs which are required before U.S. Lines takes possession of the chassis pursuant to the agreement. Ordinarily maintenance and service adjustments caused by ordinary use will be absorbed by U.S. Lines when the cost thereof does not exceed \$20. When the estimated cost thereof exceeds \$20 it shall be billed to and borne by Matson. Such maintenance will be authorized by Matson prior to the commencement of repairs when the estimated cost would exceed \$50.

Matson does not agree to make a definite number of chassis available at any particular time under the terms of the agreement.

The agreement is for a period of 1 year from the date of approval by the Federal Maritime Commission pursuant to section 15, Shipping Act, 1916 and will continue in effect from year to year. After 1 year either party may terminate the agreement at any time by giving the other party to the agreement 10 days notice of termination.

Dated: May 7, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-5795; Filed, May 11, 1970;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-2737, etc.]

CITIES SERVICE GAS CO.

Notice of Filing of Settlement Proposal

MAY 4, 1970.

Take notice that on April 29, 1970, Cities Service Gas Co. (Gas Company) filed a request for approval of a Settlement Proposal in Dockets Nos. G-2737, RP64-9, RP68-16, and RP69-39. The settlement proposal is stated to arise out

of discussions among Gas Company, the Commission's staff, and interested parties in the above-entitled proceedings, and is intended to represent a total settlement, in the amount of \$27 million in full payment and settlement of any and all claims for refunds or alleged overcharges in Gas Company's jurisdictional rates arising from Gas Company's purchases of gas from Continental Gas Producing Co. and Continental Oil Co. in the Texas-Panhandle and Oklahoma-Hugoton Fields at the latter's effective rates on file with the Federal Power Commission, at all times on and after April 23, 1964, including such volumes of purchases as are involved in Dockets Nos. RP64-9, RP68-16, and RP69-39.

Copies of the proposed settlement were served on all parties of record in these proceedings.

Comments or objections relating to the proposed stipulation and agreement may be filed with the Federal Power Commission, Washington, D.C. 20426, on or before May 22, 1970.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-5758; Filed, May 11, 1970;
8:45 a.m.]

[Docket No. CP70-256]

COLORADO INTERSTATE GAS CO.

Notice of Application

MAY 4, 1970.

Take notice that on April 24, 1970, Colorado Interstate Gas Co., a division of Colorado Interstate Corp. (applicant), Post Office Box 1087, Colorado Springs, Colo. 80901, filed in Docket No. CP70-256 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the delivery of natural gas and the construction and operation of facilities necessary therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate a meter station and approximately 1,000 feet of 4-inch pipeline in order to deliver up to 5,000 Mcf per day to Kansas-Nebraska Natural Gas Co., Inc. (Kansas-Nebraska) in Finney County, Kans. Applicant states that this proposal is only a rearrangement of deliveries under applicant's existing gas sales contract with Kansas-Nebraska and will not increase applicant's peak day or annual delivery obligations.

The total estimated cost of the proposed facilities is \$14,502, which will be financed from current working funds on hand, funds from operations, or short-term borrowings.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 25, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the