

prepared a Final Environmental Assessment (FEA) for the project.

Copies of the FEA are available in the Public Reference Branch, Room 2-A, of the Commission's offices at 888 First Street, NE, Washington, DC 20426. For further information, contact Ed Lee at (202) 219-2809.

Linwood A. Watson, Jr.,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP99-584-000]

Koch Gateway Pipeline Company; Notice of Intent to Prepare an Environmental Assessment for the Proposed Index 301-08L2 Prichard Loop Project and Request For Comments On Environmental Issues

August 13, 1999.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the construction of about 3.9 miles of 24-inch-diameter mainline loop, proposed in the Index 301-08L2 Prichard Loop Project.¹ This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law. A fact sheet addressing a number of typically asked questions, including the use of eminent domain, is attached to this notice as appendix 1.²

¹ Koch's application was filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

² The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, D.C. 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.

Summary of the Proposed Project

The Prichard Loop Project would be located entirely within the Prichard, Alabama city limits. Koch Gateway Pipeline Company (Koch) seeks authority to:

- Construct about 3.9 miles of 24-inch-diameter pipeline requiring about 31 acres of land;
- Use, as temporary workspace, about 12.4 acres of land;
- Construct a horizontal directional drill crossing of Chickasaw Creek;
- Use about 16 existing access roads; and
- At Whistler's Junction, replace the existing orifice meter with a 20-inch ultrasonic meter and install bypass and pigging facilities.

The location of the project facilities is shown in appendix 2. The proposed loop starts at Whistler's Junction (Station No. 11+95 on the Index 301-08L pipeline) and ties back into the mainline at Station No. 204+53, southwest of the Interstate 65 interchange with State Route 158. If you are interested in obtaining procedural information, please write to the Secretary of the Commission.

Land Requirements for Construction

About ninety-four percent of the proposed route of the Prichard Loop would occur within or adjacent to existing permanent rights-of-way of either Koch or the Alabama Power Company. Construction of the proposed facilities would require about 43.4 acres of land, including 14.2 acres of new permanent right-of-way. About 3.6 acres of existing pipeline and powerline rights-of-way would be used. The remaining 25.6 acres would be temporary construction areas (e.g., workspaces or construction right-of-way). All temporary construction areas would be allowed to revert to their former use.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and necessity. NEPA also requires us to discover and address concerns the public may have about proposals. We call this "scoping". The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the

preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils.
- Water resources, fisheries, and wetlands.
- Vegetation and wildlife.
- Endangered and threatened species.
- Land use.
- Cultural resources.
- Public safety.

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section on page 4 of this notice.

Currently Identified Environmental Issues

We have already identified some issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by Koch. This preliminary list of issues may be changed based on your comments and our analysis.

- Four residences are located within 50 feet of the proposed construction right-of-way.
- The federally threatened gopher tortoise has been identified in the project area.
- Construction would include clearing 1.6 acres of forested wetlands.

Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentator, your

concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative routes), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send two copies of your letter to: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First St., NE, Room 1A, Washington, DC 20426;
- Label one copy of the comments for the attention of the Environmental Review and Compliance Branch, PR-11.2;
- Reference Docket No. CP99-584-000; and
- Mail your comments so that they will be received in Washington, DC on or before September 13, 1999.

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor". Intervenor play a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 3). Only intervenors have the right to seek rehearing of the Commission's decision.

You do not need intervenor status to have your environmental comments considered. Additional information about the proposed project is available from Mr. Paul McKee of the Commission's Office of External Affairs at (202) 208-1088 or on the FERC website (www.ferc.fed.us) using the "RIMS" link to information in this docket number. Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222.

Similarly, the "CIPS" link on the FERC Internet website provides access to the texts of formal documents issued by the Commission, such as orders,

notices, and rulemakings. From the FERC Internet website, click on the "CIPS" link, select "Docket #" from the CIPS menu, and follow the instructions. For assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2474.

Linwood A. Watson, Jr.,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of an Amendment of License And Soliciting Comments, Motions to Intervene, and Protests

August 13, 1999.

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

- a. *Application Type:* Amendment of License.
- b. *Project No.:* 184-060.
- c. *Date Filed:* July 19, 1999.
- d. *Applicant:* El Dorado Irrigation District (EID) and Pacific Gas & Electric Company (PG&E).
- e. *Name of Project:* El Dorado Hydroelectric Project.
- f. *Location:* On the South Fork American River and its tributaries, in El Dorado, Alpine, and Amador Counties, California. A large part of the project is located on more than 2,200 acres of federal land within the Eldorado National Forest.
- g. *Filed Pursuant to:* 18 CFR 4.200.
- h. *Applicant Contact:* Mr. William T. Hetland, El Dorado Irrigation District, 2890 Mosquito Rd, Placerville, CA 95667, (530) 622-4513, and Annette Fargalia, Esq., Pacific Gas & Electric Company, P.O. Box 7442, San Francisco, CA 94120, (415) 973-7145.
- i. *FERC Contact:* Any questions on this notice should be addressed to Mohamad Fayyad at mohamad.fayyad@ferc.fed.us or 200-219-2665.

j. *Deadline for filing comments and/or motions:* September 20, 1999.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington DC 20426.

Please include the project number (184-060) on any comments or motions filed.

k. *Description of Filing:* EID proposes to reconstruct the El Dorado Diversion Dam and to construct a 1.8-mile-long

bypass tunnel to replace a damaged portion of the existing El Dorado Canal. Both the diversion dam and the canal were severely damaged by storm runoff and land slides, which occurred during January 1997. Reconstruction of the dam would involve a headwall, replacement of a fish ladder, and an intake facility with a fish screen that would be reconstructed on the north side instead of the south side of the channel. The 1.8-mile-long bypass tunnel would replace about 2.3 miles of damaged wood and concrete portions of the canal. EID proposes to remove the damaged portions of the canal and to stabilize the portions that would remain unused following construction of the bypass tunnel.

1. *Location of the application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 208-1371. The application may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm>, (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item "h" above.

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

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.

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. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C.