

## DEPARTMENT OF ENERGY

Federal Energy Regulatory  
Commission

[Project No. 6879-019]

Southeastern Hydro-Power, Inc.;  
Notice of Availability of Environmental  
Assessment

October 21, 1999.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission's) regulations, the Office of Hydropower Licensing has reviewed the application requesting the Commission's authorization to amend the license for the proposed W. Kerr Scott Hydroelectric Project, to be located on the Yadkin River immediately below the existing W. Kerr Scott Dam, operated by the Wilmington District Corps of Engineers, in Wilkes County, North Carolina, and has prepared an Environmental Assessment (EA) for the proposed action.

In the EA, Commission staff concludes that approval of the subject amendment of license with staff's recommended mitigative measures would not produce any significant adverse environmental impacts; consequently, the proposal would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the EA can be viewed at the Commission's Public Reference Room, Room 2A, 888 First Street, N.E., Washington, DC 20426, or by calling (202) 208-1371. The EA also may be viewed on the Web at [www.ferc.fed.us/online/rims.htm](http://www.ferc.fed.us/online/rims.htm). Call (202) 208-2222 for assistance.

For further information, please contact Jim Haines at (202) 219-2780.

David P. Boergers,

Secretary.

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## DEPARTMENT OF ENERGY

Federal Energy Regulatory  
Commission

[Docket No. CP99-624-000]

Wyoming Interstate Company, Ltd.;  
Notice of Intent To Prepare an  
Environmental Assessment for the  
Proposed Medicine Bow Lateral Phase  
II Project and Request for Comments  
on Environmental Issues

October 21, 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 Medicine Bow Lateral Phase II Project involving the construction and operation of natural gas transmission facilities by Wyoming Interstate Company, Ltd. (WIC) in Weld County, Colorado and Converse County, Wyoming.<sup>1</sup> These proposed facilities primarily consist of about 5.6 miles of 24-inch-diameter pipeline and 7,170 horsepower (hp) of compression. 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.<sup>2</sup>

**Summary of the Proposed Project**

WIC wants to expand the capacity of its facilities in Colorado and Wyoming to transport an additional 120,000 Decatherms per day of natural gas on the Medicine Bow Lateral. WIC seeks authority to construct and operate:

<sup>1</sup> WIC's application was filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

<sup>2</sup> 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, DC 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.

*Phase II Facilities (1999)*

- About 5.6 miles of 24-inch-diameter pipeline in Weld County, Colorado;
- One 7,170-hp compressor unit at its existing Douglas Compressor Station in Converse County, Wyoming; and
- One check meter at its existing Cheyenne Compressor Station in Weld County, Colorado.

The location of the project facilities is shown in appendix 2.

**Land Requirements for Construction**

Construction of the proposed facilities would require about 61.3 acres of land. Following construction, about 33.3 acres would be maintained as permanent right-of-way. The remaining 28 acres of land would be restored and allowed to revert to its former use. All construction at WIC's Douglas Compressor Station in Converse County, Wyoming and its Cheyenne Compressor Station in Weld County, Colorado would occur within the existing sites.

**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
- air quality and noise

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 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 below.

#### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commenter, 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-11.1;
- Reference Docket No. CP99-624-000; and
- Mail your comments so that they will be received in Washington, DC on or before November 22, 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](http://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.

**David P. Boergers,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests

October 21, 1999.

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

- a. *Type of Application:* Preliminary Permit.
- b. *Project No.:* P-11821-000.
- c. *Date filed:* September 27, 1999.
- d. *Applicant:* Universal Electric Power Corporation.
- e. *Name of Project:* Deer Creek Dam Hydro Project.
- f. *Location:* At the existing U.S. Army Corps of Engineers' Deer Creek Dam and Reservoir on Deer Creek, near the Town of Williamsport, Pickaway County, Ohio.
- g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. §§ 791(a)-825(r).
- h. *Applicant Contact:* Mr. Ronald S. Feltenberger, Universal Electric Power

Corp., 1145 Highbrook Street, Akron, Ohio 44301, (330) 535-7115

i. *FERC Contact:* Ed Lee (202) 219-2809 or E-mail address at [Ed.Lee@FERC.fed.us](mailto:Ed.Lee@FERC.fed.us).

j. *Deadline for filing motions to intervene and protest:* 60 days from the issuance date of this notice.

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.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application is not ready for environmental analysis at this time.

l. *Description of Project:* The proposed project would utilize the existing U.S. Army Corps of Engineers' Deer Creek Dam and Reservoir, and would consist of the following facilities: (1) a new 90-foot-long and 5.5-foot-in-diameter steel penstock; (2) a new powerhouse to be constructed on the downstream side of the dam having an installed capacity of 800 kilowatts; (3) a new 300-foot-long, 14.7-kilovolt transmission line; and (4) appurtenant facilities. The proposed average annual generation is estimated to be 5 gigawatt-hours. The cost of the studies under the permit will not exceed \$600,000.

m. *Available Locations of Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference and File Maintenance Branch, located at 888 First Street, N.E., Room 2-A, Washington, D.C. 20426, or by calling (202) 219-1371. A copy is also available for inspection and reproduction at Universal Electric Power Corp., Mr. Ronald S. Feltenberger, 1145 Highbrook Street, Akron, Ohio 44301, (330) 535-7115. A copy of the application may also be viewed or printed by accessing the Commission's website on the internet at <http://www.ferc.fed.us/online/rims.htm> or call (202) 208-2222 for assistance.

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

Preliminary Permit—Anyone desiring to file a competing application for preliminary permit for a proposed