

application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

p. Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

q. 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.

r. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "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. 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

s. 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.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 02-4607 Filed 2-26-02; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project Nos. 4204-024, 4660-028 and 4659-026-Arkansas White River Lock and Dam Nos. 1, 2, and 3]

#### City of Batesville, Arkansas and , Independence County, Arkansas; Notice of Proposed Restricted Service List for a Memorandum of Agreement for Managing Properties Included in or Eligible for Inclusion in the National Register of Historic Places

February 20, 2002.

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding.<sup>1</sup> The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

The Commission staff is consulting with the Arkansas State Historic Preservation Officer (hereinafter, SHPO) and the Advisory Council on Historic Preservation (hereinafter, Council) pursuant to the Council's regulations, 36 CFR part 800, implementing Section 106 of the National Historic Preservation Act, as amended, (16 U.S.C. Section 470 f), to prepare and execute a memorandum of agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at Project Nos. 4204, 4660, and 4659.

The memorandum of agreement, when executed by the Commission, the SHPO, and possibly the Council (36 CFR 800.6), would satisfy the Commission's Section 106 responsibilities for the proposed amendments filed by the City of Batesville, Arkansas and Independence County, Arkansas to change the route of

the unconstructed transmission line and to construct a new substation. The Commission's responsibilities pursuant to Section 106 for the above projects would be fulfilled through the memorandum of agreement, which the Commission proposes to draft in consultation with certain parties listed below. The executed memorandum of agreement would be incorporated into any orders amending the licenses.

City of Batesville, Arkansas, and Independence County, Arkansas, as licensees for Project Nos. 4204, 4660, and 4659, are invited to participate in consultations to develop and sign the memorandum of agreement as concurring parties. The Osage and Quapaw Tribes are also invited to participate in consultations to develop and sign the memorandum of agreement as concurring parties.

For purposes of commenting on the memorandum of agreement, we propose to restrict the service list for the aforementioned projects as follows:

Dr. Laura Henley Dean, Advisory Council on Historic Preservation, The Old Post Office Building, Suite 803, 1100 Pennsylvania Avenue, NW, Washington, D.C. 20004

Dr. Cathie Matthews, State Historic Preservation Officer, 1500 Tower Building 323 Center Street,

Little Rock, AR 72201  
Chairperson Tamara Summerfield, Quapaw Tribal Business Committee, P.O. Box 765, Quapaw, OK 74363  
Principal Chief Charles O. Tillman, Jr., Osage Tribal Council, P.O. Box 779, Pawhuska, OK 74056

Donald H. Clarke, Law Offices of GKRSE, 1500 K Street N.W., Suite 330, Washington DC 20005

Scott T. Fletcher, Duke Engineering & Services, Inc., 400 S. Tryon St., WC22K, P.O. Box 1004, Charlotte, N.C. 28201-1004

Darlene Low, Southwestern Power Administration, Department of Energy, One West Third Street, Tulsa, OK 74103

Robert Orr, Southwestern Power Administration, P.O. Box 3337, Springfield, MO 65808

Any person on the official service list for the above-captioned proceedings may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date.

An original and 8 copies of any such motion must be filed with Magalie R. Salas, the Secretary of the Commission (888 First Street, NE, Washington, DC 20426) and must be served on each

<sup>1</sup> 18 CFR 385.2010.

person whose name appears on the official service list. If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on any motion or motions filed within the 15 day period.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. 02-4573 Filed 2-26-02; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Floodplain/Wetland Involvement at the Supply Creek Crossing for the Granby Pumping Plant-Marys Lake 69-kilovolt Transmission Line, Grand County, CO

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Notice of statement of findings.

**SUMMARY:** This Floodplain/Wetland Statement of Findings for the Supply Creek Crossing, Granby Pumping Plant-Marys Lake 69-kilovolt (kV) Transmission Line was prepared in accordance with the U.S. Department of Energy's (DOE) Floodplain/Wetland Review Requirements. Western Area Power Administration (Western), a power marketing agency of the U.S. Department of Energy (DOE), is the lead Federal agency for a proposal to reroute a 0.8 mile section of the Granby Pumping Plant-Marys Lake 69-kV transmission line. The project is located in Grand County, Colorado, approximately 10 miles north of Granby. Western plans to remove eight wood-pole H-frame structures from the existing right-of-way and relocate them farther to the west, a distance ranging from a few hundred feet to approximately 1,000 feet. All the proposed work will likely occur within a 100-year floodplain of Supply Creek. The existing transmission line and the proposed reroute cross a wetland associated with Supply Creek, and an irrigated meadow. Western has prepared a floodplain/wetland assessment and based on its findings, found no practicable alternative to avoiding the floodplain/wetlands of Supply Creek.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rodney Jones, Environmental Specialist, Rocky Mountain Customer Service Region, Western Area Power Administration, P.O. Box 3700, Loveland, CO 80539-3003, telephone (970) 461-7371, e-mail [rjones@wapa.gov](mailto:rjones@wapa.gov). For further information on DOE Floodplain/Wetlands Environmental Review

Requirements, contact Ms. Carol M. Borgstrom, Director, NEPA Policy and Compliance, EH-42, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, telephone (202) 586-4600 or (800) 472-2756.

**SUPPLEMENTARY INFORMATION:** This Statement of Findings for the proposal to relocate a 0.8 mile section of the Granby Pumping Plant-Marys Lake 69-kV transmission line was prepared in accordance with DOE's Floodplain/Wetland Review Requirements 10 CFR part 1022. A notice of floodplain/wetland involvement was published in the **Federal Register** on November 23, 2001 (66 FR 226). A 15-day public review period following the publication of this statement of findings has been waived per 10 CFR part 1022.18(c). No comments were received on the notice. There was one request for a copy of the floodplain/wetlands assessment.

The Supply Creek Crossing is located approximately 2 miles to the south-southwest of the town of Grand Lake and 1 mile west of Shadow Mountain Lake in Grand County, Colorado. The project area encompasses portions of the south 1/2 of section 11 and the northwest 1/4 of section 14, T. 3 N., R.76 W. The property is privately owned. Current land use is ranching, grazing, and hay production. The Granby Pumping Plant to West Portal portion of the Granby Pumping Plant-Marys Lake 69-kV transmission line was constructed in 1939. Due to the age of this transmission line, Western has routinely tested and replaced deteriorated wood-pole structures on the transmission line as needed. A landowner approached Western and requested that a section of the transmission line on his property be relocated to facilitate ongoing ranching operations. The relocation of the line will also benefit Western's operation and maintenance activities in a number of ways. The relocated line will be in an area that is less wet and more accessible for routine inspections and maintenance. Access to the existing section of transmission line for maintenance is difficult due to hay meadow irrigation and naturally wet conditions. Western plans to remove eight wood-pole H-frame structures from the existing right-of-way and relocate them farther to the west, a distance ranging from a few hundred feet to approximately 1,000 feet. Western is the lead Federal agency for a proposal to reroute a 0.8 mile section of the Granby Pumping Plant-Marys Lake 69-kV transmission line. This action is categorically excluded under DOE's National Environmental Policy

Act Implementing Procedures (10 CFR part 1021).

The reroute for the proposed project was selected because it avoids interfering with the landowner's ranching operations; and it moves the right-of-way into an area with relatively drier conditions than the existing right-of-way. Western could leave the line where it is and continue to replace deteriorating structures as needed. However, this would not solve the conflict with the landowner's planned ranch operations.

The project will require construction activities within a floodplain and a wetland. This includes removing eight existing wood-pole H-frame transmission line structures and installing eight similar structures within a new relocated right-of-way. The structures located at either end of the relocation may be modified, or reconstructed, at their existing location. Most construction activities would take place during the early months of 2002 when the ground is frozen to facilitate access in the extremely wet areas. This action would conform to applicable State or local floodplain protection standards.

Western prepared a floodplain/wetlands assessment describing the effects, alternatives, and measures designed to avoid or minimize potential harm to or within the affected floodplain. There is no practicable alternative to locating structures within the floodplain and wetlands of Supply Creek. Environmental impacts associated with the proposed project are expected to be minimal. Habitat within the southern two-thirds of the project area is native and tame pasture grasses with wet meadows. Supply Creek crosses under the line in the northern third of the property. The habitat in this area is an open-canopy, willow/shrub. The open meadow and creek areas are either grazed or mowed at least annually. There are several ranch buildings east of the existing line, as well as a large developed residential area. Relocation of the line within the same meadow and wetland area will have minimal impact. Since construction activities are scheduled to commence during the winter, minimal impact to Supply Creek and its aquatic habitat, vegetation, and soils would result.

The project would not affect existing flood characteristics. No watercourses or drainage patterns will be affected by the project. No construction will occur within Supply Creek. Flood storage volume will not be affected. No change in flood stage characteristics would occur.