

motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 02-9252 Filed 4-16-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2145-040, Washington]

#### Public Utility District No. 1 of Chelan County, Washington; Notice of Availability of Environmental Assessment

April 11, 2002.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR Part 380 (Order No. 486, 52 FR 47910), the Office of Energy Projects has reviewed Public Utility District No. 1 of Chelan County's application for license amendment to construct and operate a permanent juvenile fish bypass system at the Rocky Reach Hydroelectric Project, located on the Columbia River in Chelan and Douglas Counties, Washington, and has prepared an Environmental Assessment (EA). The project occupies lands managed by the Bureau of Land Management and the U.S. Forest Service.

The EA contains the staff's analysis of the potential environmental impacts of the proposed amendment and concludes

that approval of the proposed amendment with staff's modifications would not constitute a major federal action that would significantly affect the quality of the human environment.

The EA is attached to a Commission order issued on April 10, 2002, for the above application. Copies of the EA are available for review at the Commission's Public Reference Room, located at 888 First Street, NE., Washington, DC 20426, or by calling (202) 208-1371. The EA may be viewed on the web at <http://www.ferc.gov/online/rims.htm> (call (202) 208-2222 for assistance).

For further information, contact Bob Easton at (202) 219-2782.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP02-78-000]

#### Maritimes & Northeast Pipeline L.L.C.; Notice of Intent To Prepare an Environmental Assessment for the Proposed Maritimes Phase IV Project and Request for Comments on Environmental Issues

April 11, 2002.

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 Maritimes Phase IV Project involving construction and operation of facilities by Maritimes & Northeast Pipeline, L.L.C. (Maritimes) in Washington, Penobscot, York, Cumberland, Waldo, and Sagadahoc Counties, Maine and Essex and Middlesex Counties, Massachusetts.<sup>1</sup> These facilities would consist of about 31.3 miles of 36-inch-diameter pipeline, 107,200 horsepower (hp) of compression, a meter station, and modification of existing facilities. 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

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

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 prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice Maritimes provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet website ([www.ferc.gov](http://www.ferc.gov)).

#### Summary of the Proposed Project

Maritimes wants to expand the capacity of its facilities in Maine and Massachusetts to transport an additional 385,000 dekatherms per day of natural gas to provide additional service for the Northeastern United States. Maritimes seeks authority to construct and operate:

- 30.1 miles of 36-inch-diameter pipeline loop in Washington County, Maine;
- 26,800 hp of gas turbine-driven compression at the new Brewer Compressor Station in Penobscot County, Maine;
- 26,800 hp of gas turbine-driven compression at the new Searsmont Compressor Station in Waldo County, Maine;
- 26,800 hp of gas turbine-driven compression at the new Gorham Compressor Station in Cumberland County, Maine;
- 26,800 hp of gas turbine-driven compression at the new Eliot Compressor Station in York County, Maine;
- Modification and repiping of the existing Baileyville Compressor Station in Washington County, Maine;
- Modification and repiping of the existing Richmond Compressor Station in Sagadahoc County, Maine;
- A new KeySpan-Haverhill Meter Station in Essex County, Massachusetts;
- Modification of the existing Dracut Meter Station in Essex County, Massachusetts;
- Modification of the existing Westbrook Meter Station in Cumberland County, Maine; and
- Two new block valves in Washington County, Maine.

The location of the project facilities is shown in appendix 1.<sup>2</sup>

#### *Land Requirements for Construction*

Construction of the proposed pipeline would require about 377.5 acres of land. Following construction, about 94.8 acres would be maintained as permanent right-of-way. In addition, construction of the compressor and meter stations would require about 59.9 acres of land. Following construction, about 39.4 acres would be maintained for the stations, the remaining 20.5 acres of land would be restored.

#### *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<sup>3</sup> 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
- Vegetation and wildlife
- Land use
- Cultural resources
- Water resources and fisheries
- Wetlands
- Public safety
- Endangered and threatened species
- 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.

#### *Currently Identified Environmental Issues*

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

- The potential impacts of noise and air emissions from the four new compressor stations.
- The federally listed endangered Atlantic Salmon may be present in 17 perennial streams that would be crossed.

#### *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 locations/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 an original and two copies of your letter to: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First St., N.E., Room 1A, Washington, DC 20426.
- Label one copy of the comments for the attention of Gas 2.
- Reference Docket No. CP02-78-000.

• Mail your comments so that they will be received in Washington, DC on or before May 13, 2002.

Please note that we are continuing to experience delays in mail deliveries from the U.S. Postal Service. As a result, we will include all comments that we receive within a reasonable time frame in our environmental analysis of this project. However, the Commission encourages electronic filing of any comments or interventions or protests to this proceeding. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.gov> under the "e-Filing" link and the link to the User's Guide. Before you can file comments you will need to create a free account which can be created by clicking on "Login to File" and then "New User Account."

We may mail the EA for comment. If you are interested in receiving it, please return the Information Request (appendix 3). If you do not return the Information Request, you will be taken off the mailing list.

#### *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 2).<sup>4</sup> Only intervenors have the right to seek rehearing of the Commission's decision.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

#### *Environmental Mailing List*

This notice is being sent to individuals, organizations, and

<sup>4</sup>Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.

<sup>2</sup>The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available on the Commission's website at the "RIMS" link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, D.C. 20426, or call (202) 208-1371. For instructions on connecting to RIMS refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>3</sup>"We", "us", and "our" refer to the environmental staff of the Office of Energy Projects (OEP).

government entities interested in and/or potentially affected by the proposed project. It is also being sent to all identified potential right-of-way grantors. By this notice we are also asking governmental agencies, especially those in appendix 4, to express their interest in becoming cooperating agencies for the preparation of the EA.

#### *Additional Information*

Additional information about the proposed project is available from the Commission's Office of External Affairs at (202) 208-1088 or you can call the FERC operator at 1-800-847-8885 and ask for External Affairs. Information is also available on the FERC website ([www.ferc.gov](http://www.ferc.gov)) 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) 208-2222.

**Linwood A. Watson, Jr.,**  
*Deputy Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP02-116-000 and CP02-117-000]

#### **Tennessee Gas Pipeline Company; Notice of Intent To Prepare an Environmental Assessment For the Proposed South Texas Expansion Project and Request for Comments on Environmental Issues, and Notice of Site Visit**

April 11, 2002.

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 South Texas Expansion Project involving construction and operation of facilities by Tennessee Gas Pipeline Company (Tennessee) in Hidalgo,

Victoria, and Nueces Counties, Texas.<sup>1</sup> These facilities would consist of about 17 miles of various diameter pipeline and 9,470 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 prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice Tennessee provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet website ([www.ferc.gov](http://www.ferc.gov)).

#### *Summary of the Proposed Project*

Tennessee wants to expand the capacity of its facilities in Texas to transport 320,000 Decatherms per day of natural gas to a delivery point located at the International Boundary between the United States in Hidalgo County, Texas and Mexico in the State of Tamaulipas (International Boundary). Tennessee seeks Section 7<sup>(1)</sup> authority to construct and operate:

- 9.28 miles of 30-inch-diameter lateral (Rio Bravo Lateral) in Hidalgo County, Texas, which would commence from milepost 9.02 on Tennessee's existing Pipeline No. 409A-100 (Donna Line) to an interconnection at the International Boundary;
- 7.58 miles of 24-inch-diameter loop of Tennessee's Donna Line in Hidalgo County, Texas;
- A new compressor station consisting of two gas-fired reciprocating compressors rated at 4,735 hp each and located near the town of Edinburg in Hidalgo County, Texas (Edinburg Compressor Station);

<sup>1</sup>Tennessee's application was filed with the Commission under Section 3 and Section 7 of the Natural Gas Act and Part 153 and Part 157 of the Commission's regulations.

- A new meter station near the interconnection of the Rio Bravo Lateral and Tennessee's border crossing facility at the International Boundary; and
- Modifications of Tennessee's existing Compressor Station 1 located in Nueces County, Texas, and existing Compressor Station 9 located in Victoria County, Texas.

In addition, Tennessee requests Section 3 authorization and a Presidential Permit to site, construct, and operate a border crossing facility at the terminus of the Rio Bravo Lateral for the importation and exportation of natural gas at the International Boundary. Tennessee's border crossing facility would consist of a 1,800-foot-long segment of 30-inch-diameter pipeline which would interconnect with a proposed pipeline in Mexico to be constructed by Gasoducto del Rio, a wholly owned Mexican subsidiary of EDF International. Tennessee's proposed project and the Gasoducto del Rio pipeline would provide natural gas service to a developing power generation complex (Rio Bravo Market) comprised of four new electric power plants located in Northern Mexico.

The general location of the South Texas Expansion Project facilities is shown in appendix 1.<sup>2</sup>

#### *Land Requirements for Construction*

Construction of the proposed facilities would require about 276.5 acres of land. Following construction, about 118.9 acres would be maintained as permanent right-of-way, including 9.5 acres for new aboveground facility sites. The remaining 157.6 acres of temporary workspace would be restored and allowed to revert to its 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<sup>3</sup> 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

<sup>2</sup>The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available on the Commission's website at the "RIMS" link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE., Washington, DC 20426, or call (202) 208-1371. For instructions on connecting to RIMS refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

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