

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. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. 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. The Commission strongly encourages electronic filings.

**Magalie R. Salas,**  
Secretary.

[FR Doc. 03-13740 Filed 6-2-03; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Orion Power New York GP II, Inc., Notice of Availability of Environmental Assessment

May 27, 2003.

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 47,897), the Office of Energy Projects has reviewed the application for license for the Newton Falls Hydroelectric Project, located on Oswegatchie River in St. Lawrence County, New York, and prepared an environmental assessment (EA). The EA contains staff's analysis of the environmental effects of the proposal and concludes that approval, with additional staff-recommended measures, would not constitute a major federal action significantly affecting the human environment.

A copy of the EA is available for review at the Commission in the Public Reference Room, or it may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number, excluding the

last three digits in the docket number field, to access the document. Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Please file any comments (an original and 8 copies) within 45 days from the date of this letter. The comments should be addressed to Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please affix the Project No. 7000-015 to all comments. Comments 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 at <http://www.ferc.gov> under the "e-filing" link. The Commission strongly encourages electronic filings.

Please contact Janet Hutzel at (202) 502-8675, or by e-mail at [janet.hutzel@ferc.gov](mailto:janet.hutzel@ferc.gov) if you have any questions or if you require further information.

**Magalie R. Salas,**  
Secretary.

[FR Doc. 03-13741 Filed 6-2-03; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP03-80-000]

#### Eastern Shore Natural Gas Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed 2003-2005 System Expansion Project and Request for Comments on Environmental Issues

May 27, 2003.

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 2003-2005 System Expansion Project involving construction and operation of natural gas pipeline facilities by Eastern Shore Natural Gas Company (Eastern Shore) in Chester County, Pennsylvania and New Castle County, Delaware.<sup>1</sup> These facilities consist of about 5.7 miles of 16-inch-

<sup>1</sup> Eastern Shore's application was filed with the Commission on April 1, 2003, under section 7 of the Natural Gas Act and part 157 of the Commission's regulations.

diameter loop,<sup>2</sup> modification to an existing meter station, and construction of a new pressure regulator. Construction would be done in three phases from the fall of 2003 through 2005. The 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 Eastern Shore 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 Web site (<http://www.ferc.gov>).

#### Summary of the Proposed Project

Eastern Shore proposes to increase the capacity of its facilities in Southeastern Pennsylvania and Delaware to supply increased quantities of natural gas to existing local distribution customers. This project would allow Eastern Shore to deliver an additional 15,100 Dekatherms per day (Dt/d) of gas to these customers.

Eastern Shore proposes to construct the project in three phases. Phase I would upgrade the Parkesburg Meter Station and increase capacity 3,800 Dt/d. Phase II, constructed in 2004, would consist of 2.7 miles of 16-inch-diameter loop in Chester County, Pennsylvania and would supply an additional 4,700 Dt/d. Phase III, constructed in 2005, would consist of 3.0 miles of 16-inch-diameter loop and a pressure regulator supplying an additional 6,600 Dt/d.

<sup>2</sup> A loop is a segment of pipeline that is installed adjacent to an existing pipeline and connected to it on both ends. The loop allows more gas to be moved through the pipeline system.

The general location of Eastern Shore's proposed facilities is shown on the maps attached as appendix 1.<sup>3</sup>

### Land Requirements for Construction

Construction of Eastern Shore's proposed facilities would require about 51.3 acres of land, including construction right-of-way for the loops, the meter station, and extra work areas needed for pipe storage yards, staging areas, and warehouse sites. The majority of the loops would be constructed directly adjacent to Eastern Shore's existing rights-of-way. For the construction of the loops, Eastern Shore proposes to use a 75-foot-wide construction right-of-way, which includes a 35-foot overlap of the existing right-of-way for workspace and temporary spoil storage. About 22.2 acres would be maintained as permanent right-of-way. Construction access to Eastern Shore's project generally would use the construction right-of-way and existing road network.

### 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>4</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

<sup>3</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available on the Commission's Web site at the "RIMS" link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE., Room 2A, 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.

<sup>4</sup> "We", "us", and "our", refer to the environmental staff of the Office of Energy Projects (OEP).

- Water resources and wetlands
- Vegetation and wildlife
- Threatened and endangered species
- Cultural resources
- Land use
- Reliability and safety

We will 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 beginning on page 8.

### 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 Eastern Shore. This preliminary list of issues may be changed based on your comments and our analysis.

- Resources and Wetlands
  - Crossing 8 perennial waterbodies.
  - Crossing 15 wetlands, including 0.6 acres of forested wetlands.
- Vegetation
  - Clearing 3.8 acres of upland forest.
- Threatened and Endangered Species
  - One Federally-listed amphibian specie.
- Land Use
  - 33 residences located within 50 feet of the construction work area.

### 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 locations or 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., NE., Room 1A, Washington, DC 20426; Label one copy of the comments for the attention of Gas Branch 1; Reference Docket No. CP03-80-000; and Mail your comments so that they will be received in Washington, DC on or before June 27, 2003.

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 strongly 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."

### 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>5</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

<sup>5</sup> Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.

not need intervenor status to have your environmental comments considered.

### Environmental Mailing List

This notice is being sent to individuals, organizations, and 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 3, to express their interest in becoming cooperating agencies for the preparation of the EA the Internet in lieu of paper. See the previous discussion on filing comments electronically.

### Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site (<http://www.ferc.gov>) using the FERRIS link. Click on the FERRIS link, enter the docket number excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance with FERRIS, the FERRIS helpline can be reached at 1-866-208-3676, TTY (202) 502-8659, or at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). The FERRIS link on the FERC Internet Web site also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you too keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 03-13738 Filed 6-2-03; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Intent To File an Application for A New License

May 27, 2003.

a. *Type of Filing:* Notice of Intent to File An Application for a New License.

b. *Project No.:* 906.

c. *Date Filed:* May 19, 2003.

d. *Submitted By:* Virginia Electric and Power Company, d.b.a. Virginia Dominion Power—current licensee.

e. *Name of Project:* Cushman Hydroelectric Project.

f. *Location:* On the James River in Amherst County, Virginia. The project occupies federal land within the Jefferson National Forest.

g. *Filed Pursuant to:* Section 15 of the Federal Power Act

h. *Licensee Contact:* James Thornton, Dominion Virginia Power, (Manager for Licensee), Innsbrook Technical Center, 1 NE., 5000 Dominion Boulevard, Glen Allen, VA 23060, (804) 273-3257.

i. *FERC Contact:* Janet Hutzel, [janet.hutzel@ferc.com](mailto:janet.hutzel@ferc.com), (202) 502-8675.

j. *Effective date of current license:* September 1, 1980.

k. *Expiration date of current license:* June 15, 2008.

l. *Description of the Project:* The project consists of the following existing facilities: (1) A 1,550-foot-long, 27-foot-high concrete dam; (2) a 138-acre reservoir; (3) a powerhouse containing five turbine generating units with a total installed capacity of 7,500 kW; and (4) other appurtenances.

m. Each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by June 15, 2006.

n. A copy of this filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or TTY (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

o. Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support as shown in the paragraph above.

**Magalie R. Salas,**

*Secretary.*

#### Project No. 906-000

Mail List for P-906; Virginia Electric and Power Company

Dr. William E. Trout, III, American Canal Society, 35 Towana Rd, Richmond, VA 23226-3124.

Director, Bureau of Land Management, Eastern States Office, 7450 Boston Blvd, Springfield, VA 22153-3121.  
Regional Engineer, Federal Energy Regulatory Commission, Atlanta Regional Office, 3125 Presidential Pkwy Ste 300, Atlanta, GA 30340-3700.

Executive Director, Historic Landmarks Commission, 2801 Kensington Ave, Richmond, VA 23221-2470.

Regional Director, National Marine Fisheries Service, Northeast Regional Office—DOC/NOAA, 1 Blackburn Dr, Gloucester, MA 01930-2237.

Administrator, National Marine Fisheries Service, 904 S Morris St, Oxford, MD 21654-1323.

Chief, National Park Service, Northeast Region—U.S. Custom House, 200 Chestnut St, Philadelphia, PA 19106-2912.

Director, Northern Virginia Regional Park Auth., 5400 Ox Rd, Fairfax Station, VA 22039-1022.

Chairman, South Carolina Dept of Natural Resources, 1201 Main St Ste 1100, Columbia, SC 29201-3265.

Regional Director, U.S. Fish & Wildlife Service, 300 Westgate Center Dr, Hadley, MA 01035-9587.

Director, U.S. Fish & Wildlife Service, Chesapeake Bay Field Office, 177 Admiral Cochrane Dr, Annapolis, MD 21401-7307.

Gloucester Point Office Director, U.S. Fish & Wildlife Service, 6669 Short Ln, Gloucester, VA 23061-4410.

Commander, U.S. Army Corps of Engineers, PO Box 1159, Cincinnati, OH 45201-1159.

U.S. Army Engineer Div., U.S. Army Corps of Engineers, North Atlantic Division—CENAD-ET-P, 405 Gen. Lee Ave., Fort Hamilton Mil. Com., Brooklyn, NY 11252-6700.

Chief, U.S. Army Corps of Engineers, District Office, 803 Front St, Norfolk, VA 23510-1011.

Fred Allgaier, U.S. Bureau of Indian Affairs, 3000 Youngfield St Ste 230, Lakewood, CO 80215-6551.

Solicitors Office, U.S. Bureau of Indian Affairs, 1849 C St NW., Rm 6454, Washington, DC 20240-0001.

Malka Pattison, U.S. Bureau of Indian Affairs, Office of Trust Responsibilities, 1849 C Street, NW., MS 4513 MIB, Washington, DC 20240-0001.

Dr. James Kardatzke, Ecologist, U.S. Bureau of Indian Affairs, Eastern Regional Office 711 Stewarts Ferry Pike, Nashville, TN 37214-2751.

Commanding Officer, U.S. Coast Guard, MSO Hampton Roads, 200 Granby St, Norfolk, VA 23510-1811.

Director, U.S. Department of Energy, Suite 501, 1880 John F Kennedy Blvd., Philadelphia, PA 19103-7422.