

and propose solutions to these impediments, including Commission actions necessary to move the process forward to establish a joint and common market in the Midwest and PJM region in an expeditious manner. This pre-filed testimony will be subject to cross-examination by the Commissioners and advisory staff at the hearing specified below. Any other interested parties may file similar testimony.

11. The inquiry will be held on September 29 and 30, 2003, from approximately 9 a.m. to 5 p.m. in Hearing Room 1 of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. The Commissioners will attend and participate in the discussions. We direct the Chief Administrative Law Judge to appoint an administrative law judge to preside over the two-day inquiry, including swearing in witnesses, ruling on the admissibility of evidence and objections, etc. The presiding administrative law judge's involvement will be limited to the two days of hearing, and the Commission will take appropriate future action, as early as the October 22, 2003 meeting.

*The Commission orders:*

(A) The Secretary is hereby directed to publish this order in the **Federal Register**.

(B) AEP, Ameren, ComEd, DP&L and Illinois Power are hereby directed to file the information discussed above by September 23, 2003.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Section 402(a) of the Department of Energy Organization Act and by the Federal Power Act, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act (18 C.F.R., Chapter I), the administrative law judge designated by the Chief Administrative Law Judge, shall preside over this inquiry, as discussed in the body of this order.

(D) This inquiry shall be held on September 29 and 30, 2003, in Hearing Room 1 of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

By the Commission.

**Magalie R. Salas,**

*Secretary.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-6644-1]

### **Environmental Impact Statements and Regulations; Availability of EPA Comments**

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 04, 2003 (68 FR 16511).

#### **Draft EISs**

*ERP No. D-AFS-J65389-MT Rating EC2, North Belts Travel Plan and the Dry Range Project, Provision of Motorized and Non-motorized Recreation, Helena National Forest, Broadwater, Lewis and Clark and Meagher Counties, MT.*

*Summary:* EPA has environmental concerns regarding potential water quality effects and inconsistency of road management with TMDL development for impaired surface waters and potential adverse effects to wildlife habitat, security and connectivity with Alternatives 1, 2 and 3. EPA believes Alternatives 4 and 5 or a new modified alternative with reduced environmental effects should be considered as the preferred alternative. EPA supports inclusion of road, trail and watershed improvements in the preferred alternative, and believes additional information is needed to fully assess and mitigate all potential impacts of the management actions.

*ERP No. D-BLM-K70009-CA Rating EC2, West Mojave Plan, Habitat Conservation Plan and Federal Land Use Plan Amendment, Implementation, California Desert Conservation Area, Portions of San Bernardino, Kern, Inyo, and Los Angeles Counties, CA.*

*Summary:* EPA expressed environmental concerns and recommended additional mitigation measures to further protect desert tortoise and riparian/wetland and stream functions.

*ERP No. D-COE-C39016-NJ Rating EC2, Union Beach Community Project, Provision of Hurricane and Storm Damage Reduction to Residential, Commercial and Recreational Resources, Located along the Raritan Bay and Sandy Hook Bay Shoreline, Monmouth County, NJ.*

*Summary:* EPA had environmental concerns and requested that the final EIS include additional information on the wetlands mitigation plan and a Clean Air Act General Conformity Applicability Analysis.

*ERP No. D-FHW-C40159-NJ Rating EC2, Penns Neck Area Transportation Service Improvements, Phase I Archeological Survey, U.S. 1, Sections 2S and 3J, Funding, West Windsor and Princeton Townships, Mercer County, and Plainsboro Township, Middlesex County, NJ.*

*Summary:* EPA has environmental concerns with the proposed project's impacts regarding stormwater runoff, surface waters and vehicular traffic.

*ERP No. D-FHW-D40093-PA Rating LO, City of Lebanon Bridge Over Norfolk Southern Railroad Tracks Construction Project, 12th Street to Lincoln Avenue, Funding, Lebanon County, PA.*

*Summary:* EPA does not have objections regarding the proposed project.

*ERP No. D-FHW-D40321-PA Rating EC2, Woodhaven Road Project, Traffic Congestion Reduction on Byberry Road between Roosevelt Boulevard and Huntingdon Pike, Funding, Philadelphia, Bucks and Montgomery Counties, PA.*

*Summary:* EPA has environmental concerns regarding avoidance and minimization of the proposed project's impacts to surface waters and wetlands, forested habitats and environmental justice areas.

*ERP No. D-FRC-L05200-OR Rating LO, Bull Run Hydroelectric Project (FERC No.477-024), Proposal to Decommission the Bull Run Project and Remove Project Facilities including Marmot Dam, Little Sandy Diversion Dam and Roslyn Lake, and an Application to Surrender License, Sandy, Little Sandy, Bull Run Rivers, Town of Sandy, Clackamas County, OR.*

*Summary:* EPA supports the selection and implementation of the Settlement Agreement alternative including FERC staff recommended modifications as it will result in long term environmental benefits.

*ERP No. D-NRC-E06022-SC Rating EC1, Generic—License Renewal of Nuclear Plants, Virgil C. Summer Nuclear Station, Supplement 15, Fairfield County, SC.*

*Summary:* EPA notes that while the impacts of the project appear to be within acceptable limits, the plant will need to continue radiological monitoring of all effluents and the appropriate storage and disposition of radioactive waste during the license renewal period.

*ERP No. DA-AFS-G65062-NM Rating LO, Agua/Caballos Timber Sale, Timber Harvest and Existing Vegetation Management, Implementation, Carson National Forest, El Rito Ranger District, Taos County, NM.*

*Summary:* EPA expressed a lack of objections to the selection of the preferred alternative.

*ERP No. DS-NRS-E36161-MS Rating LO, Town Creek Watershed Project, Impacts of Floodwater Retarding Structures (FWRS) No. 1, 5, 8, and 59 and Deletion of FWRS No. 10A, Funding, Lee, Pontotoc, Prentiss and Union Counties, MS.*

*Summary:* EPA determined that the unavoidable losses associated with implementation of this flood control proposal are within acceptable limits and will be appropriately mitigated.

#### Final EISs

*ERP No. F-AFS-L65369-00 Boise National Forest, Payette National Forest and Sawtooth National Forest, Forest Plan Revision, Implementation, Southwest Idaho Ecogroup, several counties, ID, Malheur County, OR and Box Elder County, UT.*

*Summary:* No formal comment letter was sent to the preparing agency.

*ERP No. F-COE-K30031-CA Imperial Beach Shore Protection Project, Shore Protection and Prevention of Damage to Adjacent Beachfront Structures, Silver Strand Shoreline, City of Imperial Beach, San Diego County, CA.*

*Summary:* No formal comment letter was sent to the preparing agency.

*ERP No. F-FHW-E50292-FL St. Augustine Bridge of Lions (SR AIA) Rehabilitation or Replacement of the Existing Two Lane Bridge Crossing over the Matanzas River, Intracoastal Waterway, U.S. Coast Guard Bridge Permit and NPDES Permit Issuance, St. Augustine, St. John County, FL.*

*Summary:* EPA lacks objections to the preferred alternative. However, EPA recommends a stipulation for river bottom restoration and debris removal.

*ERP No. F-SFW-A64059-00 Programmatic EIS-Double crested Cormorant (DCCO) Management Plan, Reduction of Resource Conflicts, Flexibility Enhancements of Natural Resource Agencies in dealing with DCCO Related Resource Conflicts and to ensure the Conservation of Healthy, Viable DCCO Population, Implementation, The Contiguous United States.*

*Summary:* No formal comment letter was sent to the preparing agency.

Dated: September 16, 2003.

**Joseph C. Montgomery,**  
*Director, NEPA Compliance Division, Office of Federal Activities.*

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**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

(ER-FRL-6643-9)

#### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 or <http://www.epa.gov/compliance/nepa>.

Weekly receipt of Environmental Impact Statements

Filed September 08, 2003 Through September 12, 2003 Pursuant to 40 CFR 1506.9.

*EIS No. 030416, Final EIS, APH, Importation of Solid Wood Packing Material, To Exclude, Eradicate and/or Control Invasive Alien Agricultural Pest, Implementation, United States, Wait Period Ends: October 20, 2003, Contact: David A. Bergsten (301) 734-6103.*

*EIS No. 030417, Draft EIS, AFS, NM, Surface Management of Gas Leasing and Development in the Carson National Forest, Implementation, Jicarilla Ranger District, Rio Arriba County, NM, Comment Period Ends: November 3, 2003, Contact: Tom Dwyer (505) 758-6272. This document is available on the Internet at: <http://www.fs.fed.us/r3/carson>.*

*EIS No. 030418, Draft EIS, AFS, MI, Baltimore Vegetative Management Project, Implementation, Ottawa National Forest, Ontonagon Ranger District, Ontonagon County, MI, Comment Period Ends: November 3, 2003, Contact: Bruce Prud'homme (906) 884-2085.*

*EIS No. 030419, Draft EIS, AFS, NM, Magdalena Ridge Observatory Project, Construct and Operate an Observatory in the Magdalena Mountains, Cibola National Forest, Magdalena Ranger District, Socorro County, NM, Comment Period Ends: November 3, 2003, Contact: Laura Hudnell (505) 854-2281.*

*EIS No. 030420, Draft EIS, HHS, MD, Integrated Research Facility (IRF) at Fort Detrick Construction and Operation, Adjacent to Existing U.S. Army Medical Research Institute of Infectious Diseases Facilities, City of Frederick, Frederick County, MD, Comment Period Ends: November 3, 2003, Contact: Ron Wilson (301) 496-5037.*

*EIS No. 030421, Final EIS, DOE, CA, Sacramento Area Voltage Support Project, System Reliability and Voltage Support Improvements, Sierra Nevada Region, Alameda, Contra Costa, Placer, Sacramento, San Joaquin and Sutter Counties, CA, Wait Period Ends: October 20, 2003, Contact: Loreen McMahon (916) 353-4460. This document is available on the Internet at: <http://www.wapa.gov>.*

*EIS No. 030422, Draft EIS, BPA, WA, BP Cherry Point Cogeneration Project, To Build a 720-megawatt Gas-Fired Combined Cycle Cogeneration Facility, Energy Facility Site Evaluation Council (EFSEC), Whatcom County, WA, Comment Period Ends: November 3, 2003, Contact: Thomas C. McKinney (503) 230-4749.*

*EIS No. 030423, Draft EIS, NOA, WA, CA, OR, Pacific Coast Groundfish Fishery Management Plan (FMP) Amendment 16-2, Rebuilding Plans for: Darkblotched Rockfish, Pacific Ocean Perch, Canary Rockfish, and Lingcod, Maximum Sustainable Yield (MSY) Magnuson-Stevens Fishery Conservation and Management Act, WA, OR, CA and Boundary of U.S. EEZ, Comment Period Ends: November 3, 2003, Contact: D. Robert Lohn (206) 526-6150.*

*EIS No. 030424, Final EIS, BIA, CA, Jamul Indian Village (Tribe) 101 Acre Fee-to-Trust Transfer and Casino Project, Implementation, San Diego County, CA, Wait Period Ends: November 3, 2003, Contact: William Allan (916) 978-6043.*

*EIS No. 030425, Final EIS, EPA, AK, Pogo Gold Mine Project, Underground Mine Construction and Operation, NPDES and U.S. Army COE Section 404 Permits Issuance, Goodpaster River Valley, Delta Junction, AK, Wait Period Ends: October 20, 2003, Contact: Hanh Gold (206) 553-0171.*

#### Amended Notices

*EIS No. 030367, Draft EIS, IBR, CA, Freeport Regional Water Project, To Construct and Operate a Water Supply Project to Meet Regional Water Supply Needs, Sacramento County Water Agency (SCWA) and the East Bay Municipal Utility District (EBMUD), Alameda, Contra Costa, San Joaquin, Sacramento Counties, CA, Comment Period Ends: October 7, 2003, Contact: Rod Schroeder (916) 989-7274. Revision of FR Notice Published on 8/15/2003: CEQ Comment Period Ending 9/29/2003 has been Extended to 10/7/2003.*

*EIS No. 030394, Draft Supplement, NOA, MA, ME, RI, NH, CT, Northeast Multispecies Fishery Management*