

Accords)⁴ the Yakama Nation will actively seek congressional appropriations during fiscal years 2010 and 2011 for additional Mitchell Act funding for the new Wahkiacus facility. Under the Accords, BPA made funding available, pending satisfactory results from its environmental compliance efforts, to fund hatchery facility improvements to increase production in the Klickitat Basin as described in alternative one below.

The master plan was developed in concert with salmonid production and harvest agreements pursuant to *U.S. v. Oregon*, which is the primary forum for decisions related to salmon and steelhead fisheries management for the Columbia River Basin. *U.S. v. Oregon* is landmark litigation over Indian treaty fishing rights. The Federal district court that initially decided the case has retained continuing jurisdiction to assure the development of harvest and production plans follow the court's decisions. Through the on-going *U.S. v. Oregon* process, the parties develop and update the Columbia River Fish Management Plan which addresses management of Chinook, coho, and steelhead in the Klickitat basin, including hatchery production at the Klickitat Hatchery. Current programs focus on harvest augmentation for coho and fall Chinook and on supplementation for spring Chinook and summer steelhead.

The proposed Yakama Nation-Klickitat Hatchery Program EIS would respond to these master plan objectives. BPA, therefore, will prepare an EIS under NEPA to assist the agency as it decides whether to fund the proposed changes to the existing salmon and steelhead hatchery program in the Klickitat subbasin and, if a decision is made to fund the changes, which alternative to meet the master plan objectives should be chosen.

Alternatives Proposed for Consideration. BPA will consider three action alternatives to meet master plan objectives for salmon and steelhead in the Klickitat Basin. One alternative, the Master Plan, would involve the fisheries managers increasing the production of Klickitat spring Chinook and steelhead at the existing Klickitat Hatchery and transferring artificial production of coho and fall Chinook to a new hatchery facility at Wahkiacus. This would free up water and space at the Klickitat Hatchery, ensuring optimal rearing densities for spring Chinook and summer steelhead at that facility.

⁴ http://www.salmonrecovery.gov/Biological_opinions/FCRPS/2008_biop/docs/3-tribe-AA-MOA-Final.pdf.

Transferring coho and fall Chinook production downstream would minimize the impact of these species on the spawning and rearing of wild spring Chinook and steelhead by reducing species interactions and competition for habitat in the 26.5-mile reach between Wahkiacus and Klickitat. A second alternative would evaluate meeting the same production objectives but at the Klickitat Hatchery alone. A third alternative would examine a phased approach to the proposed production changes, with a partial build-out at the Wahkiacus facility. The current Wahkiacus facility design provides for acclimation of up to 1,000,000 coho pre-smolts and rearing and release of up to 2,000,000 fall Chinook. The partial build-out would consider a phased approach for accomplishing production objectives, with the associated phasing of the completion of project facilities. BPA will also consider a No-Action Alternative. Under the No-Action Alternative, production activities would continue as they do currently. Other alternatives may be identified through the scoping process.

BPA will be the lead agency for preparation of the EIS. BPA will formally invite the Yakama Nation, WDFW, NOAA Fisheries, Klickitat County, and Washington Department of Ecology to be cooperating agencies for the proposed Yakama Nation-Klickitat Hatchery Program EIS. Other potential cooperating agencies may be identified as the proposed project proceeds through the NEPA process. BPA will also coordinate with NOAA Fisheries which is preparing a programmatic EIS on the Mitchell Act hatchery facilities it funds throughout the Columbia River Basin.⁵

Public Participation and Identification of Environmental Issues. The potential environmental issues identified for the project are anticipated to include land use, socioeconomic concerns, cultural resources, visual resources, sensitive plants and animals, fisheries, soil erosion, wetlands, floodplains, water quality, water quantity, wild and scenic rivers, and recreation resources. BPA has established a 45-day scoping period during which tribes, affected landowners, concerned citizens, special interest groups, local governments, Federal agencies, and any other interested parties are invited to comment on the scope of the proposed EIS. Scoping will help BPA ensure that a full range of issues related to this proposal is addressed in the EIS, and

also will identify significant or potentially significant impacts that may result from the proposed project. When completed, the Draft EIS will be circulated for review and comment, and BPA will hold at least one public meeting to hear comments. The Draft EIS is expected to be published in fall 2010. BPA will consider and respond to comments received on the Draft EIS in the Final EIS. The Final EIS is expected to be published in spring 2011. BPA's decision will be documented in a Record of Decision that will follow the Final EIS.

Issued in Portland, Oregon, on July 10, 2009.

Stephen J. Wright,
Administrator and Chief Executive Officer.
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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No.: 2660-024]

Domtar Maine Corporation; Notice of Intent To Prepare an Environmental Assessment and Notice of Scoping Meetings and Site Visit and Soliciting Scoping Comments

July 10, 2009.

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

- a. *Type of Application:* New License.
- b. *Project No.:* 2660-024.
- c. *Date Filed:* March 19, 2009.
- d. *Applicant:* Domtar Maine Corporation.
- e. *Name of Project:* Forest City Project.
- f. *Location:* On Forest City Stream, a tributary of the St. Croix River in Washington and Aroostock Counties, Maine and Canada.
- g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791 (a)-825(r).
- h. *Applicant Contact:* Mr. Scott Beal, Domtar Maine Corporation, 144 Main Street, Baileyville, Maine 04694 (207) 427-4004.

- i. *FERC Contact:* John Costello, (202) 502-6119 or john.costello@ferc.gov.
- j. *Deadline for filing scoping comments:* September 11, 2009.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, 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

⁵ <http://www.nwr.noaa.gov/Salmon-Harvest-Hatcheries/Hatcheries/Mitchell-Act-EIS.cfm>.

to serve a copy of that document on each person 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.

Scoping comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. 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.

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

l. *Project Description:* The existing Forest City Project comprised an earth embankment dam containing a gated timber spillway and two impoundments (East Grand and North lakes). There are no generating facilities located at the project. Approximately one-quarter of the 544-foot-long dam (*i.e.*, approximately 147 feet) is within the United States; the remaining section of the dam is located in Canada. The United States (western) section of the dam is an earth embankment measuring approximately 110-feet-long with a maximum height of 12 feet. The center section of the dam (*i.e.*, that portion located in the river channel) contains a 55-foot-wide gated timber crib spillway structure with three wooden gates (gates 1 and 2 are located within the United States). The spillway is approximately 33-feet-wide with an elevation of 426.61 feet msl. A 5-foot-wide vertical slot design fishway is located in Canada. The eastern (Canadian) embankment is an earth structure approximately 397-feet-long, 30-feet-wide with a crest elevation of 437.27 feet msl. No new construction is planned.

m. *Locations of the Application:* A copy of the application 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 "eLibrary" 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 or toll-free at (866) 208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction by contacting the applicant using the contact information in item (h) above.

You may also register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via e-mail of new filings and issuances related to this or other

pending projects. For assistance, contact FERC Online Support.

n. *Scoping Process:* The Commission intends to prepare a single environmental assessment (EA) for the project which will include the West Branch Project (FERC No. P-2618-020) (no draft EA would be prepared) in accordance with the National Environmental Policy Act. The EA will consider both site-specific and cumulative environmental impacts and reasonable alternatives to the proposed action.

Scoping Meetings

Commission staff will hold two scoping meetings in the vicinity of the project at the time and place noted below. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meeting is primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of these meetings and to assist staff in determining the scope of the environmental issues to be addressed in the environmental assessment. The times and locations of these meetings are as follows:

Daytime Scoping Meeting

Date: August 13, 2009.

Time: 10 a.m. (EST).

Place: Conference Room, Domtar Maine Administration Building.

Address: Domtar Maine Corporation, 144 Main Street, Baileyville, Maine 04694.

Evening Scoping Meeting

Date: August 13, 2009.

Time: 6 p.m. (EST).

Place: Conference Room, Domtar Maine Administration Building,

Address: Domtar Maine Corporation, 144 Main Street, Baileyville, Maine 04694.

The scoping document, which outlines the subject areas to be addressed in the environmental assessment, was mailed to the individuals and entities on the Commission's mailing list. Copies of the scoping document will be available at the scoping meetings or may be viewed on the Web at <http://www.ferc.gov> using the "eLibrary" link (see item m above). Based on all oral and written comments, a revised scoping document may be issued.

Site Visit

We will hold a site visit to the project on Wednesday, August 12, 2009, beginning at 9 a.m. (EST). To attend the site visit, meet at Domtar Maine

Corporation's Administration Building located at 144 Main Street, Baileyville, Maine 04694. All participants are responsible for their own transportation and lunch. Anyone with questions about the site visit (or for directions) should contact Scott Beal at (207) 427-4004. Those individuals planning to participate in the site visit should notify Mr. Beal of their intent, no later than August 6, 2009.

Note that Commission staff may hold a site visit and/or meeting at the project at a later date to discuss any project-related effects to archaeological, historic, or traditional cultural properties.

Meeting Objectives

At the scoping meetings, staff will: (1) Summarize the environmental issues tentatively identified for analysis in the EA; (2) solicit from meeting participants all available information, especially quantifiable data, on the resources issues; (3) encourage statements from experts and the public on issues that should be analyzed in the EA, including viewpoints in opposition to, or in support of, the staff's preliminary views; (4) determine the resource issues to be addressed in the EA; and (5) identify those issues that require a detailed analysis, as well as those issues that do not require a detailed analysis.

Meeting Procedures

Scoping meetings will be recorded by a stenographer and will become part of the Commission's formal record for this proceeding.

Individuals, organizations, and agencies with environmental expertise and concerns are encouraged to attend the meetings and to assist staff in defining and clarifying the issues to be addressed in the EA.

Kimberly D. Bose,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No.: 2618-020]

Domtar Maine Corporation; Notice of Intent To Prepare an Environmental Assessment and Notice of Scoping Meetings and Site Visit and Soliciting Scoping Comments

July 10, 2009.

Take notice that the following hydroelectric application has been filed