

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 7000-015]

Newton Falls Holdings, LLC; Notice of Public Scoping and Site Visit for the Newton Falls Hydroelectric Project

April 8, 2002.

Pursuant to the National Environmental Policy Act and procedures of the Federal Energy Regulatory Commission, the Commission staff intends to prepare an Environmental Assessment (EA) that evaluates the environmental impacts of issuing a new license for the constructed and operating Newton Falls Hydroelectric Project, No. 7000-015, located on the Oswegatchie River in St. Lawrence County, New York. The subject project does not include federal land.

The EA will consider both site-specific and cumulative environmental effects, if any, of the licensee's proposed actions and reasonable alternatives. Preparation of staff's EA will be supported by a scoping process to ensure identification and analysis of all pertinent issues.

At this time, the Commission staff does not anticipate holding formal public or agency scoping meetings. Rather, the Commission staff will issue a Scoping Document: (1) outlining staff's preliminary evaluation of subject areas to be addressed in the EA; and (2) requesting concerned resource agencies, Native American tribes, non-governmental organizations, and individuals to provide staff with information on project area environmental resources and recreational access needs, and to recommend site-specific issues and concerns that should be evaluated in the EA.

Before issuing the scoping document, Commission staff will hold a site visit of the Newton Falls Hydroelectric Project with representatives of the current licensee and Reliant Energy, the proposed new owner of the project. The site visit will take place: (1) on Monday, May 6, 2002, from 3 p.m. to about 6 p.m.; and (2) on Tuesday, May 7, 2002, from 8:30 a.m. until approximately 11:30 A.M. The purpose of the site visit is to enable Commission staff responsible for preparing the environmental assessment to view the area's existing resources and the project's constructed facilities.

Officials of state and federal resource agencies and representatives of concerned non-governmental

organizations are invited to participate at the site visit. Persons planning to attend should notify Mr. Tom Skutnik of Reliant Energy by telephone at (315) 413-2789 or by E-mail at: tskutnik@reliant.com. All participants will meet at the Newton Falls mill parking area located off County Road 60 in Newton Falls, New York.

If you have any questions concerning this matter, please telephone the Commission's Environmental Coordinator for the Newton Falls Project at (202) 219-2780 or contact him by E-mail at james.haimes@ferc.gov.

Magalie R. Salas,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protest

April 9, 2002.

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

- a. *Type of Application*: New Major License.
- b. *Project No.*: 233-081.
- c. *Date filed*: October 19, 2001.
- d. *Applicant*: Pacific Gas and Electric Company.
- e. *Name of Project*: Pit 3, 4, 5 Project.
- f. *Location*: On the Pit River, in Shasta County, near the community of Burney and the Intermountain towns of Fall River Mills and McArthur, California. The project includes 746 acres of lands of the United States, which are administered by the Forest Supervisor of the Shasta Trinity National Forest and the Forest Supervisor of the Lassen National Forest.
- g. *Filed Pursuant to*: Federal Power Act, 16 USC §§ 791(a)-825(r).
- h. *Applicant Contact*: Mr. Randal Livingston, Lead Director, Hydro Generation Department, Pacific Gas and Electric Company, P.O. Box 770000, N11C, San Francisco, CA 94177, (415) 973-6950.

i. *Commission Contact*: Any questions concerning this notice should be addressed to John Mudre, e-mail address john.mudre@ferc.fed.us, or telephone (202) 219-1208.

j. *Deadline for filing motions to intervene and protest*: 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary; Federal Energy Regulatory Commission; 888 First Street, NE.; Washington, DC 20426. Please include the project number (Project No. 233-081) on any comments or motions filed.

The Commission's rules of practice and procedure require all interveners filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervener 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.

Motions to Intervene and Protests 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 (<http://www.ferc.gov>) under the "e-Filing" link.

k. This application has been accepted, but is not ready for environmental analysis at this time.

l. The existing project consists of the following existing facilities: three hydraulically-connected developments, with a total of four dams, four reservoirs, three powerhouses, associated tunnels, surge chambers, and penstocks. The powerhouses contain nine generating units with a combined operating capacity of about 325 MW. No new construction is proposed.

The Pit 3 development consists of: (1) The 1,293-acre Lake Britton, with a gross storage capacity of 41,877 acre feet; (2) the Pit 3 Dam, with a crest length of 494 feet and a maximum height of 130 feet; (3) a concrete tunnel in two sections, 19 feet in diameter with a total length of about 21,000 feet; (4) a surge tank; (5) three penstocks about 10 feet in diameter and 600 feet in length; (6) a 47-foot by 194-foot reinforced concrete multilevel powerhouse; (7) three generating units, driven by three vertical Francis turbines, with a combined normal operating capacity of 70 MW; and (8) appurtenant facilities.

The Pit 4 development consists of: (1) The 105-acre Pit 4 Reservoir, with a gross storage capacity of 1,970 acre feet; (2) the Pit 4 Dam, consisting of a gravity type overflow section 203 feet in length with a maximum height of 108 feet and a slab-and-buttress type section 212 feet in length with a maximum height of 78 feet; (3) a 19-foot-diameter pressure tunnel with a total length of about 21,500 feet; (4) two 12-foot-diameter penstocks about 800 feet in length; (5) a four-level 58-foot by 155-foot

reinforced concrete powerhouse; (6) two generating units, driven by two vertical Francis turbines, with a combined normal operating capacity of 95 MW; and (7) appurtenant facilities.

The Pit 5 development consists of: (1) The 32-acre Pit 5 Reservoir, with a gross storage capacity of 314 acre feet; (2) the Pit 5 Dam, with a concrete gravity overflow structure 340 feet in length and a maximum height of 67 feet; (3) the 19-foot-diameter Tunnel No. 1; (4) the 48-acre Pit 5 Tunnel Reservoir, with a gross storage capacity of 1,044 acre feet; (5) the Pit 5 Tunnel Reservoir Dam, approximately 3,100 feet long and 66 feet high; (6) the 19-foot-diameter Pit 5 Tunnel No. 2; (7) four steel penstocks about 8 feet in diameter and 1,400 feet in length; (8) a 56-foot by 266.5-foot reinforced concrete multilevel powerhouse; (9) four generating units, driven by four vertical Francis turbines, with a combined normal operating capacity of 160 MW; and (10) appurtenant facilities.

m. A copy of the application is on file and available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 208-1371. The application may 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). A copy is also available for inspection and reproduction at the address in item h above.

n. Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests 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 protests or motions to intervene must be received on or before the specified deadline date for the particular application.

All filings must: (1) Bear in all capital letters the title "PROTEST" or "MOTION TO INTERVENE;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each

representative of the applicant specified in the particular application.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Temporary Variance Request and Soliciting Comments, Motions To Intervene, and Protests

April 9, 2002.

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

- a. *Application Type*: Request to Amend Language of Article 42.
- b. *Project No*: 2716-037.
- c. *Date Filed*: March 1, 2002.
- d. *Applicant*: Virginia Electric and Power Company.
- e. *Name of Project*: Bath County Pumped Storage Station.
- f. *Location*: The project is located on Back Creek and Little Back Creek in Bath County, Virginia.
- g. *Filed Pursuant to*: 18 CFR 4.200.
- h. *Applicant Contacts*: Ms. Sara S. Bell, Bath County Pumped Storage Station, HCR 1 Box 280, Warm Springs, VA 24484, phone (540) 279-3068 or Mr. James W. Thorton, Dominion Generation, 5000 Dominion Boulevard, Glen Allen, VA 23060, phone (804) 273-3257.
- i. *FERC Contact*: Any questions on this notice should be addressed to Mr. Robert Fletcher at (202) 219-1206, or e-mail address: robert.fletcher@ferc.gov.
- j. *Deadline for filing comments and or motions*: May 10, 2002.

All documents (original and seven copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington DC 20426. Please include the project number (P-2716-037) on any comments or motions filed.

k. *Description of Request*: Article 42 states that, except as the Commission may otherwise order on its own motion or at the request of the Virginia State Water Control Board and the Virginia Department of Game and Inland Fisheries or the U.S. Fish and Wildlife Service, after notice and opportunity for hearing, the licensee is to release a combined minimum discharge of 15 cubic feet per second (cfs), including seepage flows, from the upper and lower reservoirs. The minimum discharge

from the upper reservoir shall be 2 cfs and the minimum discharge from the lower reservoir shall be 10 cfs, including seepage flows in each case. However, the minimum discharges may be temporarily modified if they are limited by natural inflows and the depletion of conservation storage or if a modification is required by operating emergencies beyond the licensee's control.

The licensee proposes to change the language of article 42 to parallel the release strategy under its Virginia Department of Environmental Quality's Virginia Water Protection Permit. The proposed change would be as follows:

Article 42. Under normal operating conditions, with full conservation storage of 3,200 acre-feet, the licensee shall release a combined minimum daily average discharge from the upper and lower reservoirs of 15 cubic feet per second (cfs), including seepage flows. The minimum discharge from the upper reservoir will always be 2 cfs or greater and the minimum discharge from the lower reservoir will always be 10 cfs or greater, including seepage flows in each case.

When low inflow to the project reservoirs results in 50 percent or greater depletion of the 3,200 acre-feet of conservation storage, the licensee may reduce the releases to a daily average of 7.5 cfs from the lower reservoir (at no time to be below 6 cfs) and 2.0 cfs from the upper reservoir.

If conditions persist and the 3,200 acre-feet of conservation pool is depleted by 80 percent or greater, the daily average discharge from the lower reservoir may be reduced to 5.0 cfs (at no time to be below 4 cfs) and the discharge from the upper reservoir may be reduced to 1.5 cfs.

These requirements may also be temporarily modified if required by operating emergencies beyond the control of the licensee. If drought conditions deplete the entire 3,200 acre-feet of conservation pool, the licensee may, upon mutual agreement with the Virginia Department of Environmental Quality (VDEQ) and Virginia Department of Game and Inland Fisheries, and following public input as determined by the VDEQ, reduce flows further. If the flows are so modified, the licensee shall notify the Commission no later than ten days after each such incident.

l. *Locations of the Application*: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, D.C. 20426, or by calling (202) 208-1371. This filing may