

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

Project No. [1494-140]

Grand River Dam Authority; Notice of
Availability of Draft Environmental
Assessment

March 26, 1998.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR Part 380 (Order No. 486, 52 FR 47910), the Office of Hydropower Licensing (OHL) has reviewed an application for approval of new marina facilities. Grand River Dam Authority proposes to permit Paul Staten, d/b/a Hanger 51—Shangri-La Airpark, (permittee) to construct new marina docking facilities on Isles' End Cove on Grand Lake, the project reservoir. The permittee requests permission to construct a breakwater and six boat docks containing a total of 146 slips. The proposed dock facilities would be located on the northwest shore of the cove adjacent to the Shangri-La Airpark. The Pensacola Project is on the Grand River, in Craig, Delaware, Mayes, and Ottawa Counties, Oklahoma.

the DEA was written by staff in the Office of Hydropower Licensing, Federal Energy Regulatory Commission. Copies of the DEA can be obtained by calling the Commission's Public Reference Room at (202) 208-1371. In the DEA, staff concludes that approval of the licensee's proposal would not constitute a major Federal action significantly affecting the quality of the human environment.

Please submit any comments within 30 days from the date of this notice. Comments should be addressed to: Mr. David P. Boergers, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street N.E., Washington, D.C. 20426. Please affix Project No. 1494-140 to all comments. For further information, please contact the project manager, Jon Cofrancesco at (202) 219-0079.

Linwood A. Watson, Jr.,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket No. CP96-153-004]

Southern Natural Gas Company;
Notice of Intent to Prepare an
Environmental Assessment for the
Proposed Amended North Alabama
Pipeline Project and Request for
Comments on Environmental Issues

March 27, 1998.

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 construction and operation of about 27.1 miles of 16- and 12-inch-diameter pipeline and two meter stations proposed in the Amended North Alabama Pipeline Project.¹ This notice constitutes a scoping process and the comments received in response to this notice will be used to identify significant environmental issues including whether there is a need to prepare a supplemental environmental impact statement (supplemental EIS). The EA (or supplemental EIS) 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 whose property will be crossed by the proposed project, 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 may seek to negotiate a mutually acceptable agreement relative to land use and access. However, if the project is approved by the Commission, the pipeline has the right to use eminent domain. Therefore, if negotiations fail to produce an agreement between the pipeline company and landowner, the pipeline company could initiate condemnation proceedings in accordance with state law. A fact sheet addressing a number of typically asked questions, including the use of eminent domain, is attached to this notice as appendix 1.

Background

On May 30, 1997, the Commission issued a certificate in Docket Nos. CP96-153-000 and CP96-153-002 authorizing Southern Natural Gas

Company (Southern) to construct about 109.5 miles of 16-inch-diameter pipeline, 8.5 miles of 12-inch-diameter pipeline, two compressor units (4,700 horsepower (HP) and 1,600 HP), and three meter stations subject to the conditions in the Order. The certificated route included a crossing of the Wheeler National Wildlife Refuge (Wheeler NWR) along the Triana Variation subject to the approval of the U.S. Fish and Wildlife Service (FWS). After the issuance of the certificate, the FWS determined that this route is not consistent with the FWS policy of issuing rights-of-way only within existing corridors. On February 4, 1998, Southern filed an application with the Commission to change the northern end of the certificated route. The proposed amended 27.1-mile-long route follows existing corridors including Interstate 65 across the Wheeler NWR in the vicinity of the Tennessee River, a powerline right-of-way north of the river, and other rights-of-way.

The EA will only cover the amended route of the pipeline from milepost (MP) 95.25 adjacent to Interstate 67 (about MP 91.2 on the previously certificated route) to the new Huntsville Meter Station, including the Decatur Lateral and Decatur Meter Station. There is no change in the facilities south of MP 95.25 and they will not be reexamined in the EA.

Summary of the Proposed Project

Southern proposes to modify the certificated route of the North Alabama Pipeline in Alabama. Southern still proposes to deliver a total of 69,000 cubic feet per day of natural gas at the Decatur and Huntsville Meter Stations for Decatur Utilities, Huntsville Utilities Gas System, and Marshall County Gas District. The facilities that will be studied in the EA include:

- about 26.9 miles of 16-inch-diameter pipeline in Morgan, Limestone, and Madison Counties, Alabama;
- about 0.2 mile of 12-inch-diameter pipeline in Morgan County, Alabama;
- the Decatur Meter Station in Morgan County, Alabama; and
- The relocated Huntsville Meter Station in Madison County, Alabama.

The detailed location of the facilities is shown in appendix 2.²

²The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, D.C. 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.

¹Southern Natural Gas Company's application was filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

Land Requirements for Construction

Southern proposes to use a 70-foot-wide right-of-way in most areas; but a 90-foot-wide right-of-way would be used in agricultural areas to allow for topsoil segregation north of the Tennessee River. Southern proposes to maintain a 30- to 50-foot-wide permanent easement.

Construction of the proposed facilities would use or disturb about 260 acres of land. Following construction, about 125 acres would be maintained as permanent right-of-way for the pipelines and meter stations. The remaining 135 acres of land that was used for temporary construction right-of-way, extra work space, staging areas, and warehouse/storage yards would be restored and allowed to revert to its former use.

The Environmental 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 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 and to determine if a supplemental EIS is required. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA and if you believe a supplemental EIS is required the reasons for preparing one. All comments received are considered. 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.

To ensure your comments are considered, please carefully follow the instructions in the public participation section on page 5 of this notice.

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.
- Water resources, fisheries, and wetlands.
- Vegetation and wildlife.
- Endangered and threatened species.
- Land use.
- Cultural resources.
- Public safety.
- Hazardous waste.

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. The EA will 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 of the EA. We will consider all comments on the EA before we make our recommendations to the Commission.

Currently Identified Environmental Issues

We have identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by Southern and interested parties. Keep in mind that this is a preliminary list and it may be changed based on your comments and our analysis:

- The crossing of Wheeler NWR between MP 110.9 and MP 113.6 including the crossing of the Tennessee River.
- Disturbance of about 15 acres of forested wetlands, including the conversion of about 9 acres to scrub-shrub wetland.
- The conversion of about 21 acres of upland forest to herbaceous vegetation.
- Potential impact to six residences within 50 feet of the construction work area.
- Alternatives.

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 routes), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow the instructions below to ensure that your comments are received in time and properly recorded:

- Reference Docket No. CP96-153-004;
- Send two copies of your comments to: David P. Boergers, Acting 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 the Environmental Review and Compliance Branch, PR-11.2; and

- Mail your comments so that they will be received in Washington, DC on or before April 27, 1998.

If you do not want to send comments at this time but still want to remain on our mailing list, please return the form in appendix 3. If you do not comment or return the attached form, you will be dropped from the mailing list.

Becoming an Intervenor

In addition to involvement in the environmental 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 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 4). Only intervenors have the right to seek rehearing of the Commission's decision. If you are an intervenor in the original application (Docket No. CP96-153-000), you are automatically an intervenor in the amended application. You do not need to refile.

The date for filing timely motions to intervene in this proceeding has passed. Therefore, parties now seeking to file late interventions must show good cause, as required by section 385.214(b)(3), why this time limitation should be waived. Environmental issues have been viewed as good cause for late intervention.

You do not need intervenor status to have your environmental comments considered. Additional information about the proposed project is available from Mr. Paul McKee of the Commission's Office of External Affairs at (202) 208-1088.

David P. Boergers,
Acting Secretary.

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