

intervene in the proceeding. Because the Commission's NEPA Pre-filing Process occurs before an application to begin a proceeding is officially filed, petitions to intervene during this process are premature and will not be accepted by the Commission.

Environmental Mailing List

If you wish to be taken off our environmental mailing list, please return the "Remove from Mailing List" Form included in appendix 2. If you do not return this form, you will remain on our mailing list.

Availability of Additional Information

Additional information about the project is available from the Commission's Office of External Affairs at 1-866-208-FERC (3372) or on the FERC Internet Web site (<http://www.ferc.gov>). Using the "eLibrary" link, select "General Search" from the eLibrary menu, enter the selected date range and "Docket Number" (i.e., PF04-2-000 or PF04-5-000), and follow the instructions. Searches may also be done using the phrase "Crown Landing LNG" or "Logan Lateral" in the "Text Search" field. For assistance with access to eLibrary, the helpline can be reached at 1-866-208-3676, TTY (202) 502-8659, or at FERCOnlineSupport@ferc.gov. The eLibrary 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 rule makings.

In addition, the FERC now offers a free service called eSubscription that allows you to 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. To register for this service, go to <http://www.ferc.gov/esubscribenow.htm>.

Finally, Crown Landing has established an Internet Web site for its project at <http://www.bpcrownlanding.com>. The Web site includes a description of the project, maps and photographs of the proposed site, information on LNG, and links to related documents.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 12451-001]

SAF Hydroelectric, LLC; Notice of Intent To Prepare an Environmental Assessment, Notice of Paper Scoping and Soliciting Scoping Comments, and Notice of Revised Schedule for Processing Application

April 14, 2004.

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

a. *Type of Application:* Original major license.

b. *Project No.:* 12451-001.

c. *Date Filed:* January 20, 2004.

d. *Applicant:* SAF Hydroelectric, LLC.

e. *Name of Project:* Lower St. Anthony Falls Hydroelectric Project.

f. *Location:* On the Mississippi River, in the Town of Minneapolis, Hennepin County, Minnesota. The project affects federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Douglas A. Spaulding P.E., Spaulding Consultants, 1433 Utica Avenue South, Suite 162, Minneapolis, MN 55416, (952) 544-8133 or Robert Larson, 33 South 6th Street, Minneapolis, MN 55402, (612) 343-2913.

i. *FERC Contact:* Kim Carter at (202) 502-6486, or kim.carter@ferc.gov.

j. *Deadline for Filing Scoping Comments:* 60 days from 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.

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 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.

Scoping comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filing. 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. After logging into the e-Filing system, select "Comment on Filing" from the

Filing Type Selection screen and continue with the filing process.

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

l. *Description of Project:* The proposed Lower St. Anthony Falls Hydroelectric Project would be located at the U.S. Army Corps of Engineers (Corps) Lower St. Anthony Falls Lock and Dam and would utilize 5.9 acres of Corps lands. The generation turbines would be located in an auxiliary lock chamber adjacent to the Corps' main lock chamber. An auxiliary building, storage yard, and buried transmission line would occupy additional Corps lands. The project would operate according to the Corps' current operating criteria which maintains a constant water surface elevation of approximately 750.0 mean sea level in the 33.5-acre reservoir.

The proposed project would consist of the following features: (1) 16 turbine/generator units grouped in eight 6.2-foot-wide by 12.76-foot-high steel modules having a total installed capacity of 8,980 kilowatts, each module contains 2 turbine/generator sets (two horizontal rows of 1 unit each) installed in eight stoplog slots on the auxiliary lock structure; (2) trashracks located at the turbine intake; (3) a 200-foot-long sheet pile/concrete guide wall, located between the main lock and auxiliary lock, to facilitate navigation; (4) a 1,050-foot-long, 13,800-volt buried transmission line; (3) a 21-foot by 81-foot control building to house switchgear and controls; (4) a 20-foot by 30-foot project office and storage building; and (5) appurtenant facilities.

The applicant estimates that the average annual generation would be about 57,434,000 kilowatt-hours.

m. A Scoping Document (SD) outlining the subject areas to be addressed in the EA was distributed to the parties on the Commission's mailing list. Copies of the scoping document and application are 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 (P-12451), to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov, or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in paragraph (h) above.

n. You may also 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.

o. Scoping Process: Scoping is intended to advise all parties regarding the proposed scope of the EA and to seek additional information pertinent to this analysis. The Commission intends to prepare one Environmental Assessment (EA) on the project in accordance with the National Environmental Policy Act (NEPA). The EA will consider both site-specific and cumulative environmental effects and reasonable alternatives to the proposed action. Should substantive comments requiring re-analysis be received on the NEPA document, we would consider preparing a final NEPA document.

At this time, the Commission staff does not anticipate holding formal public or agency scoping meetings near the project site. Instead, staff will conduct paper scoping.

As part of scoping the staff will: (1) Summarize the environmental issues tentatively identified for analysis in the EA; (2) solicit from participants all available information, especially quantifiable data, on the resources at issue; (3) encourage comments 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.

Consequently, interested entities are requested to file with the Commission any data and information concerning environmental resources and land uses in the project area and the project's impacts to the aforementioned.

p. Procedural Schedule: The schedule for processing the Application has been revised as follows. Revisions to the schedule will be made if the Commission determines it necessary to do so:

Action	Tentative date
Issue Scoping Document 1.	April 2004.
Request Additional Information (if needed).	July 2004.
Issue Notice of Ready for Environmental Analysis.	July/August 2004.
Issue Notice of availability of EA.	December 2004.
Public Comments on EA Due.	January 2005.
Ready for Commission decision on the application.	April 2005.

Unless substantial comments are received in response to the EA, staff

intends to prepare a single EA in this case. If substantial comments are received in response to the EA, a final EA will be prepared with the following modifications to the schedule.

Action	Tentative date
Notice of the availability of the final EA.	April 2005.
Ready for Commission's decision on the application.	June 2005.

Magalie R. Salas,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. JR02-1-000]

Puget Sound Hydro LLC; Notice Denying Late Intervention

April 20, 2004.

1. On June 12, 2003, the Commission issued a Notice of Jurisdictional Review in Docket No. JR02-1-000 and Project No. 11857, soliciting comments, protests, and motions to intervene with respect to the unlicensed, non-operational Nooksack Falls Hydroelectric Project, located on the North Fork of the Nooksack River in Whatcom County, Washington. The notice established July 14, 2003, as the deadline for filing comments, protests, and motions to intervene.

2. On March 15, 2004, American Rivers filed a motion for late intervention in Project No. 11857. On March 31, 2004, Puget Sound Hydro LLC filed an answer in opposition to the motion, which we reject as late.¹ On January 4, 2001, the Commission issued a preliminary permit to Welcome Springs for the purpose of studying the feasibility of filing a license application for the mothballed Nooksack Falls Project. The Commission denied Welcome Springs' request for a stay of the permit,² which therefore expired on January 3, 2004, before American Rivers' motion for late intervention. However, since the Docket No. JR02-1-000 proceeding is still pending,

¹ 18 CFR 385.213(d) (2004) requires an answer to a motion to be filed within 15 days; Puget Sound Hydro's answer was filed 16 days after the motion was filed.

² 106 FERC ¶ 61,014 (2004). No rehearing requests were filed.

American Rivers' motion will be considered in that docket.

3. American Rivers states that it missed the intervention deadline of July 14, 2003, because it only became aware of the project after that date. It states that it was not on the service list for the project, and that it learned of the project through a newspaper article in the Bellingham Herald on February 16, 2004.

4. A service list names only parties to a proceeding. 18 CFR 385.2010. Thus, to be placed on the service list one must file a motion to intervene. 18 CFR 385.2010(e). A Commission notice issued on March 20, 2003, established a proceeding in Docket No. JR02-1-000 only regarding the navigability of the North Fork Nooksack River at the project site. While that notice did not invite motions to intervene, Welcome Springs and American Whitewater filed such motions, which were granted. Prior to issuance of the June 12, 2003 Notice of Jurisdictional Review,³ there was no open proceeding in the permit docket, Project No. 11857, and therefore no service list. Nor does American Rivers' explanation that it did not learn of the project until February 16, 2004, constitute good cause. See *California Independent System Operator Corp.*, 91 FERC ¶ 61,243 at 61,876 (2000) (that movants did not learn of the intervention deadline in time to submit a timely motion to intervene does not amount to good cause under 18 CFR 385.214(d)).

5. American Rivers asserts that its interests are not adequately represented by the current parties to the proceeding. First, its statement of interests for the most part has to do with any future licensing proceeding for the project, rather than to the sole subject of the instant proceeding: Whether the project is required to be licensed under Part I of the Federal Power Act. If the Commission ultimately rules that the Nooksack Project is required to be licensed, and if a license application is subsequently filed, American Rivers will have the opportunity at that time to intervene in the licensing proceeding. Second, American Rivers' broadly stated interests in obtaining "a balance between responsible hydropower projects and healthy rivers" can, even though not relevant to a jurisdiction case, be expected to be well represented by the existing intervenors, which are Welcome Springs, American Whitewater, Washington State

³ The June 12, 2004 notice stated (at para. j) that anyone wishing to be included on the Commission's mailing list for the proceeding should so indicate by writing to the Secretary of the Commission.