

website ([www.ferc.fed.us](http://www.ferc.fed.us)) using the "RIMS" link to information in this docket number. Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222.

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**David P. Boergers,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP01-92-000]

#### East Tennessee Natural Gas Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Gateway Project and Request for Comments on Environmental Issues

March 15, 2001.

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 Gateway Project involving construction and operation of facilities by East Tennessee Natural Gas Company (East Tennessee) in Washington County, Virginia, and Overton, Fentress, Loudon and Putnum Counties, Tennessee.<sup>1</sup> These facilities would consist of about 2.23 miles of 12-inch-diameter pipeline, replacement of seven road crossings, and the installation of a gas cooler, regulation and control facilities. This EA 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 receiving this notice, 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 would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice East Tennessee provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet website ([www.ferc.fed.us](http://www.ferc.fed.us)).

#### Summary of the Proposed Project

East Tennessee wants to expand the capacity of its facilities in Virginia and Tennessee to render firm natural gas transportation service for 1,000 dekatherms per day (Dth/d) to Etowah Utility Department, 3,000 Dth/d to Loudon Utilities Gas Department, and 4,000 Dth/d to Stone Mountain Energy, LC. East Tennessee seeks authority to construct and operate:

##### *Virginia Facilities*

- About 2.23 miles of 12-inch-diameter pipeline loop (Loop 1) from Valve Section (VS) 3310-2+Milepost (MP) 0.00 to MP 2.23 in Washington County, Virginia.

##### *Tennessee Facilities*

- An increase in maximum allowable operating pressure (MAOP) of 4.56 miles of existing 22-inch-diameter pipeline from main line valve (MLV) 3107-1 to MLV 3107-1A, which includes one road crossing replacement;
- An increase in MAOP of 12.85 miles of existing 22-inch-diameter pipeline from MLV 3107-1A to MLV 3108-1, which includes six road crossings replacements and hydrotesting of the pipeline section from MLV 3107-1A to MLV 3108-1;
- Pressure control facilities at the beginning of the Monterey Lateral, VS 3107+4.56;
- A gas cooler at Monterey Station, VS 3107; and
- Regulation at the Loudon M&R, VS 3218D-102.

The location of the project facilities is shown in appendix 1.<sup>2</sup>

#### Land Requirements for Construction

Construction of the proposed facilities would require about 30.9 acres in Virginia and about 18.2 acres in Tennessee for a total of about 49.1 acres in land. No new aboveground facility sites would be constructed in either Virginia or Tennessee, therefore, no new permanent operation impacts would result. East Tennessee would continue to maintain the existing 11.1 acres of permanent right-of-way.

#### The EA 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<sup>3</sup> 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. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. 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.

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.
- Air quality and noise.
- Public safety.

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. Depending on

"RIMS" link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE, Room 2A, Washington, DC 20426, or call (202) 208-1371. For instructions on connecting the RIMS refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>1</sup> East Tennessee's application was filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available on the Commission's website at the

<sup>3</sup> "We", "us", and "our" refer to the environmental staff of the Office of Energy Projects (OEP).

the comments received during the scoping process, the EA may 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 if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by East Tennessee. This preliminary list of issues may be changed based on your comments and our analysis.

- The location of four residences within 50-feet of the proposed construction right-of-way.
- Five federally listed endangered or threatened species may occur in the proposed project area.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA/EIS and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal, and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send an original and two copies of your letter to: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First St., NE., Room 1A, Washington, DC 20426.
- Label one copy of the comments for the attention of Gas 1, PJ-11.1
- Reference Docket No. CP00-92-000.
- Mail your comments to that they will be received in Washington, DC on or before April 16, 2001.

Comments, protests and interventions may also 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 at <http://www.ferc.fed.us/efi/doorbell.htm>

under the link to the User's Guide. Before you can file comments or interventions you will need to create an account which can be created by clicking on "Login to File" and then "New User Account."

### Becoming an Intervenor

In addition to involvement in the EA 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 of its filings 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 2). Only intervenors have the right to seek rehearing of the Commission's decision.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

Additional information about the proposed project is available from the Commission's Office of External Affairs at (202) 208-1088 or on the FERC website ([www.ferc.fed.us](http://www.ferc.fed.us)) using the "RIMS" link to information in this docket number. Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222.

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**David P. Boergers,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Applications for Amendment of License and Soliciting Comments, Motions to Intervene, and Protests

March 15, 2001.

Take notice that the following applications have been filed with the Commission and are available for public inspection:

a. *Application Type:* Non-Project Use of Project Lands and Waters.

b. *Project No:* 2210-052, -053, -054, -055, -056, -057, -058, -059, -060, -061, and -064.

c. *Date Filed:* January 23, 2001 and February 21, 2001 (-64).

d. *Applicant:* American Electric Power (AEP).

e. *Name of Project:* Smith Mountain.

f. *Location:* The project is located on the Roanoke River, in Bedford, Pittsylvania, Franklin, and Roanoke Counties, Virginia.

g. *Filed Pursuant to:* Federal Power Act, 16 USC 791(a) 825(r) and §§ 799 and 801.

h. *Applicant Contact:* Frank M. Simms, Fossil and Hydro Operations, American Electric Power, 1 Riverside Plaza, Columbus, Ohio 43215, (614) 223-2918.

i. *FERC Contact:* Any questions on this notice should be addressed to Mr. Brian Romanek at (202) 219-3076.

j. *Deadline for filing comments and or motions:* April 20, 2001.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.W., Washington DC 20426. Comments, protests and interventions 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 at <http://www.ferc.fed.us/efi/doorbell.htm>

Please include the specific project number (P-2210-052, -053, -054, -055, -056, -057, -058, -059, -060, -061, or -064) on any comments or motions filed. Use only the project number for which you are making reference.

k. *Description of Request:* The following applications are filed by American Electric Power for the purpose of obtaining Commission authorization to allow the indicated uses of project lands and waters at the Smith Mountain Project. The described facilities are in various stages of development from fully to partially completed.

P-2210-052—Bass Cove New Properties, located adjacent to the Bass