

(1:00CV02954-TPJ) in the U.S. District Court for District of Columbia, challenging the validity of Corps actions in connection with water withdrawals from Lake Lanier and alleging the water withdrawals adversely affected hydropower generation. A settlement agreement was reached in the SeFPC litigation which involves a proposal to implement interim water storage contracts at Lake Lanier and prescribed payments by the water supply users for interim storage amounts, and credits for hydropower generation foregone. The Corps has been prohibited from implementing the settlement agreement until recent court decisions removed those prohibitions. In a ruling on January 20, 2006, the U.S. District Court for the District of Columbia granted the SeFPC motion to stay the lawsuit for a sufficient amount of time to allow the Corps to complete the NEPA process for the proposed implementation of the settlement agreement.

Accordingly, the Corps is proceeding to fulfill its obligations under NEPA and to comply with other terms of the settlement agreement. The first step of this compliance process is the initiation of a draft EIS to address the proposed implementation of the settlement agreement. The EIS will address the impacts expected to result from implementation of the settlement agreement together with any operational changes that may be required for its implementation.

Public participation throughout the NEPA process is essential. The Corps invites full public participation to promote open communication and better decision making. All persons, stakeholders, and organizations that have an interest in the water allocation formulas, including minority, low-income, disadvantaged and Native American groups, are urged to participate in this NEPA environmental analysis process. Assistance will be provided upon request to anyone having difficulty with understanding how to participate. Scoping meetings are planned and tentatively scheduled for later this summer. Dates and locations for public scoping meetings will be announced by future publication in the **Federal Register** and in the local news media. Tentative dates for publication of the draft EIS and other opportunities for public involvement will also be announced at that time. Public comments are welcomed anytime throughout the NEPA process.

*Cooperating Agencies.* The lead responsibility for this EIS rests with the Corps. The Corps intends to coordinate and/or consult with an interagency team

of Federal and State agencies during scoping and preparation of the draft EIS. Each of these agencies will provide their expertise and assistance in compiling information and evaluating potential impacts. However, these agencies will not serve in an official role as cooperating agencies.

*Scoping:* The Alabama-Coosa-Tallapoosa Rivers (ACT)/Apalachicola-Chattahoochee-Flint Rivers (ACF) Comprehensive Study and ACF Compact negotiations involved the States (Alabama, Florida and Georgia), stakeholders and the public in identifying areas of concern; collecting and developing water resource, environmental, and socioeconomic data; and developing tools to assist in decisions affecting water resources within the two basins. Scoping for this EIS will continue to build upon the knowledge and information developed during the Comprehensive Study and subsequent Compact negotiations. The comments and opinions of various stakeholders will be sought, including Federal, State and local agencies and officials, affected tribes, other interested parties and the public. Scoping meetings with agencies and stakeholder groups will be scheduled to identify any significant issues and data gaps, focus on the alternatives to be evaluated, and to identify any appropriate updated tools to assist in evaluation of alternatives and analysis of impacts.

*Environmental Review and Consultation Requirements.* Coordination with the U.S. Fish and Wildlife Service will be accomplished in compliance with the Endangered Species Act and the Fish and Wildlife Coordination Act. Coordination required by other laws and regulations will also be conducted.

Dated: June 8, 2006.

**Peter F. Taylor,**  
Colonel, Corps of Engineers, District Engineer.  
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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. P-2197-073]

**Alcoa Power Generating, Inc.; Errata Notice and Revised Schedule**

June 9, 2006.

On May 10, 2006 the Commission issued a "Notice of Application Tendered for Filing" in the above-referenced proceeding. This Errata

makes the following corrections to the notice:

(1) Under letter n., paragraph 4, item (8), the number, "447,150 kW," should be replaced with the number, "107,780 kW," to report the total installed capacity of the Narrows Development.

(2) Under letter n., paragraph 6, the last sentence should be replaced with the following sentences: "According to a 1968 Headwaters Benefits Settlement, APGI is to operate High Rock Reservoir such that regulated weekly average stream flow would be reduced to a flow not less than 1,500 cfs during the ten week period preceding May 15; 1,610 cfs during the period May 15 through July 1; and 1,400 cfs during the period July 1 through September 15. During the 2002 drought, APGI and Progress Energy agreed, in a regional Emergency Drought Management Protocol (now expired), to operate the projects so as to achieve a daily average flow of 900 cfs at the Rockingham, North Carolina U.S. Geological Survey gage."

(3) Under letter q. Procedural Schedule: The table is revised as follows:

Milestone	Target date
Tendering Notice .....	May 10, 2006.
File Additional Study Requests.	June 26, 2006.
Additional Information Requests (if necessary).	July 2006.
Issue Acceptance Letter and Solicit Interventions.	Oct. 2006.
Issue Scoping Document 1 for Comments.	Nov. 2006.
Hold Scoping Meetings .....	Jan. 2006.
Request Additional Information (if necessary).	March 2007.
Issue Scoping Document 2 (if necessary).	March 2007.
Notice of Application Ready for Environmental Analysis.	April 2007.
Filing of Recommendations, Preliminary Terms and Conditions, and Fishway Prescriptions.	June 2007.
Notice of Availability of Draft EA or EIS.	Sept. 2007.
Comments on Draft EA or EIS and Modified Terms and Conditions.	Nov. 2007.
Notice of Availability of Final EA or EIS.	March 2008.
Ready for Commission Decision on the Application.	April 2008.

**Magalie R. Salas,**  
Secretary.  
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