

proceeding, or “intervenor”. 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). Intervenors have the right to seek rehearing of the Commission’s decision. Motions to Intervene should be electronically submitted using the Commission’s eFiling system at <http://www.ferc.gov>. Persons without Internet access should send an original and 14 copies of their motion to the Secretary of the Commission at the address indicated previously. Persons filing Motions to Intervene on or before the comment deadline indicated above must send a copy of the motion to the Applicant. All filings, including late interventions, submitted after the comment deadline must be served on the Applicant and all other intervenors identified on the Commission’s service list for this proceeding. Persons on the service list with e-mail addresses may be served electronically; others must be served a hard copy of the filing.

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.

#### Environmental Mailing List

An effort is being made to send this notice to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project. This includes all landowners who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within distances defined in the Commission’s regulations of certain aboveground facilities. If you wish to remain on our environmental mailing list, please return the Information Request form included in Appendix 2. If you do not return this form, you will be removed from our mailing list.

#### Additional Information

Additional information about the project is available from the Commission’s Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on “General Search” and enter the docket number excluding the last three digits in the Docket Number field (*i.e.*, CP06-464). Be sure you have selected an appropriate date range. For assistance, please contact

FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which 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. Go to <http://www.ferc.gov/esubscribenow.htm>.

**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, Protests and Comments

October 27, 2006.

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

a. *Type of Application:* Preliminary Permit.

b. *Project No.:* 12740-000.

c. *Date filed:* September 18, 2006.

d. *Applicant:* Hydro Matrix Limited Partnership.

e. *Name of Project:* Flannagan Hydroelectric Project.

f. *Location:* On the Pound River, in Dickenson County, Virginia. The Flannagan Dam is owned and maintained by the U.S. Army Corps of Engineers.

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

h. *Applicant Contact:* Mr. James B. Price, PhD, President, W.V. Hydro, Inc. Partner, P.O. Box 5550, Aiken, SC 29804, (803) 642-2749, [jimpricehydro@bellsouth.net](mailto:jimpricehydro@bellsouth.net).

i. *FERC Contact:* Patricia W. Gillis at (202) 502-8735.

j. *Deadline for filing comments, protests, and motions to intervene:* 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 (P-12740-000) on any comments, protests, or motions filed.

k. *Description of Project:* The proposed project would utilize the existing U.S. Army Corps of Engineers’ Flannagan Dam and would consist of: (1) A proposed penstock; (2) a proposed powerhouse containing one generating unit with an installed capacity of 5,000-kilowatts; (3) a proposed transmission line; and (4) appurtenant facilities. The proposed project would have an estimated annual generation of approximately 17-gigawatts. The applicant plans to sell the generated energy.

l. *Location of Application:* A copy of the application is available for inspection and reproduction at the Commission in the Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also 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 to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

m. Individuals desiring to be included on the Commission’s mailing list should so indicate by writing to the Secretary of the Commission.

n. *Competing Preliminary Permit—* Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (*see* 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

o. *Competing Development Application—* Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development

application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

p. *Notice of Intent*—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

q. *Proposed Scope of Studies under Permit*—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

r. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments 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 comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

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 under "e-filing" link. The Commission strongly encourages electronic filing.

s. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", "MOTION TO INTERVENE", "NOTICE OF INTENT", or "COMPETING APPLICATION", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents

must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

t. *Agency Comments*—Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Magalie R. Salas,**  
*Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6680-8]

### Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at 202-564-7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 7, 2006 (71 FR 17845).

#### Draft EISs

EIS No. 20060365, ERP No. D1-NAS-A12042-00, Mars Science Laboratory Mission (MSL), To Conduct Comprehensive Science on the Surface of Mars and Demonstrate Technological Advancements in the Exploration of Mars, Using a Radioisotope Power Source in 2009 from Cape Canaveral Air Force Station, FL

*Summary:* EPA does not object to the proposed action. Rating LO.

EIS No. 20060161, ERP No. D-BLM-L65510-AK, Kobuk-Seward Peninsula Resource Management Plan, from Point Lay to the North Sound and from the Bering and Chukchi Seas East to the Kobuk River, AK

*Summary:* EPA has concerns about potential adverse impacts to calving and insect relief habitat from resource exploration and development in the area, and recommends additional management measures and monitoring to ensure compatibility of uses. Rating EC2.

EIS No. 20060323, ERP No. D-AFS-L65519-AK, Scratchings Timber Sale Project, Timber Harvest up to Approximately 42 Million Board Feet, Suemez Island, Craig Ranger District, Tongass National Forest, AK

*Summary:* EPA expressed environmental concerns about stream water quality impacts. Rating EC2.

EIS No. 20060330, ERP No. D-NOA-K90032-CA, Channel Islands National Marine Sanctuary (CINMS) Project, Establishment of No-Take and Limited-Take Marine Zones, Protection of Sanctuary Biodiversity, CA

*Summary:* While EPA has no objections to the proposed action, EPA believes that Alternative 2 provides greater ecosystem benefits. Rating LO.

EIS No. 20060333, ERP No. D-USA-D11039-MD, U.S. Army Medical Research Institute of Infectious Diseases (USAMRIID), Construction and Operation of New USAMRIID Facilities and Decommissioning and Demolition and/or Re-use of Existing USAMRIID Facilities, Fort Detrick, MD

*Summary:* EPA does not object to the proposed action. Rating LO.

EIS No. 20060335, ERP No. D-FHW-B40097-NH, Spaulding Turnpike Improvements Project, Reconstruction and Widening of a 3.5-mile Section from U.S. Route 4 and NH Route 16, US Coast Guard Bridge Permit, NPDES Permit and US Army COE Section 404 Permit, Town of Newington, City of Dover, Strafford and Rockingham Counties, NH

*Summary:* EPA has environmental concerns about potential wetland impacts, and the analyses of air quality and indirect and cumulative impacts. Rating EC2.

EIS No. 20060348, ERP No. D-NPS-F60009-MN, Disposition of Bureau of Mines Property, Twin Cities Research Center Main Campus, Implementation, Hennepin County, MN

*Summary:* EPA expressed concerns about environmental remediation issues and coordination on historic resources. Rating EC2.

EIS No. 20060285, ERP No. DS-FHW-B40091-ME, Aroostook County