

the Commission's formal record for this proceeding.

Individuals, organizations, and agencies with environmental expertise and concerns are encouraged to attend the meeting and to assist the staff in defining and clarifying the issues to be addressed in the EA.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-28923 Filed 12-5-08; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 12611-003]

**Verdant Power, LLC; Notice of Intent To File License Application, Filing of Draft Application, Request for Waivers of Integrated Licensing Process Regulations Necessary for Expedited Processing of a Hydrokinetic Pilot Project License Application, Extending the Comment Period, and Soliciting Comments**

December 1, 2008.

a. *Type of Filing:* Notice of Intent to File a License Application for an Original License for a Hydrokinetic Pilot Project.

b. *Project No.:* 12611-003.

c. *Date Filed:* November 25, 2008.

d. *Submitted By:* Verdant Power, LLC.

e. *Name of Project:* Roosevelt Island Tidal Energy Project.

f. *Location:* In the east channel of the East River, in New York City, New York. The project would not occupy federal lands.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Applicant Contact:* Ronald F. Smith, Verdant Power, LLC, The Octagon, 888 Main Street, New York, NY 10044 (212) 888-8887 ext 601.

i. *FERC Contact:* Tom Dean (202) 502-6041.

j. *Verdant Power, LLC (Verdant Power) has filed with the Commission:* (1) A notice of intent (NOI) to file an application for an original license for a kinetic hydropower pilot project and a draft license application with monitoring plans; (2) a request for

waivers of the integrated licensing process regulations necessary for expedited processing of a hydrokinetic pilot project license application, including extending the period to file comments on the draft license application and monitoring plans; (3) a proposed process plan and schedule; (4) a request to be designated as the non-federal representative for section 7 of the Endangered Species Act consultation; and (5) a request to be designated as the non-federal representative for section 106 consultation under the National Historic Preservation Act (collectively the pre-filing materials).

k. With this notice, we are soliciting comments on the pre-filing materials listed in paragraph j above, including the draft license application and monitoring plans. All comments should be sent to the address above in paragraph h. The comment period has been extended 45 days at the request of Verdant Power to take into consideration the holiday season. In addition, all comments (original and eight copies) must be filed with the Commission at the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. All filings with the Commission must include on the first page, the project name (Roosevelt Island Tidal Energy Project) and number (P-12611-003), and bear the heading "Comments on the proposed Roosevelt Island Tidal Energy Project." Any individual or entity interested in submitting comments on the pre-filing materials must do so by January 9, 2009.

Comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. 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.

l. With this notice, we are approving Verdant Power's request to be designated as the non-federal representative for section 7 of the Endangered Species Act (ESA) and its request to initiate consultation under section 106 of the National Historic Preservation Act; and recommending that it begin informal consultation with:

(a) the U.S. Fish and Wildlife Service and the National Marine Fisheries Service as required by section 7 of ESA; and (b) the New York State Historic Preservation Officer, as required by section 106, National Historical Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

m. This notice does not constitute the Commission's approval of Verdant Power's request to use the Pilot Project Licensing Procedures. Upon its review of the project's overall characteristics relative to the pilot project criteria, the draft license application contents, and any comments filed, the Commission will determine whether there is adequate information to conclude the pre-filing process.

n. The proposed Roosevelt Island Tidal Energy Project would consist of: (1) A field array of thirty 35-kilowatt, 5-meter-diameter axial flow Kinetic Hydropower System (KHPS) turbine-generator units mounted on ten triframe mounts, with a total capacity of about 1 megawatt; (2) underwater cables from each turbine to five shoreline switchgear vaults, that would interconnect to a control room and interconnection points; and (3) appurtenant facilities for navigation safety and operation. The estimated annual generation of the proposed project would be between 1,680 and 2,400 megawatt-hours.

o. A copy of the draft license application and all pre-filing materials are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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, contact FERC Online Support at [FERCONlineSupport@ferc.gov](mailto: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.

p. Pre-filing process schedule. The pre-filing process will be conducted pursuant to the following tentative schedule. Revisions to the schedule may be made as appropriate.

Milestone	Date
Comments on pre-filing materials due .....	January 9, 2009.
Issuance of meeting notice (if needed) .....	January 26, 2009.
Public meeting/technical conference (if needed) .....	February 25, 2009.
Issuance of notice concluding pre-filing process and ILP waiver request determination .....	February 9, 2009 (if no meeting is needed).
	March 12, 2009 (if meeting is needed).

q. Register online at <http://ferc.gov/esubscribenow.htm> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Algonquin Gas Transmission, LLC; Notice of Availability of the Environmental Assessment for the Proposed J-2 Loop Project

December 2, 2008.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared this environmental assessment (EA) on the natural gas pipeline facilities proposed by Algonquin Gas Transmission, LLC (Algonquin) in the above-referenced docket.

The EA was prepared to satisfy the requirements of the National Environmental Policy Act of 1969. The FERC staff concludes that approval of the proposed project, with appropriate mitigating measures, would not constitute a major federal action significantly affecting the quality of the human environment.

The EA assesses the potential environmental effects of the construction and operation of Algonquin's proposed J-2 Loop Project. This project would involve construction of about 2.3 miles of 14-inch-diameter loop<sup>1</sup> pipeline and associated facilities within the cities of Medford and Somerville in Middlesex County, Massachusetts. The J-2 Loop Project would commence at an existing meter station adjacent to the Mystic Valley Parkway in Medford and travel in a generally southeast direction mostly within road rights-of-way to its terminus at an interconnection with NSTAR Gas Company's (NSTAR) system along the McGrath Highway in Somerville. A meter station and pig<sup>2</sup> launching facility would be constructed in

Medford at the existing meter station and a valve would be constructed at the interconnect with NSTAR. A temporary pig launcher would be set at the valve on a temporary basis when pigging would be conducted.

The EA has been placed in the public files of the FERC. A limited number of copies of the EA are available for distribution and public inspection at: Federal Energy Regulatory Commission, Public Reference Room, 888 First Street, NE., Room 2A, Washington, DC 20426, (202) 502-8371.

Copies of the EA have been mailed to Federal, State, and local agencies; public interest groups; interested individuals and affected landowners; local newspapers and libraries; Native American groups; and parties to this proceeding.

Any person wishing to comment on the EA may do so. To ensure consideration prior to a Commission decision on the proposal, it is important that we receive your comments before the date specified below.

Please note that the Commission strongly encourages electronic filing of any comments or interventions or protests to this proceeding. See Title 18 of the Code of Federal Regulations, Part 385.2001(a)(1)(iii) and the instructions on the Commission's Internet Web site at <http://www.ferc.gov> under the link to "Documents and Filings" and "eFiling." eFiling is a file attachment process and requires that you prepare your submission in the same manner as you would if filing on paper, and save it as a file on your computer's hard drive. New eFiling users must first create an account by clicking on "Sign up" or "eRegister." You will be asked to select the type of filing you are making. This filing is considered a "Comment on Filing." In addition, there is a "Quick Comment" option available, which is an easy method for interested persons to submit text-only comments on a project. The *Quick Comment User Guide* can be viewed at <http://www.ferc.gov/docs-filing/efiling/quick-comment-guide.pdf>. Quick Comment does not require a FERC eRegistration account; however, you will be asked to provide a valid email address. All comments submitted under either eFiling or the Quick Comment option are placed in the public record for the specified docket.

If you are filing written comments, 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 comments to: Kimberly D. Bose, Secretary, Federal Energy Regulatory

Commission, 888 First Street, NE., Room 1A, Washington, DC 20426;

- Reference Docket No. CP08-256-000;

- Label one copy of the comments for the attention of the Gas Branch 1, PJ-11.1; and

- Mail your comments so that they will be received in Washington, DC on or before January 2, 2009.

Comments will be considered by the Commission but will not serve to make the commentator a party to the proceeding. Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214).<sup>3</sup> 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 comments considered.

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 (i.e., CP08-256) in the Docket Number field. 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 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. To register for this service, go to the eSubscription link on the

<sup>1</sup> A loop is a segment of pipeline installed adjacent and parallel to an existing pipeline system, and connected to the pipeline system at both ends to allow more gas to be moved through the pipeline system or to function as a backup system.

<sup>2</sup> A pipeline "pig" is a device designed to internally clean or inspect the pipeline. A pig launcher/receiver is typically an aboveground facility where pigs are inserted or retrieved from the pipeline.

<sup>3</sup> Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.