

acre-feet of water annually from Big Stone Lake. The permit specifies the diversion rates allowed by the proposed plant, authorizes the construction of the water use system, and the placing of water to beneficial use subject to certain conditions. The permit includes the same withdrawal restrictions based on Big Stone Lake water levels and time of year as in the permit for the existing plant. The water appropriation permit was issued by the SDWMB in the interest of public policy, and thus water appropriations by the proposed Project are in conformance with South Dakota laws. The SDWMB, in issuing the permits for water withdrawal, have determined that the proposed water use would not be damaging for the intended purpose. Additionally, in accordance with the Settlement Agreement approved by the Minnesota Public Utilities Commission, the Project's Co-owners have agreed to provide all data used to evaluate the effects of water withdrawals from Big Stone Lake to the South Dakota Department of Environment and Natural Resources and MnDNR and to participate in meetings with State agencies to address the management of the Big Stone Lake water flow and level issues. Western notes MnDNR's desire to have the Minnesota/South Dakota Boundary Commission reconvened, however, that decision rests with the respective State governors.

#### Decision

Western's environmental record of decision (ROD) is to allow the Co-Owners' request for interconnection to Western's transmission system at Morris and Granite Falls substations in Minnesota and to complete modifications to these substations to support the interconnection.<sup>2</sup> Western's environmental decision to grant this interconnection request satisfies the agency's statutory mission and the Co-owners' objectives while minimizing harm to the environment. Additionally, an interconnection agreement must be completed in accordance with Western's Tariff.

The Co-owners have committed to minimize the proposed Project's impact on the environment through the Project's design, the use of pollution control technology, the offset of carbon dioxide emissions, and the implementation of mitigation measures as summarized in Tables 2.2-7, 2.2-8, and 2.6-2 of the Final EIS. For its part,

<sup>2</sup> Western's authority to issue a record of decision is pursuant to authority delegated on October 4, 1999, from the Assistant Secretary for Environment, Safety and Health to Western's Administrator.

Western will adhere to mitigation measures for all modifications at its Morris and Granite Falls substations as noted in Table 2.2-9 of the Final EIS. Western conditions its environmental approval of the Co-owner's request to interconnect to Western's transmission system upon the adoption and implementation of the mitigation measures as described in the Final EIS.

This decision is based on the information contained in the Big Stone II Power Plant and Transmission Project Final EIS (DOE/EIS-0377). This ROD was prepared pursuant to the requirements of the Council on Environmental Quality Regulations for Implementing NEPA (40 CFR parts 1500-1508) and DOE's Procedures for Implementing NEPA (10 CFR part 1021).

Dated: August 14, 2009.

**Timothy J. Meeks,**

*Administrator.*

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#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Project No. 1494-348-OK]

##### Grand River Dam Authority; Notice of Availability of Environmental Assessment

August 14, 2009.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR part 380 (Order No. 486, 52 FR 47879), the Office of Energy Projects has reviewed Grand River Dam Authority's proposed shoreline management plan (SMP) for the Pensacola Hydroelectric Project, located on the Grand River in Craig, Delaware, Mayes, and Ottawa Counties, Oklahoma, and has prepared an environmental assessment (EA) on the SMP.

A copy of the EA is on file with the Commission and is available for public inspection. The EA may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-1494) 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.

Any comments on the EA should be filed by September 14, 2009, and should be addressed to the Secretary, Federal

Energy Regulatory Commission, 888 First Street, NE., Room 1-A, Washington, DC 20426. Please reference the project name and project number (P-1494-348) on all comments. 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 under the "eFiling" link. For further information, contact Brian Romanek at (202) 502-6175.

**Kimberly D. Bose,**

*Secretary.*

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#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Docket Nos. ER08-1113-004; ER08-1113-005]

##### California Independent System Operator Corporation; Supplemental Notice of Technical Conference

August 14, 2009.

On July 29, 2009, the Commission issued an order establishing technical conference in the above-captioned proceedings to explore issues concerning Market Efficiency Enhancement Agreements (MEEA) between the California Independent System Operator Corporation (CAISO) and eligible market participants. The technical conference will be held on Thursday, August 20, 2009, at 10 a.m. (EDT), in Hearing Room 7 at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426 and ending at approximately 4 p.m. (EDT). The following additional information and instruction is provided regarding the conference.

The technical conference will afford Commission staff and interested parties an opportunity to discuss the issues related to the MEEAs. The conference is intended to be a working session focused on discussing the information necessary to execute a MEEA and the transactions under a MEEA that should receive MEEA pricing. The July 29, 2009 order outlined the issues to be discussed.

The technical conference will be open to the public. Although staff encourages all interested parties to attend in person, the conference will be accessible via telephone on a listen-only basis. For information regarding telephone access