

[Affiant]  
[Name, business address, telephone]  
Subscribed and Sworn to before me  
This \_\_ day of \_\_ 2009.

Notary Public  
My Commission Expires:

\* [To be submitted for each affiant necessary to verify the documents and data submitted.]

Declaration of Final Opt-In Fund Participant and Waiver and Release of Claims

Pursuant to the Federal Energy Regulatory Commission's 2009 Order Approving Settlement, FERC ¶ (2009), and Public Notice, Fed. Reg. [date of notice], and in accordance with the terms of the Stipulation and Consent Agreement (the "Agreement") dated August 26, 2009 by and among ETP<sup>1</sup> and Enforcement Litigation Staff, the undersigned, a duly authorized representative of [company or other entity and each subsidiary, affiliate, or other legal entity], hereby states that [company or other entity] accepts the amount of \$[amount of allocation] allocated to it by the Final Fund Allocation Report of [date of Final Fund Allocation Report], 2010 and elects to become a Final Opt-In Fund Participant pursuant to the terms and conditions specified in the Agreement.

[The company or other entity] hereby states and acknowledges that, by such election for itself, its affiliates and all other related legal entities, it forever waives and releases each and every ETP Entity, and each of their respective, current and former directors, officers, employees, agents or other representatives, from each and every past, existing and future claim for civil damages and/or penalties and/or equitable relief, including but not limited to disgorgement and restitution, whether known or unknown, suspected or unsuspected, based on or arising from, in whole or part, the Claims or ETP's Alleged Conduct. Such claims include, but are not limited to any claims relating to ETP's Alleged Conduct arising under the Natural Gas Act, the Natural Gas Policy Act of 1978, the Energy Policy Act of 2005, the Commodity Exchange Act, and any regulation thereunder, any federal or state antitrust law or consumer protection law, however denominated, and any state or common law tort theory, contract theory or equitable theory.

This declaration is final and binding and may not be qualified or withdrawn.

Electronic copies of this notice are being served on each person designated as a receiving representative of the Settling Parties to the agreement.

Respectfully submitted,

[Authorized Representative]  
[Name, title, company or other entity, business address, telephone and email]  
Attachment(s)

UNITED STATES OF AMERICA BEFORE  
THE FEDERAL ENERGY REGULATORY  
COMMISSION

Energy Transfer Partners, L.P.  
Energy Transfer Company  
ETC Marketing, Ltd.  
Houston Pipeline Company  
Docket No. IN06-3-003

COUNTY OF \_\_\_\_\_  
STATE OF \_\_\_\_\_

Declaration of [Authorized Representative]

I, [Authorized Representative], declare under penalty of perjury that I am an authorized representative of [company or other entity], its affiliates and related legal entities, with the authority to bind [company or other entity], its affiliates and related legal entities. Under penalty of perjury, the foregoing Declaration of Final Opt-In Fund Participant and Waiver and Release of Claims is true, correct, and complete to the best of my information, knowledge, and belief.

Executed on this \_\_ day of \_\_ 2010.

[Authorized Representative]  
[Name, title, company or other entity]  
Subscribed and Sworn to before me  
This \_\_ day of \_\_ 2010.

Notary Public  
My Commission Expires:

[FR Doc. E9-23145 Filed 9-24-09; 8:45 am]  
BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8597-7]

### 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 202-564-7146. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated July 17, 2009 (74 FR 34754).

#### Draft EISs

*EIS No. 20090188, ERP No. D-AFS-K65369-AZ*, Pinaleno Ecosystem Restoration Project, Proposed On-the-Ground Treatments to Improve Forest Health and Improve or Protect Red Squirrel Habitat, Coronado National Forest, Graham County, AZ.

*Summary:* EPA does not object to the proposed project, but did request clarification of Christmas tree removal

and public firewood gathering issues. Rating LO.

*EIS No. 20090227, ERP No. D-UAF-K10011-AZ*, Barry M. Goldwater Ranger East Range Enhancements, Proposes to Take Ten Different Actions would Enhance Range Operations and Training, Yuma, Pima and Maricopa Counties, AZ.

*Summary:* EPA expressed environmental concerns about impacts to surface water and air emissions from the sand and gravel excavation of washes. Rating EC2.

*EIS No. 20090235, ERP No. D-AFS-K65374-CA*, Sugar Pine Adaptive Management Project, Proposal to Create a Network of Strategically Placed Landscape Area Treatments (SPLATs) and Defensible Fuels Profiles near Key Transportation Corridors to Reduce the Intensity and Spread of Wildfires across the landscape and near Communities, Madera and Mariposa Counties, CA.

*Summary:* EPA expressed environmental concerns about impacts to water and air quality, and requested for additional information on and commitments to mitigation measures to minimize those impacts. Rating EC2.

*EIS No. 20090241, ERP No. D-IBR-H28002-KS*, Aquifer Storage Recharge and Recovery Project, To Provide Municipal and Industrial (M&I) Water to City and Surrounding Region, Equus Beds Division, Wichita Project, Kansas, Harvey, Sedgwick, and Reno Counties, KS.

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

*EIS No. 20090253, ERP No. D-AFS-L65575-OR*, Deadlog Vegetation Management Project, To Implement Treatments that would Reduce the Risk of High Intensity, Stand Replacement Wildlife and the Risk of Heavy Tree Mortality from Insects and Disease, Deschutes National Forest Lands, Deschutes County, OR.

*Summary:* EPA expressed environmental concerns about the project's potential to impact air quality. Rating EC2.

*EIS No. 20090256, ERP No. D-BLM-K65378-NV*, Round Mountain Expansion Project, Proposed to Construct and Operate and Expand the Existing Open-Pit Gold Mining and Processing Operations, north of the town of Tonopah in Nye County, NV.

*Summary:* EPA expressed environmental concerns about impacts to groundwater and surface water quality and quantity, riparian areas, and air quality, and requested additional

<sup>1</sup> Capitalized terms in this Final Notice have the meaning provided in the Agreement.

information on these issues, additional mitigation, financial assurance for reclamation and post-closure monitoring. Rating EC2.

#### Final EISs

*EIS No. 20090206, ERP No. F-NOA-E91026-00*, Programmatic EIS—Fishery Management Plan for Regulating Offshore Marine Aquaculture in the Gulf of Mexico, To Increase the Maximum Sustainable Yield (MSY) and Optimum Yield (OY), Implementation.

**Summary:** EPA expressed environmental concern about the potential for excess nutrients to cause organic loading within the water column.

*EIS No. 20090228, ERP No. F-CGD-E03019-FL*, Port Dolphin LLC Liquefied Natural Gas Deepwater Port License Application, Proposes to Own, Construct and Operate a Deepwater Port, Outer Continental Shelf, Manatee County, FL.

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

Dated: September 22, 2009.

**Robert W. Hargrove**,  
Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E9-23227 Filed 9-24-09; 8:45 am]

BILLING CODE 6560-50-P

#### ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8597-6]

#### Environmental Impacts Statements; Notice of Availability

**Responsible Agency:** Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 09/14/2009 through 09/18/2009. Pursuant to 40 CFR 1506.9.

*EIS No. 20090324, Draft EIS, AFS, 00*, Nebraska National Forests and Grassland Travel Management Project, Proposes to Designate Routes and Areas Open to Motorized Travel, Buffalo Gap National Grassland, Oglala National Grassland, Samuel R. McKelvie National Forest, and the Pine Ridge and Bessey Units of the Nebraska National Forest, Fall River, Custer, Pennington, Jackson Counties; SD and Sioux, Dawes, Cherry, Thomas and Blaine Counties, NE, Comment Period Ends: 11/09/2009, Contact: Mark Reichert, 530-841-4422.

*EIS No. 20090325, Draft EIS, NHT, 00*, Corporate Average Fuel Economy (CAFE) Standards Passenger Car and Light Trucks Model Years 2012-2016, To Reduce National Energy Consumption by Increasing the Fuel Economy of Passenger Car and Light Trucks sold in the United States, Implementation, Comment Period Ends: 11/09/2009, Contact: Jessica GT Wilson, 202-366-0176.

*EIS No. 20090326, Final EIS, USN, FL*, Naval Surface Warfare Center Panama City Division (NSWC PCD), Capabilities to Conduct New and Increased Mission Operations for the Department of Navy (DON) and Customers within the three Military Operating Area and St. Andrew Bay (SAB), Gulf of Mexico, FL, Wait Period Ends: 10/26/2009, Contact: Carmen Ferrer, 850-234-4146.

*EIS No. 20090327, Final EIS, STB, AK*, Northern Rail Extension Project, Construct and Operate a Rail Line between North Pole and Delta Junction, AK, Wait Period Ends: 10/26/2009, Contact: Dave Navecky, 202-245-0294.

*EIS No. 20090328, Final EIS, FRC, 00*, Phase VIII Expansion Project, Proposed to Construct, Own, Operate, and Maintain New Interstate National Gas Pipeline, Compressor, and Ancillary Facilities in Alabama and Florida, Wait Period Ends: 10/26/2009, Contact: Julia Bovey 1-866-208-3372.

*EIS No. 20090329, Draft EIS, DOE, KS*, Abengoa Biorefinery Project, To Support the Design, Construction, and Startup of a Commercial-Scale Integrated Biorefinery, Federal Funding, Located near the City Hugoton, Stevens County, KS, Comment Period Ends: 11/09/2009, Contact: Kristin Kerwin, 303-275-4968.

*EIS No. 20090330, Draft EIS, USN, CA*, Marine Corps Base Camp Pendleton Basewide Utilities Infrastructure Construct and Operate Six Utility Infrastructure Project, San Diego County, CA, Comment Period Ends: 11/09/2009, Contact: Jesse Martinez, 619-532-3844.

*EIS No. 20090331, Final EIS, COE, CA*, San Pedro Waterfront Project, Proposed Specific Development Project and Associated Infrastructure Improvements on Approximately 400 Acres, Currently Operated by Los Angeles Harbor Department (LAHD), Located along the West Side of Los Angeles Harbor's Main Channel, from the Vincent Thomas Bridge to Cabrillo Beach, US Army Section 10 and 404 and Section 103 Marine Protection, Research, and Sanctuaries Act

Permits, (MPRSA) City of Los Angeles, CA, Wait Period Ends: 10/26/2009, Contact: Dr. Spencer D. MacNeil, 805-585-2152.

#### Amended Notices

*EIS No. 20090267, Draft EIS, AFS, MT*, Bitterroot National Forest Travel Management Planning, To Address Conflicts between Motorized and Non-Motorized Users, Ravalli County, MT, Comment Period Ends: 11/09/2009, Contact: Dan Ritter, 406-777-5461. Revision to FR Notice Published 08/07/2009: Extending Comment Period from 09/21/2009 to 11/09/2009.

*EIS No. 20090272, Draft EIS, UAF, 00*, Modification of the Condor 1 and Condor 2 Military Operation Areas, 104th Fighter Wing of the Massachusetts Air National Guard Base (ANG) Proposes to Combine the Condor 1 and Condor 2 MOA, ME and NH, Comment Period Ends: 01/01/2010, Contact: Jay Nash, 703-614-0346. Revision to FR Notice Published 08/07/2009: Extending Comment Period from 09/21/2009 to 11/09/2009.

*EIS No. 20090277, Draft EIS, AFS, CO*, Hermosa Park/Mitchell Lakes Land Exchange Project, Proposed Land Exchange between Federal and Non-Federal Lands, Implementation, Federal Land in LaPlata County and Non-Federal Land in San Juan County, CO, Comment Period Ends: 10/30/2009, Contact: Cindy Hockelberg, 970-884-1418. Revision to **Federal Register** Notice Published 08/17/2009: Extending Comment Period from 10/01/2009 to 10/30/2009.

*EIS No. 20090311, Final EIS, USN, WA*, Naval Base Kitsap—Bangor, Construct and Operate a Swimmer Interdiction Security System (SISS), Silverdale Kitsap County, WA, Wait Period Ends: 10/13/2009, Contact: Shannon Kasa, 619-553-3889. Revision to FR Notice Published 09/11/2009: Correction to Telephone Number.

Dated: September 22, 2009.

**Robert W. Hargrove**,  
Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E9-23228 Filed 9-24-09; 8:45 am]

BILLING CODE 6560-50-P