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*Comment Date:* 5 p.m. Eastern on Monday, October 26, 2009.

**Kimberly D. Bose,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2232-570]

#### Duke Energy Carolinas, LLC; Notice of Availability of Final Environmental Assessment

October 16, 2009.

In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Energy Regulatory Commission's regulations, 18 CFR part 380 (Order No. 486, 52 FR 47879), the Commission has reviewed an application, filed June 18, 2009, for non-project use of project lands and waters at the Catawba-Wateree Project, FERC Project No. 2232. The licensee seeks Commission approval to permit the City of Lenoir, North Carolina to construct a new raw water intake at Lake Rhodhiss. The Environmental Assessment (EA) analyzes the environmental impacts of the proposed construction and operation of the new intake facility and concludes that approval of the application, with appropriate environmental measures, would not constitute a major federal action significantly affecting the quality of the human environment. The project is located on the Catawba and Wateree Rivers in North and South Carolina.

The EA was written by staff in the Office of Energy Projects, Federal Energy Regulatory Commission (Commission). A copy of the EA is attached to a Commission order titled "Order Approving Non-Project Use of Project Lands and Waters: Construction of Raw Water Intake" issued October 16, 2009, and is on file with the Commission and is available for public inspections. 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 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 1-866-208-3372, or for TTY, (202) 502-8659.

**Kimberly D. Bose,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP09-465-000]

#### Northern Natural Gas Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Cunningham Storage Boundary Expansion Project and Request for Comments on Environmental Issues

October 16, 2009.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the proposed Cunningham Storage Boundary Expansion Project (Project) involving Northern Natural Gas Company's (Northern) extension of the certificated boundary of the Cunningham Gas Storage Field in Pratt and Kingman Counties, Kansas.<sup>1</sup> The EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process we<sup>2</sup> will use to gather input from the public and interested agencies on the project. Your input will help the Commission staff determine which issues need to be evaluated in the EA. Please note that the scoping period will close on November 16, 2009.

This notice is being sent to affected landowners; federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries

<sup>1</sup> On September 14, 2009, Northern filed its application with the Commission under section 7 of the Natural Gas Act and Part 157 of the Commission's regulations. The Commission issued its Notice of Application on September 22, 2009.

<sup>2</sup> "We", "us", and "our" refer to the environmental staff of the Office of Energy Projects (OEP).

and newspapers. State and local government representatives are asked to notify their constituents of this planned project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, you may be contacted by a Northern representative about the acquisition of natural gas storage rights beneath your property. Northern would seek to negotiate a mutually acceptable agreement for the rights to operate a natural gas storage field beneath your property. If the project is approved by the Commission, that approval would convey with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, Northern could initiate condemnation proceedings in accordance with state law. It should be noted that the current proposal does not involve the construction of any facilities at this time. Any future proposal to construct jurisdictional facilities at the Cunningham Storage Field would be subject to an appropriate environmental review by the Commission.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" is available for viewing on the FERC Web site (<http://www.ferc.gov>). This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet Web site (<http://www.ferc.gov>).

#### Summary of the Proposed Project

Northern is proposing to expand its existing Cunningham Gas Storage Field by 14,240 acres in order to protect the integrity of the storage field. Northern believes that third party operators outside of the storage field boundaries are producing storage gas. The location of the proposed storage field expansion is shown in Appendix 1.<sup>3</sup>

#### Land Requirements

No facilities would be constructed. Northern's proposal is for expansion of the certificated Cunningham Storage Field boundary by an additional 14,240 acres, including the underlying Viola and Simpson Formations. This area is

<sup>3</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of all appendices are available on the Commission's website at the "eLibrary" link or from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.