

<sup>3</sup>The alternative energy value for the project is based on Utah Power & Light Company's current avoided cost as found in Electric Service Schedule No. 37, effective March 11, 2002.

#### *D. Cost of Staff-Recommended Alternatives*

Commission staff recommended one additional environmental measure: a cultural resource management plan, if during project operation and maintenance any new or undocumented archeological sites are discovered. The added cost of this measure and a plan to control noxious and invasive weeds is minimal and these measures would not affect project generation. Therefore, the staff-recommended alternative would have the same cost and generation benefits as the no-action alternative.

#### **VII. Comprehensive Development and Recommended Alternative**

Sections 4(e) and 10(a)(1) of the FPA require the Commission to give equal consideration to all uses of the waterway on which a project is located. When we review a proposed project, we equally consider the environmental, recreational, fish and wildlife, and other non-developmental values of the project, as well as power and developmental values. Accordingly, any license issued shall be best adapted to a comprehensive plan for improving or developing a waterway or waterways for all beneficial public uses.

Based on our independent review of agency and public comments filed on this project and our review of the environmental and economic effects of the proposed project and its alternatives, we selected the proposed project, with staff's additional measure, as the preferred option. We recommend this option because: (1) Issuance of a new hydropower license by the Commission would allow Parowan to operate the project as an economically beneficial and dependable source of electrical energy; (2) the 600-kW project would eliminate the need for an equivalent amount of fossil-fuel derived energy and capacity, which helps conserve these nonrenewable resources and limits atmospheric pollution; (3) the public benefits of the selected alternative would exceed those of Parowan's proposal and the no-action alternative, and (4) the recommended measures would protect existing environmental resources.

We recommend the following environmental measures be included in any license issued by the Commission for the Center Creek Project: (1) monitor and remove any noxious and undesirable plants after ground-

disturbing activities; and (2) should archeological or historic sites be discovered during project operation or maintenance, prepare a site-specific cultural resource management plan in consultation with the SHPO and BLM to evaluate the significance of the sites and to mitigate impacts to those sites that are determined to be eligible for inclusion in the National Register of Historic Places.

From our evaluation of the environmental and economic effects of the project, we conclude that licensing the Center Creek Project with our additional recommended environmental protection measures would best adapt the project to a comprehensive plan for the Center Creek Basin.

#### **VIII. Recommendations of Fish and Wildlife Agencies**

Under the provisions of Section 10(j) of the FPA, each hydropower license issued by the Commission shall include conditions based on recommendations provided by federal and state fish and wildlife agencies for the protection, mitigation, and enhancement of fish and wildlife resources affected by the project, where those conditions are not inconsistent with the purpose and requirements of the FPA or other applicable law.

We received one Section 10(j) recommendation from the FWS in its letter filed July 1, 2003. FWS recommends that Parowan monitor and remove any noxious and undesirable plants after any ground-disturbing activities. As discussed in this draft EA, Parowan now includes this recommendation in its proposed project. Commission staff recommends Parowan prepare a plan to implement this recommendation.

#### **IX. Consistency With Comprehensive Plans**

Section 10(a)(2) of the FPA requires the Commission to consider the extent to which a project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the project. We identified 9 plans filed by federal, and state agencies that address various resources in Utah; however, none are relevant to the continued operation of the project.

#### **X. Finding of No Significant Impact**

We've prepared this environmental assessment for the project pursuant to the National Environmental Policy Act of 1969. Should the Commission decide to issue a license for the project, staff analysis shows that licensing the project would not be a major federal action

significantly affecting the quality of the human environment. With our recommended measures existing environmental resources would be protected.

#### **XI. Literature Cited**

Sunrise Engineering, Inc., 2001. Application for a License for a Minor Water Power Project—Center Creek Hydroelectric Project—Parowan City (FERC Project No. 1273). November 15, 2002.

#### **XII. List of Preparers**

Gaylord W. Hoisington B Project Coordinator B Terrestrial, Cultural Resources, and Threatened and Endangered Species; Soil Conservationist; B.S., Recreation.

Nicholas Jayjack B Aquatic Resources B Fishery Biologist; M.S., Environmental Science in Civil Engineering; B.S., Fisheries and Aquatic Sciences.

Linda Lehman B Civil Engineer; M.S., Civil Engineering; B.S., Civil Engineering.

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### **DEPARTMENT OF ENERGY**

#### **Federal Energy Regulatory Commission**

[Project No. 178-017]

#### **Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests**

August 26, 2003.

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

a. *Type of Application:* New Major License.

b. *Project No.:* 178-017.

c. *Date filed:* April 14, 2003.

d. *Applicant:* Pacific Gas and Electric Company.

e. *Name of Project:* Kern Canyon Hydroelectric Project.

f. *Location:* On the Kern River, near the Town of Bakersfield, Kern County, California. The project occupies approximately 11.26 acres of public land located within the Sequoia National Forest.

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

h. *Applicant Contact:* Mr. Randal S. Livingston, Pacific Gas and Electric Company, Power Generation, Mail Code N11E, P.O. Box 770000, San Francisco, CA 94177 (415)973-7000.

i. *FERC Contact*: Allison Arnold, (202) 502-6346 or [allison.arnold@ferc.gov](mailto:allison.arnold@ferc.gov).

j. *Deadline for filing motions to intervene and protests*: 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.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

Motions to intervene and protests 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.

k. This application has been accepted for filing, but is not ready for environmental analysis at this time.

l. The Kern Canyon Hydroelectric Project consists of: (1) An existing 150-foot-long and 23-foot-high dam; (2) an existing 3-acre reservoir having a usable capacity of 27-acre-feet; (3) a 1.58-mile-long horseshoe shaped tunnel; (4) a 520-foot-long steel penstock varying in diameter from 96 inches to 90 inches; (5) a powerhouse containing one generating unit with an installed capacity of 9,540 kilowatts; (6) existing transmission facilities; and (7) appurtenant facilities. The project is estimated to generate an average of 67.6 gigawatthours annually. The dam and existing project facilities are owned by the applicant.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may 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 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances

related to this or other pending projects. For assistance, contact FERC Online Support.

n. Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests 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 protests or motions to intervene must be received on or before the specified deadline date for the particular application.

When the application is ready for environmental analysis, the Commission will issue a public notice requesting comments, recommendations, terms and conditions, or prescriptions.

All filings must (1) Bear in all capital letters the title "PROTEST" or "MOTION TO INTERVENE"; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

Linda Mitry,  
Acting Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project Nos. 2192-013 and 2590-040]

#### Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

August 26, 2003.

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

a. *Application type*: Amendment of License to Revise Project Boundary.

b. *Projects Nos*: 2192-013 and 2590-040.

c. *Date Filed*: June 9, 2003; amended July 15, 2003.

d. *Applicant*: Consolidated Water Power Company.

e. *Name of Projects*: Biron Hydroelectric Project and Whiting Hydroelectric Project.

f. *Location*: The Biron Hydroelectric Project is located on the Wisconsin River, in Wood and Portage Counties, Wisconsin. The Whiting Hydroelectric Project is located on the Wisconsin River, in Portage County, Wisconsin.

g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 7919(a)-825(r) and 799 and 801.

h. *Applicant Contact*: Mark E. Anderson, Resource Manager, Consolidated Water Power Company, P.O. Box 8050, Wisconsin Rapids, WI 54495-8050, (715) 422-3972, or e-mail [mark.anderson@storaenso.com](mailto:mark.anderson@storaenso.com).

i. *FERC Contact*: Any questions on this notice should be addressed to Etta Foster at (202) 502-8769, or e-mail address: [etta.foster@ferc.gov](mailto:etta.foster@ferc.gov).

j. *Deadline for filing comments and/or motions*: September 26, 2003.

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 numbers (P-2192-013 and 2590-040) on any comments or motions filed.

k. *Description of Request*: Consolidated Water Power Company (CWPCo) proposes to add approximately 19.14 acres to the Whiting project boundary, and approximately 49.79 acres to the Biron project boundary. The additional acres will provide various forms of public access to the water or on lands already associated with the projects.

l. *Location of the Application*: A copy of the application is available for inspection and reproduction at the Commission's 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 (FERRIS) link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866)208-3676, or for TTY, contact (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. Comments, Protests, or Motions to Intervene-Anyone may submit comments, a protest, or a motion to