

would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in the Public Reference Branch of the Commission's offices at 888 First Street, N.E., Room 2A, Washington, D.C. 20426, and may also be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (please call (202) 208-2222 for assistance).

**David P. Boergers,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 1121-052]

#### Pacific Gas and Electric Company; Notice of Availability of Environmental Assessment

March 28, 2000.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission's) regulations, the Office of Energy Projects has reviewed the application requesting the Commission's authorization to amend Article 33 (f) of the existing license and has prepared an Environmental Assessment (EA) for the proposed action.

Flashboards are needed to raise the existing North Battle Creek Reservoir to its full capacity, 1,039-acre-feet, for the recreation season. The proposed amendment to article 33(f) would allow the licensee to delay up to one month (from June 1 to July 1) the placement of flashboards at North Battle Creek dam when late runoff or heavy snow pack precludes road access to the dam by truck. During such years, the licensee: would install flashboards as soon as roads are passable by truck; and would notify the Forest Supervisor of Lassen National Forest five business days prior to June 1 and, subsequently, once the reservoir is at or above 1,039-acre-feet.

In the EA, Commission staff does not identify any significant impacts that would result from Commission's approval of the proposed modification to Article 33(f). Thus, staff concludes that approval of the proposed amendment of license would not constitute a major federal action significantly affecting the quality of the human environment.

The EA has been attached to and made part of an Order Amending Article

33(f), issued March 22, 2000, for the Battle Creek Hydroelectric Project, FERC No. 1121-052. See 90 FERC ¶ 62,201. Also, the EA is available for inspection at the Commission's Public Reference Room, Room 2A, 888 First Street, NE, Washington, DC 20426, or by calling (202) 208-1371. Further, the document may be viewed on the Web at [www.ferc.fed.us/online/rims.htm](http://www.ferc.fed.us/online/rims.htm). Call (202) 208-2222 for assistance.

For further information, please contact Jim Haimes at (202) 219-2780.

**David P. Boergers,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Temporary Variance Request and Soliciting Comments, Motions To Intervene, and Protests

March 28, 2000.

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

- a. *Type of Application:* Request To Amend Language of Article 29.
- b. *Project No.:* 2210-047.
- c. *Date filed:* February 22, 2000.
- d. *Applicant:* Appalachian Power Company.
- e. *Name of Project:* Smith Mountain Project.
- f. *Location:* On the Roanoke River, Bedford, Franklin, Campbell, Pittsylvania, and Roanoke Counties, Virginia. The project does not utilize federal or tribal lands.
- g. *Filed Pursuant to:* 18 CFR 4.200.
- h. *Applicant Contact:* Frank M. Simms, American Electric Power, 1 Riverside Plaza, Columbus, OH 43215-2373, (614) 223-2918.
- i. *FERC Contact:* Robert Fletcher, robert.fletcher@ferc.fed.us, 202-219-1206.

j. *Deadline for filing comments, motions to intervene and protest:* 30 days from the issuance date of this notice. Please include the project number (2210-047) on any comments or motions filed. All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

k. *Description of Application:* Article 29 of the Smith Mountain Project currently read as follows: "Except as provided for in Article 30, the Licensee shall release from the Lower

development a minimum average weekly flow of 650 cubic feet per second."

It should be noted that Article 30 addresses flows during the initial filling of the project reservoir. Conditions contained under license articles for other projects issued by the Commission address temporary modifications to project flow. The language generally reads as follows: "These flows may be temporarily modified if required by operating emergencies beyond the control of the licensee, or for short periods upon mutual agreement between the licensee and the appropriate agencies. If the flows are so modified, the licensee shall notify the Commission as soon as possible, but not later than 10 days after each such incident."

The licensee has consulted with the Virginia Department of Fish and Game and Inland Fisheries and the Virginia Department of Environmental Quality to develop the following language to replace the currently contained language of Article 29: "Except as provided in Article 30, the licensee shall release from the Lower Development a minimum average weekly flow of 650 cubic feet per second. These flows may be temporarily modified if required by operating emergencies beyond the control of the licensee, and/or for short periods of time (up to 45 days) during drought and/or low inflow conditions, upon mutual agreement between the licensee and the Virginia Department of Environmental Quality (DEQ), in consultation with the Virginia Department of Game and Inland Fisheries, following appropriate public input as determined by the DEQ. If the flows are so modified, the licensee shall notify the Commission no later than 10 days after each such incident."

l. *Locations 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, D.C. 20426, or by calling (202) 208-1371. This filing may be viewed on <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance). 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.

*Protests or Motions to Intervene—* 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,