

comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all parties to this proceeding.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Linda Mitry,**

*Deputy Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 1494-251-OK]

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

November 9, 2004.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380 (Order No. 486, 52 FR 47897), the Office of Energy Projects has reviewed an application for non-project use of project lands and waters at the Pensacola Project (FERC No. 1494) and has prepared a Draft Environmental Assessment (DEA) for the proposed non-project use. The project is located on the Grand (Neosho) River in Craig, Delaware, Mayes, and Ottawa Counties, Oklahoma.

In the application, the Grand River Dam Authority (licensee) requests Commission authorization to permit John Mullen d/b/a Thunder Bay Marina Facility to reconfigure three previously-approved but not-constructed docks at Thunder Bay Marina. The marina is located on the Duck Creek arm of Grand

Lake O' the Cherokees, the project reservoir. The DEA contains the Commission staff's analysis of the probable environmental impacts of the proposal and certain staff-identified alternatives.

The DEA is available for review and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426. The DEA may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the dock number (prefaced by P-) and 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 (866) 208-3676, or for TTY, contact (202) 502-8659.

Comments on the DEA should be filed within 30 days of the date of this notice and should be addressed to Magalie Roman Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please reference "Pensacola Project, FERC Project No. 1494-251" on all comments. Comments may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link.

**Linda Mitry,**

*Deputy Secretary.*

[FR Doc. E4-3230 Filed 11-17-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP04-47-000, CP04-38-000, CP04-39-000, and CP04-40-000]

#### Sabine Pass LNG, L.P. and Cheniere Sabine Pass Pipeline Company; Notice of Availability of the Final Environmental Impact Statement for the Proposed Sabine Pass LNG and Pipeline Project

November 12, 2004.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a final Environmental Impact Statement (EIS) on the liquefied natural gas (LNG) import terminal and natural gas pipeline facilities in Cameron Parish, Louisiana proposed by Sabine Pass LNG, L.P. and Cheniere Sabine Pass Pipeline Company (collectively referred to as Cheniere Sabine) in the above-referenced dockets.

The final EIS was prepared to satisfy the requirements of the National Environmental Policy Act (NEPA). The staff concludes that approval of the proposed project with appropriate mitigating measures as recommended, would have limited adverse environmental impact. The final EIS also evaluates alternatives to the proposal, including system alternatives, alternative sites for the LNG import terminal, and pipeline alternatives.

The final EIS also addresses the potential environmental effects of the construction and operation of the following LNG terminal and natural gas pipeline facilities:

- A new marine terminal basin connected to the Sabine Pass Channel that would include a ship maneuvering area and two protected berths to unload up to 300 LNG ships per year with a ship capacity ranging up to 250,000 cubic meters (m<sup>3</sup>) of LNG;
- Three all-metal, double-walled, single containment, top-entry LNG storage tanks, each with a nominal working volume of approximately 160,000 m<sup>3</sup> (1,006,400 barrels) and each with secondary containment dikes to contain 110 percent of the gross tank volume;
- Sixteen high-pressure submerged combustion vaporizers with a capacity of approximately 180 million cubic feet per day, as well as other associated vaporization equipment;
- Instrumentation and safety systems, including hazard detection and fire response systems, ancillary utilities, buildings, and service facilities, including a metering facility;
- Packaged natural gas turbine/generator sets to generate power for the LNG terminal; and
- Approximately 16 miles of 42-inch-diameter natural gas pipeline, two metering stations, and associated pipeline facilities including launcher and receiver facilities.

The purpose of the Sabine Pass LNG and Pipeline Project is to provide the facilities necessary to meet growing demand for natural gas in the United States by providing a reliable supply of natural gas and access to worldwide natural gas reserves.

The final EIS has been placed in the public files of the FERC and is available for distribution and public inspection at: Federal Energy Regulatory Commission, Public Reference Room, 888 First Street, NE., Room 2A, Washington, DC 20426, (202) 502-8371.

A limited number of copies of the final EIS are available from the Public Reference Room identified above. In addition, copies of the final EIS have been mailed to Federal, State, and local

agencies; public interest groups; individuals and affected landowners who requested a copy of the final EIS; libraries; newspapers; and parties to this proceeding.

In accordance with the Council on Environmental Quality's (CEQ) regulations implementing the NEPA, no agency decision on a proposed action may be made until 30 days after the U.S. Environmental Protection Agency publishes a notice of availability of a final EIS. However, the CEQ regulations provide an exception to this rule when an agency decision is subject to a formal internal appeal process which allows other agencies or the public to make their views known. In such cases, the agency decision may be made at the same time the notice of the final EIS is published, allowing both periods to run concurrently. The Commission's decision for this proposed action is subject to a 30-day rehearing period.

Additional information about the project is available from the Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance with any FERC Online service, please e-mail [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or call (866) 208-3676, for TTY (202) 502-8659. The eLibrary link on the FERC Internet Web site also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

**Linda Mitry,**

*Deputy Secretary.*

[FR Doc. E4-3227 Filed 11-17-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

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

November 5, 2004.

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

a. *Type of Application:* Temporary license amendment to decrease the minimum flow requirement.

b. *FERC Project No.:* 10855-038.

c. *Date Filed:* October 27, 2004.

d. *Applicant:* Upper Peninsula Power Company.

e. *Name of Project:* Dead River.

f. *Location:* The Dead River Project is located on the Dead River in Marquette County, Michigan.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a), 825(r) and 799 and 801.

h. *Applicant Contact:* Mr. Terry P. Jensky, Assistant Vice President Energy Supply-Operations, Wisconsin Public Service Corporation, 600 North Adams Street, P.O. Box 19002, Green Bay, Wisconsin 54307-9002.

i. *FERC Contact:* Any questions regarding this notice should be addressed to Mr. T.J. LoVullo at (202) 502-8900.

j. *Description of Request:* Due to the abnormally dry late summer and fall and the reduced inflow into the Hoist reservoir, Upper Peninsula Power Company (UPPCO) requests to temporarily reduce the minimum flow discharged downstream of the Hoist powerhouse from the required 100 cubic feet per second (cfs) to 60 cfs. Analysis indicates that at the current rate of discharge from the Hoist reservoir, it appears that the reservoir will be lowered to 1318 feet (mean sea level) by about mid-December. At a water elevation of 1318 feet, no additional water can be released from the Hoist reservoir and there is a danger of the penstocks freezing. There is also a danger of the minimum flows being completely shut down.

Therefore, in an effort to conserve water for the winter months and future minimum flows, UPPCO requests the following operation scenario: reduce the minimum flows at the Hoist powerhouses from 100 cfs to 60 cfs, or to the minimum flow rate required for safe operation of the turbine; if the reservoir level drops below 1325 feet, hold a meeting or teleconference with the resource agencies to discuss strategy; if the reservoir level drops below 1320 feet, shut down the turbine and release a minimum flow of approximately 6 cfs to keep the penstock from freezing; if the reservoir level begins to rise while maintaining the 60 cfs minimum flow, and rises to the elevation of 1330 feet, an additional 5 cfs will be released from the Hoist powerhouse via the bypass siphon at McClure; if the reservoir goes above 1332 feet the minimum discharge of 100 cfs will be maintained until the reservoir level goes below 1330 feet or spring runoff occurs.

k. *Deadline for Filing Comments or Motions:* December 6, 2004.

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, DC 20426 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, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item "h" above.

m. *Filing and Service of Responsive Documents:* Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the project number (P-10855) to which the filing refers. All documents (original and eight copies) should be filed with: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application. Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages e-filings.

Anyone may submit responses in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments 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 responses must be received on or before the specified comment date for the particular application.

n. *Agency Comments:* Federal, State, and local agencies are invited to file comments on the described applications. A copy of the applications may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, that agency will be presumed to have no comments. One copy of an agency's