

Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervener 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. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Request:* Tacoma Power proposes to amend the project's approved recreation plan by deleting a requirement to lengthen an existing boat dock at the Mossyrock Park Boat Launch. Instead the licensee proposes to build a new loading dock that is designed to be used during low reservoir levels at the Taidnapam North Boat launch, which was completed in 2008 pursuant to the approved recreation plan. The licensee states that the new configuration will better serve the boating public while eliminating the environmental and aesthetic impacts associated with extending the existing dock at Mossyrock Park. In developing the application, the licensee consulted with the U.S. Fish and Wildlife Service, U.S. Forest Service, Washington Department of Fish and Wildlife, Washington State Parks and Recreation Commission, Washington Recreation and Conservation Office, and Lewis County, Washington.

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 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" link. Enter the docket number excluding the last three digits in the docket number field (p-2016) to access the document. You may also register online at <http://www.ferc.gov/docs-filing/subscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3372 or e-mail FEROnlineSupport@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. 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 intervene 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 comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *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 of the particular application to which the filing refers (p-2016-207).

p. *Agency Comments*—Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

q. 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 at <http://www.ferc.gov> under the "e-Filing" link.

Kimberly D. Bose,

Secretary.

[FR Doc. E9-22857 Filed 9-22-09; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. 13212-001; 13211-001]

Kenai Hydro, L.L.C.; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process

September 16, 2009.

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project Nos.:* 13212-001 and 13211-001.

c. *Date Filed:* August 6, 2009.

d. *Submitted By:* Kenai Hydro, L.L.C.

e. *Name of Project:* Grant Lake/Falls Creek Hydroelectric Project.

f. *Location:* On Grant Lake, Grant Creek and Falls Creek on the Kenai Peninsula, near the community of Moose Pass, Alaska. Portions of the project would occupy Federal lands within the Chugach National Forest, administered by the U.S. Forest Service.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 808(b)(1) and 18 CFR 5.5 of the Commission's regulations.

h. *Potential Applicant Contact:* Steve Gilbert, Kenai Hydro, L.L.C., 6921 Howard Avenue, Anchorage, AK 99504; or e-mail at SteveG@enxco.com.

i. *FERC Contact:* Joseph Adamson at (202) 502-8085; or e-mail at joseph.adamson@ferc.gov.

j. On August 6, 2009, Kenai Hydro, L.L.C. filed its request to use the Traditional Licensing Process and provided public notice of its request. In a letter dated September 15, 2009, the Director, Division of Hydropower Licensing, approved Kenai Hydro, L.L.C.'s request to use the Traditional Licensing Process.

k. *With this notice, we are initiating informal consultation with:* (a) The U.S. Fish and Wildlife Service and NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, part 402; (b) NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920; and (c) the Alaska State Historic Preservation Officer, as required by section 106 of the National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Kenai Hydro, L.L.C. as the Commission's non-Federal representative for carrying out informal

consultation, pursuant to section 7 of the Endangered Species Act, section 305 of the Magnuson-Stevens Fishery Conservation and Management Act, and section 106 of the National Historic Preservation Act.

m. Kenai Hydro, L.L.C. filed a Pre-Application Document (PAD, including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.5 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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 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 paragraph h.

o. Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-22856 Filed 9-22-09; 8:45 am]

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DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

Draft Environmental Impact Statement for the Abengoa Biorefinery Project Near Hugoton, Stevens County, KS (DOE/EIS-0407D)

AGENCY: Office of Energy Efficiency and Renewable Energy, DOE.

ACTION: Notice of Availability.

SUMMARY: The U.S. Department of Energy (DOE) announces the availability of the *Draft Environmental Impact Statement for the Abengoa Biorefinery Project near Hugoton, Stevens County, KS* (DOE/EIS-0407D) (referred to as the "Draft Abengoa Biorefinery EIS" or "Draft EIS"). This Draft EIS was prepared in accordance with the Council on Environmental Quality's National Environmental Policy Act (NEPA) Implementing Regulations (40 CFR parts 1500-1508) and DOE NEPA Implementing Regulations (10 CFR part 1021). The U.S. Department of

Agriculture, Rural Development, (USDA-RD) is a cooperating agency in preparation of the Draft Abengoa Biorefinery EIS.

DOE's Proposed Action in the Draft Abengoa Biorefinery EIS is to provide federal funding to Abengoa Bioenergy Biomass of Kansas, LLC (ABBK) to support the final design, construction, and startup of a commercial-scale integrated biorefinery to be located near the city of Hugoton, Stevens County, Kansas (hereafter referred to as the Abengoa Biorefinery Project). The Abengoa Biorefinery Project would use lignocellulosic biomass as feedstock to produce ethanol and biopower (electricity) sufficient to meet the needs of the biorefinery and to sell to the regional power grid. In the Draft EIS, DOE also evaluates an Action Alternative, under which the biorefinery would not produce electricity for sale to the regional grid, and a No-Action Alternative, under which the biorefinery would not be constructed. The Draft Abengoa Biorefinery Project EIS evaluates the potential direct, indirect, and cumulative environmental impacts from the construction and operation of the Abengoa Biorefinery Project. DOE's preferred alternative is the Proposed Action.

DATES: The public is invited to comment on the Draft EIS, and all comments received no later than November 9, 2009 will be addressed in preparing the Final EIS. Comments received after the end of the public comment period will be considered to the extent practicable. A public hearing on the Draft EIS will be held at the Stevens County Courthouse, 200 East 6th St., Hugoton, Kansas 67951-2606, on October 21, 2009, from 6 p.m. to 8 p.m. Written and oral comments will be accepted and given equal weight.

ADDRESSES: Copies of this Draft EIS are available for review at The Stevens County Library, 501 S. Monroe Street, Hugoton, KS 67951, 620-544-2301, and the U.S. Department of Energy, FOIA Reading Room, 1E-190, Forrestal Bldg., 1000 Independence Avenue, SW., Washington, DC 20585, 202-586-3142. The Draft EIS is also available on the Golden Field Office On-line FOIA Public Reading Room: http://www.eere.energy.gov/golden/Reading_Room.aspx, at: <http://www.biorefineryprojecteis-abengoa.com> and at: <http://www.gc.energy.gov/NEPA>.

How to Comment on the Draft EIS: Oral and written comments on the Draft EIS will be accepted at the public hearing, or written comments may be mailed to Ms. Kristin Kerwin at the U.S. Department of Energy, Golden Field

Office, 1617 Cole Boulevard, Golden, Colorado 80401, or submitted via e-mail to: kristin.kerwin@go.doe.gov.

Envelopes and the subject line of e-mails and faxes should be labeled "Draft Abengoa Biorefinery EIS Comments." Comments or requests for information may also be submitted via the EIS Web site at <http://www.biorefineryprojecteis-abengoa.com>.

FOR FURTHER INFORMATION CONTACT: For information on the Draft Abengoa Biorefinery EIS, or information on how to comment, contact Ms. Kristin Kerwin by any of the means described above under **ADDRESSES**, or access the Abengoa Biorefinery Project EIS Web site at: <http://www.biorefineryprojecteis-abengoa.com>.

For further information on the DOE Office of Energy Efficiency and Renewable Energy Integrated Biorefinery Program, contact Mr. John Ferrell, Biomass Program Manager (Acting), U.S. Department of Energy, 1000 Independence Avenue, SW., EE-2E, 5H-021, Washington, DC 20585, telephone: 202-586-6745, facsimile: 202-586-1640, e-mail: eeere_biomass@ee.doe.gov.

For further information on the U.S. Department of Agriculture Rural Business-Cooperative Service Biorefinery Assistance Program contact: Energy Branch, Attention: Biorefinery Assistance Program, 1400 Independence Avenue, SW., Mail Stop 3225, Washington, DC 20250-3225; telephone: 202-720-1400.

For general information regarding the DOE National Environmental Policy Act (NEPA) process contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance, U.S. Department of Energy, 1000 Independence Avenue, SW., GC-20, Washington, DC 20585; e-mail: AskNEPA@hq.doe.gov; telephone 202-586-4600; or leave a message at 1-800-472-2756.

SUPPLEMENTARY INFORMATION:

Background: In September 2007, pursuant to the Energy Policy Act of 2005 (EPAct 2005) Section 932, DOE granted an initial award of approximately \$15 million to ABBK to advance the conceptual design, initiate the permitting process, and support an environmental review under NEPA for a proposed biomass-to-ethanol and energy facility that would be located adjacent to and west of the city of Hugoton, Stevens County, Kansas. DOE requires completion of the design, permitting, and environmental review obligations prior to deciding whether to co-fund the final design, construction and start-up phases of the project.