

to IOUs that occurred under the REP settlements. This aggregate benefit is in the middle of the \$200 million to \$220 million range contained in the Recommendations of Representatives of the Investor-Owned and Certain Consumer-Owned Utilities Regarding the Residential Exchange Benefits for Customers Served by the Pacific Northwest Investor-Owned Utilities dated November 7, 2007. BPA understands that this document enjoys broad, albeit not universal, customer support. BPA views such support as a measure of the reasonableness of its approach to recovering the Lookback Amounts over time.

Table 4 shows FY 2009 REP benefits due and REP benefits paid before consideration of any deemer obligations.

**TABLE 4.—FY 2009 REP BENEFITS DUE AND BENEFITS PAID BEFORE DEEMER ADJUSTMENT**

[Millions of dollars]

Utility name	FY 2009 REP bene- fits due	FY 2009 REP bene- fits paid
Avista .....	\$27.8	\$23.3
Idaho Power .....	9.2	7.7
Northwestern Energy .....	7.6	6.4
PacifiCorp .....	50.8	42.7
Portland General Electric .....	54.6	45.8
Puget Sound Energy .....	100.2	84.1
Total .....	250.2	210.0

BPA maintains the position that Idaho Power has a substantial deemer balance at the end of FY 2008. BPA is proposing to apply the same treatment to Idaho Power's deemer balance for FY 2009 that was applied when determining the Lookback Amounts for FY 2002–2008. Specifically, REP benefits will first be applied toward deemer balances. Only when Idaho Power's deemer balance is extinguished would REP benefits be available to apply against Lookback Amounts and to provide positive REP benefits to Idaho Power. Based on Idaho Power's current deemer balance and reasonable expectations of future REP benefits, Idaho Power is not expected to amortize its Lookback Amount by 2028. BPA acknowledges that Idaho Power disputes its current deemer balance and has requested to explore with BPA the possibility of settling this dispute.

#### F. Summary

In summary, BPA's proposal responds to the Court's rulings in several ways to remedy the improper allocation of REP settlement costs to the PF Preference

rate. First, the WP–07 Supplemental Proposal results in an average PF Preference rate of \$26.2/MWh—about a four percent (4%) reduction from current rates. This proposed reduction results from several changes or revisions to the WP–07 Final Studies. The most significant change is a reduction in the costs of the REP for FY 2009 from about \$336 million to \$202 million, which includes \$39 million of the Lookback Amount.

Second, BPA is determining the magnitude of the Lookback Amounts for FY 2002–2007 that need to be recovered from the region's IOUs and returned to public utilities. BPA proposes to recover this total, approximately \$620 million, out of future REP benefits, starting with the \$39 million for FY 2009 noted above. BPA proposes that the amount of future Lookback Amounts recovered, and by extension the associated PF rate reduction, will be decided in each subsequent rate case.

Lastly, BPA is proposing to provide public utilities with either a one-time payment or a credit on their power bills for the difference between the REP settlements costs in power rates for FY 2007–2008, and the amount of FY 2007–2008 REP benefits the IOUs would be paid under BPA's proposal. If BPA offers, and preference customers sign, Standstill Payment Agreements, they will receive a portion of this credit in FY 2008 and the remainder in FY 2009. If they do not sign Standstill Payment Agreements, or the agreements are not offered, preference customers will receive the credit in FY 2009. BPA has the financial reserves to provide this FY 2008–2009 payment or credit of about \$315 million because BPA has been collecting REP settlement costs in the PF Preference rate but has not been paying benefits to the IOUs since the Court's May, 2007, rulings.

#### **Part VII—2007 Supplemental Wholesale Power Rate Schedules (FY 2009) and 2007 Supplemental General Rate Schedule Provisions (GRSPs) (FY 2009)**

BPA's proposed 2007 Supplemental Wholesale Power Rate Schedules and GRSPs, as well as the *Section 7(b)(2) Legal Interpretation and Section 7(b)(2) Implementation Methodology*, incorporated by reference as a part of this Notice, are available for viewing and downloading on BPA's Web site at <http://www.bpa.gov/corporate/ratecase>. A copy of the proposed rate schedules and GRSPs are also available for viewing in BPA's Public Reference Room at the BPA Headquarters, 1st Floor, 905 NE 11th Avenue, Portland, OR.

Issued this 1st day of February, 2008.

**Stephen J. Wright,**

*Administrator and Chief Executive Officer.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[ER–FRL–6695–7]**

### **Environmental Impacts Statements; Notice of Availability**

*Responsible Agency:* Office of Federal Activities, General Information (202) 564–7167 or <http://www.epa.gov/compliance/nepa/>

Weekly receipt of Environmental Impact Statements

Filed 01/28/2008 through 02/01/2008 Pursuant to 40 CFR 1506.9

EIS No. 20080035, Draft EIS, IBR, WA, Yakima River Basin Water Storage Feasibility Study, Create Additional Water Storage, Benton, Yakima, Kittitas Counties, WA, Comment Period Ends: 03/31/2008, Contact: David Kaumheimer 509–575–5848 Ext. 612.

EIS No. 20080036, Final EIS, GSA, CO, Denver Federal Central Site Plan Study, Master Site Plan, Implementation, City of Lakewood, Jefferson County, CO, Wait Period Ends: 03/10/2008, Contact: Lisa D. Morpurgo 303–236–8000 Ext. 5039.

EIS No. 20080037, Draft EIS, AFS, ID, Yakus Creek Project, Proposes Timber Harvest, Watershed Improvement, and Access Management Activities, Lochsa Ranger District, Clearwater National Forest, Idaho County, ID, Comment Period Ends: 03/24/2008, Contact: Craig Trulock 208–926–4274.

EIS No. 20080038, Draft EIS, BLM, WY, West Antelope Coal Lease Application (Federal Coal Lease Application WYW163340), Implementation, Converse and Campbell Counties, WY, Comment Period Ends: 04/08/2008, Contact: Sarah Bucklin 307–261–7587.

EIS No. 20080039, Final EIS, BLM, NV, Kane Springs Valley Groundwater Development Project, To Construct Infrastructure Required to Pump and Convey Groundwater Resources, Right-of-Way Application, Lincoln County Water District, Lincoln County, NV, Wait Period Ends: 03/10/2008, Contact: Penny Wood 775–861–6466.

EIS No. 20080040, Draft EIS, IBR, NV, Folsam Lake State Recreation Area & Folsam Powerhouse State Historic Park, General Plan/Resource Management Plan, Implementation, El

Dorado County, NV, Comment Period Ends: 03/24/2008, Contact: Laura Cabollero 916-989-7172.

EIS No. 20080041, Final Supplement, AFS, 00, Southwest Idaho Ecogroup Land and Resource Management Plan, Supplements the Rangeland Resource Section of the 2003 FEIS Concerning Terrestrial Management Indicator Species (MIS), Boise National Forest, Payette National Forest and Sawtooth National Forest, Forest Plan Revision, Implementation, Several Counties, ID; Malheur County, OR and Box Elder County, UT, Wait Period Ends: 03/10/2008, Contact: Sharon LaBrecque 208-737-3277.

EIS No. 20080042, Draft EIS, AFS, MT, Debaugan Fuels Reduction Project, Proposed Fuels Reduction Activities, Lolo National Forest, Superior Ranger District, Mineral County, MT, Comment Period Ends: 03/24/2008, Contact: Sharon Sweeney 406-822-4233.

EIS No. 20080043, Draft EIS, FTA, HI, Lahaina Small Boat Harbor Ferry Pier Project, To Build a New Interisland Ferry Pier, Maui, HI, Comment Period Ends: 03/24/2008, Contact: Ted Matley 415-744-2737.

#### Amended Notices

EIS No. 20070526, Draft EIS, AFS, WY, Thunder Basin National Grassland Prairie Dog Management Strategy, Land and Resource Management Plan Amendment #3, Proposes to Implement a Site-Specific Strategy to Manage Black-Tailed Prairie Dogs, Douglas Ranger District, Medicine Bow-Routt National Forests and Thunder Basin National Grassland, Campbell, Converse, Niobrara and Weston Counties, WY, Comment Period Ends: 03/24/2008, Contact: Misty Hays 307-358-4690, Revision of FR Notice Published 12/21/2007: Extending Comment Period from 02/04/2008 to 03/24/2008.

Dated: February 5, 2008.

**Robert W. Hargrove,**  
Director, NEPA Compliance Division, Office of Federal Activities.

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#### ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6695-8]

#### Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental

Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at 202-564-7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 6, 2007 (72 FR 17156).

#### Draft EISs

EIS No. 20070559, ERP No. D1-DOE-A06181-00, Rail Alignment for the Construction and Operation of a Railroad in Nevada to a Geologic Repository (DOE/EIS-0369D) at Yucca Mountain, Nye County, NV.

*Summary:* EPA expressed environmental concerns about the preferred alignment (the Caliente rail alignment) because it could require the filling of up to 81 acres of waters of the U.S., including wetlands associated with the Meadow Valley Wash and Clover Creek. EPA also expressed concerns about the limited analysis regarding the hydrologic effects of the rail line construction to the Meadow Valley Wash area. Rating EC2.

EIS No. 20070419, ERP No. D-BLM-J65493-UT, Kanab Field Office Resource Management Plan, Implementation, Portions of Kane and Garfield Counties, UT.

*Summary:* EPA expressed environmental concerns about potential adverse impacts to water quality, aquatic resources, air quality, and sensitive/rare wildlife and their habitat. Rating EC2.

EIS No. 20070440, ERP No. D-FHW-J40178-UT, Mountain View Corridor (MVC) Project, Proposed Transportation Improvement 2030 Travel Demand in Western Salt Lake County south of I-80 and west of Bangerter Highway and in northwestern Utah County of I-15, south of the Salt Lake County Line, and north of Utah Lake, Salt Lake and Utah County, UT.

*Summary:* EPA has environmental concerns about the potential impairment of water quality in the Jordan River. Rating EC1.

EIS No. 20070469, ERP No. D-NOA-E91021-00, Snapper Grouper Amendment 15B, Fishery Management Plan, To Analyze the Effects of Updating Management Reference Points for Golden Tilefish (*Lopholatilus chamaeleonticeps*); Define Allocations for Snowy Grouper (*Epinephelus niveatus*) and Red Porgy (*Pagrus pagrus*), NC, SC, FL and GA.

*Summary:* EPA does not object to the proposed action. Rating LO.

EIS No. 20070484, ERP No. D-FHW-F40818-00, Interstate-94, I-43, I-894, and WI-119 (Airport Spur) I-94/USH 41 Interchange to Howard Avenue, To Address Freeway System's Deteriorated Conditions, Funding and U.S. Army COE Section 404 Permit, Kenosha, Racine and Milwaukee Counties, WI and Lake County, IL.

*Summary:* EPA expressed environmental concerns about the impacts to wetlands, and has requested further analysis regarding mobile source air toxics and suggests air quality mitigation strategies that should be considered. Rating EC2.

EIS No. 20070498, ERP No. D-FHW-J40181-UT, I-15 Corridor Project, Transportation Improvement from Utah County to Salt Lake County, UT.

*Summary:* EPA expressed environmental concerns about the potential increases in PM 2.5 as well as the project's contribution of total dissolved solids to impaired the Jordan River. Rating EC1.

EIS No. 20070517, ERP No. D-USN-D11043-MD, National Naval Medical Center, Activities to Implement 2005 Base Realignment and Closure Actions, Construction and Operation of New Facilities for Walter Reed National Military Medical Center, Bethesda, MD.

*Summary:* EPA expressed concern about potential wetland and historic resource impacts. Rating EC2.

EIS No. 20070519, ERP No. D-AFS-J65502-MT, Cooney McKay Forest Health and Fuels Reduction Project, Proposed to Restore Desirable Vegetative Conditions, Swan Valley near Condon, Swan Lake Ranger District, Flathead National Forest, Lake and Missoula Counties, MT.

*Summary:* EPA supports activities to reduce hazardous fuels and fire risk in wildland urban interface areas, but expressed environmental concerns about adverse impacts from logging and road construction on water quality. EPA also identified the need for consistency with the downstream Swan Lake TMDL. Rating EC2.

EIS No. 20070428, ERP No. DA-DOE-A06181-00, Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada—Nevada Rail Transportation Corridor (DOE/EIS-0250F-S2D), Railroad Construction and Operation within the Mina Rail Corridor to connect Yucca Mountain Repository to Rail Line near Wabusha, NV.