

impacts associated with construction and operation would not occur.

Agency Responsibilities

Western has determined that an EIS is appropriate under DOE NEPA implementing procedures, 10 CFR part 1021.¹ Western would be the lead Federal agency for preparing the EIS, as defined at 40 CFR 1501.5. The proposed Project would include construction of a new single-circuit 500-kV transmission line and associated substations on mostly private land. Western will invite other Federal, State, local, and tribal agencies with jurisdiction by law or special expertise with respect to environmental issues to be cooperating agencies on the EIS, as defined at 40 CFR 1501.6. Such agencies also may make a request to Western to be a cooperating agency by contacting Mr. Montaña at the address listed in the **ADDRESSES** section. Because the proposed Project may involve action in floodplains or wetlands, this NOI also serves as a notice of proposed floodplain or wetland action, in accordance with DOE regulations for Compliance with Floodplain and Wetlands Environmental Review Requirements at 10 CFR part 1022. The EIS will include a floodplain/wetland assessment and, if required, a floodplain/wetland statement of findings will be issued with the Final EIS or the Western Record of Decision (ROD).

Environmental Issues

This notice is to inform agencies and the public of Western's and SMUD's intent to prepare a joint EIS/EIR and solicit comments and suggestions for consideration in the EIS/EIS. To help the public frame its comments, the following list contains potential environmental issues preliminarily identified for analysis in the EIS/EIR:

- Impacts on protected, threatened, endangered, or sensitive species of animals or plants;
- Impacts on migratory birds;
- Introduction of noxious weeds, invasive and non-native species;
- Impacts on recreation and transportation;
- Impacts on land use, wilderness, farmlands, and environmentally-sensitive areas;
- Impacts on cultural or historic resources and tribal values;

- Impacts on human health and safety;
- Impacts on air, soil, and water resources (including air quality and surface water impacts);
- Visual impacts; and
- Socioeconomic impacts and disproportionately high and adverse impacts to minority and low-income populations (*i.e.*, environmental justice).

This list is not intended to be all-inclusive or to imply any predetermination of impacts. Western invites interested parties to suggest specific issues within these general categories, or other issues not included above, to be considered in the EIS/EIR.

Public Participation

The EIS/EIR process includes a public scoping period; public scoping meetings; publication and public review of the Draft EIS/EIR; publication of a Final EIS/EIR; and publication of a ROD.

Western and SMUD will hold four public scoping meetings at the following times and locations:

- (1) Tuesday, January 12, 2016, from 4:00 p.m. to 7:00 p.m. at the Colusa Casino Community Room, 3770 California 45, Colusa, CA 95932;
- (2) Wednesday, January 13, 2016, from 8:00 a.m. to 11:00 a.m. at the Colusa Casino Community Room, 3770 California 45, Colusa, CA 95932;
- (3) Wednesday, January 13, 2016, from 4:00 p.m. to 7:00 p.m. at the Sutter Youth Organization Center, 7740 Butte House Road, Sutter, CA 95982;
- (4) Thursday, January 14, 2016, from 8:00 a.m. to 11:00 a.m. at the Sutter Youth Organization Center, 7740 Butte House Road, Sutter, CA 95982.

The meetings will be informal, and attendees will be able to speak directly with Western and SMUD representatives about the proposed Project. Attendees also may provide comments at these meetings. For the most recent information and for announcements, please visit the Project Web site at: www.CoSuLine.com.

At the conclusion of the NEPA process, Western will prepare a ROD. Persons interested in receiving future notices, proposed Project information, copies of the EIS/EIR, and other information on the NEPA review process should contact Mr. Montaña at the address listed in the **ADDRESSES** section.

The purpose of the scoping meetings is to provide information about the proposed Project, review Project maps, answer questions, and take oral and written comments from interested parties. All meeting locations will be handicapped-accessible. Anyone

needing special accommodations should contact Mr. Montaña to make arrangements.

The public will have the opportunity to provide written comments at the public scoping meetings. Written comments may also be sent to Mr. Montaña by email or U.S. Postal Service mail. To help define the scope of the EIS/EIR, comments should be received by Western no later than February 16, 2016.

Dated: November 25, 2015.

Mark A. Gabriel,

Administrator.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-R08-OW-2015-0346; FRL-9940-34-Region 8]

Issuance of NPDES General Permits for Wastewater Lagoon Systems Located in Indian Country in Region 8

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of issuance of NPDES general permits under the authority of Section 402 of the Clean Water Act.

SUMMARY: The Environmental Protection Agency (EPA) Region 8 is hereby giving notice of its issuance of six National Pollutant Discharge Elimination System (NPDES) lagoon general permits for wastewater lagoon systems located in Indian country in Region 8 (CO, MT, ND, SD, UT, & WY). These general permits are similar to the existing permits and will authorize the discharge of wastewater from lagoons located in Region 8 Indian country in accordance with the terms and conditions described therein.

DATES: The general permits become effective on January 1, 2016 and will expire five years from that date. For purposes of seeking review of this permit pursuant to 40 CFR 124.19(o) and 33 U.S.C. 1369(b)(1), the 120 day time period for appeal to the federal court will begin on January 1, 2016.

FOR FURTHER INFORMATION CONTACT: Additional information concerning the final permits may be obtained from VelRey Lozano, EPA Region 8, Wastewater Unit (8P-W-WW), 1595 Wynkoop Street, Denver, CO 80202-1129, telephone 303-312-6128 or email at lozano.velrey@epa.gov.

The administrative record is available by appointment for review and copying, fee for copies may be required, at the EPA Region 8 offices during the hours

¹ On November 16, 2011, DOE's Acting General Counsel restated the delegation to Western Area Power Administration's Administrator of all the authorities of the General Counsel with respect to environmental impact statements. See "Restatement of Delegations of Environmental Impact Statement Authorities," November 16, 2011.

of 10:00 a.m. to 4:00 p.m. Monday through Friday, Federal holidays excluded. The final general permits, the fact sheet, and additional information may be downloaded from the EPA Region 8 Web page at <http://www2.epa.gov/region8/npdes-permits-document-download>. Please allow one week after date of this publication for items to be uploaded to the Web page.

SUPPLEMENTARY INFORMATION: Proposed issuance of the general permits was published in the **Federal Register** on June 30, 2015, 80 FR 37255. The public comment period closed on July 30, 2015. A summary of comments received and Region 8's response to the comments are given in a separate document, "Response to Comments Received During the 2015 Public Notice of Draft NPDES General Permits for Wastewater Lagoon Systems Located in Indian country".

These permits authorize the discharge of wastewater in accordance with the terms and conditions described therein. The fact sheet for the permits is provide for downloading concurrently with the permits and provides detailed information on: The decisions used to set limitations; the specific geographic areas covered by the permits; information on monitoring schedules; inspection requirements, and other regulatory decisions or requirements.

Issuance of the general permits covers discharges from wastewater lagoon systems located in Indian country in Region 8. The general permits are grouped geographically by state, with the permit coverage being for specified Indian reservations located within a state boundary [specific permit coverage areas below]; any land held in trust by the United States for an Indian tribe; and any other areas which are Indian country within the meaning of 18 U.S.C. 1151.

Colorado: The COG587### permit covers the Southern Ute and the Ute Mountain Reservations, including those portions of the Reservation located in New Mexico and Utah.

Montana: MTG589### This permit covers the Blackfeet Indian Reservation of Montana; the Crow Indian Reservation; the Flathead Reservation; the Fort Belknap Reservation of Montana; the Fort Peck Indian Reservation; the Northern Cheyenne Indian Reservation; and the Rocky Boy's Reservation.

North Dakota: NDG589### This permit covers the Fort Berthold Reservation; the Spirit Lake Indian Reservation; the Standing Rock Sioux Reservation; and the Turtle Mountain Reservation.

This permit includes that portion of the Standing Rock Sioux Reservation and associated Indian country located within the State of South Dakota. It does not include any land held in trust by the United States for the Sisseton-Wahpeton Oyate or any other Indian country associated with that Tribe, which is covered under general permit SDG589###.

South Dakota: SDG589### This permit covers the Cheyenne River Reservation; Crow Creek Reservation; the Flandreau Santee Sioux Indian Reservation; the Lower Brule Reservation; the Pine Ridge Reservation (including the entire Reservation, which is located in both South Dakota and Nebraska); the Rosebud Sioux Indian Reservation; and the Yankton Sioux Reservation.

This permit includes any land in the State of North Dakota that is held in trust by the United States for the Sisseton-Wahpeton Oyate or any other Indian country associated with that Tribe. It does not include the Standing Rock Sioux Reservation or any associated Indian country, which is covered under general permit NDG589###.

Utah: UTG589### This permit covers the Northwestern Band of Shoshoni Nation of Utah Reservation (Washakie); the Paiute Indian Tribe of Utah Reservation; the Skull Valley Indian Reservation; and Indian country lands within the Uintah & Ouray Reservation. It does not include any portions of the Navajo Nation or the Goshute Reservation.

Wyoming: WYG589### This permit covers the Wind River Reservation.

Coverage under the general permits is limited to lagoon systems treating primarily domestic wastewater and includes two categories of coverage; discharging lagoons, and lagoons expected to have no discharge. The effluent limitations for discharging lagoons are based on the Federal Secondary Treatment Regulation (40 CFR part 133) and best professional judgement. The fact sheet also addresses situations in which more stringent and/or additional effluent limitations are determined necessary to comply with applicable water quality standards. Lagoon systems under the no discharge category are required to have no discharge except in accordance with the bypass provisions of the permit. Self-monitoring requirements and routine inspection requirements are included in the permits.

Where the Tribes have Clean Water Act § 401(a)(1) certification authority; Blackfeet Indian Reservation, Flathead Indian Reservation, the Fort Peck Indian

Reservation, Northern Cheyenne Indian Reservation, and the Ute Mountain Indian Reservation; EPA has requested certification that the permits comply with the applicable provisions of the CWA and tribal water quality standards.

Other Legal Requirements

Economic Impact (Executive Order 12866): EPA has determined that the issuance of this general permit is not a "significant regulatory action" under the terms of Executive Order 12866 (58 FR 51735 (October 4, 1993)) and is therefore not subject to formal OMB review prior to proposal.

Paperwork Reduction Act: EPA has reviewed the requirements imposed on regulated facilities in these proposed general permits under the Paperwork Reduction Act of 1980, 44 U.S.C. 501, *et seq.* The information collection requirements of these permits have already been approved by the Office of Management and Budget in submissions made for the NPDES permit program under the provisions of the Clean Water Act.

Regulatory Flexibility Act (RFA): 5 U.S.C. 601 *et seq.*, as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA); The RFA requires that the EPA prepare a regulatory flexibility analysis for rules subject to the requirements of 5 U.S.C. 553(b) that have a significant impact on a substantial number of small entities. The permits proposed today, however, are not a "rule" subject to the requirements of 5 U.S.C. 553(b) and is therefore not subject to the RFA.

Unfunded Mandates Reform Act: Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104-4, generally requires Federal agencies to assess the effects of their "regulatory actions" defined to be the same as "rules" subject to the Regulatory Flexibility Act (RFA)) on tribal, state, local governments and the private sector. The permit proposed today, however, is not a rule and is therefore not subject to the requirements of the UMRA.

Authority: Clean Water Act, 33 U.S.C. 1251, *et seq.*

Dated: December 3, 2015.

Darcy O'Connor,

*Acting Assistant Regional Administrator,
Office of Partnerships and Regulatory Assistance.*

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