

c. *Date Filed*: September 26, 2017.  
d. *Applicant*: Woodland Pulp, LLC (licensee).

e. *Name of Project*: West Branch Hydroelectric Project.

f. *Location*: The project is located on the West Branch of the St. Croix River in Washington County, Maine.

g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact*: C. Scott Beal, Woodland Pulp, LLC, 144 Main Street, Baileyville, ME 04619.

i. *FERC Contact*: Michael Calloway at 202–502–8041, or [michael.calloway@ferc.gov](mailto:michael.calloway@ferc.gov).

j. Deadline for filing comments, motions to intervene, and protests is 45 days from the issuance of this notice by the Commission. The Commission strongly encourages electronic filing. Please file motions to intervene, protests, and comments using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P–2618–032.

k. *Description of Request*: The licensee filed an American Eel Migration Study Plan and Proposed Design Plans for American Eel Passage pursuant to Article 401 of the project license and U.S. Fish and Wildlife and Service Fishway Prescription Nos. a(ii), b(ii), a(iii), and b(vii) contained in Appendix A of the license. Both proposals only address American eel passage and effectiveness evaluation at the project's West Branch development; these proposals do not address passage and evaluation at the Sysladobsis development—because of the licensee's pending amendment application (filed January 31, 2017) to remove the Sysladobsis development from the project license. The Proposed Design Plans for American Eel Passage provides a draft design for eel passage, but proposes to suspend passage until after the eel migration studies provide data to inform the design and siting of the eel passage measure. The American Eel Migration Study Plan provides a plan to evaluate eel abundance at various locations, inform design of eel passage

facilities, and evaluate effectiveness of the facilities for up to 3 years.

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 website 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. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 866–208–3676 or email [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. 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 filing must (1) bear in all capital letters the title COMMENTS; PROTEST, or MOTION TO INTERVENE as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to the American Eel Migration Study Plan and the Final Design Plans for American Eel Passage. Agencies may obtain copies of plans directly from the applicant. A copy of

any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. 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 all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: June 15, 2018.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. 2018–13365 Filed 6–21–18; 8:45 am]

**BILLING CODE 6717–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2790–072]

#### **Boott Hydropower, LLC; Notice of Intent To File License Application, Filing of Pre-Application Document (PAD), Commencement of Pre-Filing Process, and Scoping; Request for Comments on the PAD and Scoping Document, and Identification of Issues and Associated Study Requests**

a. *Type of Filing*: Notice of Intent to File License Application for a New License and Commencing Pre-filing Process.

b. *Project No.*: 2790–072.

c. *Dated Filed*: April 30, 2018.

d. *Submitted By*: Boott Hydropower, LLC (Boott).

e. *Name of Project*: Lowell Hydroelectric Project.

f. *Location*: On the Merrimack River, in Middlesex County, Massachusetts and Hillsborough County, New Hampshire. The project does not occupy any Federal land.

g. *Filed Pursuant to*: 18 CFR part 5 of the Commission's Regulations.

h. *Potential Applicant Contact*: Kevin Webb, Hydro Licensing Manager, Enel Green Power North America, Inc., 100 Brickstone Square, Suite 300, Andover, MA 01810, (978) 935–6039.

i. *FERC Contact*: Steve Kartalia at (202) 502–6131 or email at [stephen.kartalia@ferc.gov](mailto:stephen.kartalia@ferc.gov).

j. *Cooperating agencies*: Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues

that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item o below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC 61,076 (2001).

k. With this notice, we are initiating informal consultation with: (a) The U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR part 402 and (b) the Massachusetts and New Hampshire State Historic Preservation Officers, 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 Boott as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historic Preservation Act.

m. Boott filed with the Commission a Pre-Application Document (PAD; including a proposed process plan and schedule), pursuant to 18 CFR 5.6 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 website (<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](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.

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

o. With this notice, we are soliciting comments on the PAD and Commission staff's Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of

the potential application must be filed with the Commission.

The Commission strongly encourages electronic filing. Please file all documents using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P-2790-072.

All filings with the Commission must bear the appropriate heading: "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," "Request for Cooperating Agency Status," or "Communications to and from Commission Staff." Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so within 60 days of issuance.

p. Although our current intent is to prepare an environmental assessment (EA), there is the possibility that an Environmental Impact Statement (EIS) will be required. Nevertheless, this meeting will satisfy the NEPA scoping requirements, irrespective of whether an EA or EIS is issued by the Commission.

#### Scoping Meetings

Commission staff will hold two scoping meetings in the vicinity of the project at the time and place noted below. The daytime meeting will focus on resource agency, Indian tribe, and non-governmental organization concerns, while the evening meeting is primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:

##### Daytime Scoping Meeting

*Date:* Tuesday, July 17, 2018.

*Time:* 10:00 a.m.

*Location:* UMass Lowell Inn and Conference Center, Grand Ballroom, 50 Warren St., Lowell, MA 01852.

*Phone:* (978) 934-6918.

##### Evening Scoping Meeting

*Date:* Tuesday, July 17, 2018.

*Time:* 6:00 p.m.

*Location:* UMass Lowell Inn and Conference Center, Grand Ballroom, 50 Warren St., Lowell, MA 01852.

*Phone:* (978) 934-6918.

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 will be available at the scoping meetings, or may be viewed on the web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

#### Environmental Site Review

The licensee and Commission staff will conduct an environmental site review of the project on Wednesday, July 18, 2018, starting at 9:00 a.m. All participants should meet at the Eldred L. Field Powerhouse, located at 145 Pawtucket St., Lowell, MA 01854.

If you plan to attend the environmental site review, please email Kevin Webb of Boott at [kevin.webb@enel.com](mailto:kevin.webb@enel.com) on or before July 11, 2018, and indicate how many participants will be attending with you. Participants should park at the UMass Lowell East Campus Garage at 47 Pawtucket St., Lowell (no parking fee). After parking, exit the garage onto Pawtucket St. and follow the street to the right (west) about 500 feet. The entrance to the E.L. Field Powerhouse is through the gate on the right, just before the bridge over the Northern Canal. Boott's safety policies require that participants wear sturdy footwear; no sandals, open-toed shoes, or shorts.

The Lowell Project's facilities are spread out throughout the City of Lowell. Due to limited parking at many locations, Boott will transport participants between facilities by bus. The tour will last for 5 to 6 hours. For any questions concerning the environmental site visit please contact Kevin Webb at (978) 935-6039 or [kevin.webb@enel.com](mailto:kevin.webb@enel.com).

#### Meeting Objectives

At the scoping meetings, staff will: (1) Initiate scoping of the issues; (2) review and discuss existing conditions and resource management objectives; (3)

review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss the appropriateness of any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n. of this document.

#### Meeting Procedures

The meetings will be recorded by a stenographer and will be placed in the public records of the project.

Dated: June 15, 2018.

**Kimberly D. Bose,**

Secretary.

[FR Doc. 2018-13368 Filed 6-21-18; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2018-0378; FRL-9979-73-OGC]

### Proposed Stipulated Order of Partial Dismissal, Endangered Species Act Claims

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed stipulated order of partial dismissal; request for public comment.

**SUMMARY:** In accordance with the Environmental Protection Agency (EPA) Administrator's October 16, 2017, Directive Promoting Transparency and Public Participation in Consent Decrees and Settlement Agreements, notice is hereby given of a proposed stipulated order of partial dismissal to address several claims in a lawsuit filed by the Northwest Environmental Advocates ("Plaintiff") in the United States District Court for the Western District of Washington: *Northwest Environmental Advocates v. United States Environmental Protection Agency*, No. 2:14-cv-0196. On September 1, 2015, Plaintiff filed an amended complaint alleging, inter alia, that the United States Environmental Protection Agency

("EPA") failed to perform duties mandated by the Endangered Species Act ("ESA") to consult with the Fish & Wildlife Service and the National Marine Fisheries Service (collectively "the Services") regarding water quality standards adopted by Washington and approved by the EPA. The proposed stipulated order of partial dismissal would set a deadline for EPA to complete an ESA effects determination for its February 11, 2008, approval of Washington's revisions to the State's ammonia criteria and, as appropriate, request initiation of any necessary ESA consultation with the Services.

**DATES:** Written comments on the proposed stipulated order of partial dismissal must be received by July 23, 2018.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2018-0378, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method). For comments submitted at [www.regulations.gov](http://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [www.regulations.gov](http://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA generally will not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Thomas Glazer, Water Law Office (7426N), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone: (202) 564-0908; email address: [Glazer.Thomas@epa.gov](mailto:Glazer.Thomas@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Additional Information About the Proposed Stipulated Dismissal

On February 10, 2014, Plaintiff filed suit in the federal district court for the

Western District of Washington. Plaintiff's original Complaint brought five claims alleging violations of ESA section 7, CWA section 303(c), and the Administrative Procedures Act ("APA"). Following EPA's motion to partially dismiss on statute of limitations grounds, NWEA filed an Amended Complaint on September 1, 2015, which alleges four broad sets of claims. Plaintiff's first claim alleges that, on February 11, 2008, EPA approved revised State of Washington Department of Ecology (Washington) water quality standards involving metals conversion factors and ammonia criteria without initiating consultation under ESA section 7(a)(2) in contravention of the ESA. Plaintiff's second claim alleges that the listing of new species, designation of new critical habit, and Washington's completion of a 2009 study regarding dissolved oxygen all triggered an obligation for EPA to reinstate consultation on various natural conditions criteria provisions pertaining to temperature and dissolved oxygen that EPA approved on February 11, 2008.

The proposed stipulated order of partial dismissal would resolve these ESA claims. As described in paragraph three of the proposed stipulated order of dismissal, within three years, EPA will complete an ESA effects determination pursuant to 50 CFR 402.14(a) for its February 11, 2008 approval of Washington's revisions to the State's ammonia criteria and, as appropriate, request initiation of any necessary ESA consultation with the Services. If during that time, Washington submits revisions to the ammonia criteria and EPA intends to approve, EPA will complete an effects determination and, if appropriate, request initiation of any necessary ESA consultation with the Services within one year of submission or three years of the Court's approval of the stipulated order of dismissal, whichever is later. Portions of claims three and four would also be dismissed in exchange for commitments by Washington, but EPA is not taking comment on those aspects of the proposed stipulated order of partial dismissal. See the proposed stipulated order of partial dismissal for specific details.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the resolution of the ESA claims contained in the proposed stipulated order of partial dismissal from persons who are not named as parties or intervenors to the litigation in question. If so requested, EPA will also consider holding a public