

the project or other disposition under the FPA, whichever comes first.

Dated: September 21, 2023.

**Debbie-Anne A. Reese,**  
*Deputy Secretary.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 3211-010]

**Power Authority of the State of New York; Notice of Revised Procedural Schedule for Final Environmental Assessment for the Proposed Project Relicense**

On July 31, 2020, the Power Authority of the State of New York (NYPA) filed an application with the Federal Energy Regulatory Commission (Commission or FERC) for a new license to continue to operate and maintain the Hinckley (Gregory B. Jarvis) Hydroelectric Project No. 3211 (Jarvis Project). On June 27, 2022, Commission staff issued a notice of intent to prepare a draft and final Environmental Assessment (EA) to evaluate the effects of relicensing the Jarvis Project. The notice of intent included a schedule for preparing a draft and final EA.

On September 6, 2023, Commission staff issued the draft EA. By this notice, Commission staff is updating the procedural schedule for completing a final EA. The revised schedule is shown below. Further revisions to the schedule may be made as appropriate.

Milestone	Target date
Issue Final EA .....	March 2024.

Any questions regarding this notice may be directed to Andy Bernick at (202) 502-8660, or by email at [andrew.bernick@ferc.gov](mailto:andrew.bernick@ferc.gov).

Dated: September 21, 2023.

**Debbie-Anne A. Reese,**  
*Deputy Secretary.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 5261-000]

**Green Mountain Power Corporation; Notice of Authorization for Continued Project Operation**

The license for the Newbury Hydroelectric Project No. 5261 was issued for a period ending August 31, 2023.

Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year-to-year an annual license to the then licensee(s) under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 5261 is issued to Green Mountain Power Corporation for a period effective September 1, 2023, through August 31, 2024, or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before August 31, 2024, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to section 15 of the FPA, notice is hereby given that Green Mountain Power Corporation is authorized to continue operation of the Newbury Hydroelectric Project under the terms and conditions of the

prior license until the issuance of a subsequent license for the project or other disposition under the FPA, whichever comes first.

Dated: September 21, 2023.

**Debbie-Anne A. Reese,**  
*Deputy Secretary.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 2853-073]

**Montana Department of Natural Resources and Conservation; Notice of Intent To Prepare an Environmental Assessment**

On June 30, 2022, the Montana Department of Natural Resources and Conservation (Montana DNRC) filed an application for a new major license for the 9.66-megawatt Broadwater Hydroelectric Project (Broadwater Project; FERC No. 2853). The Broadwater Project is located on the Missouri River near the town of Toston in Broadwater County, Montana. The project includes Federal lands administered by the Bureau of Land Management.

In accordance with the Commission's regulations, on July 7, 2023, Commission staff issued a notice that the project was ready for environmental analysis (REA Notice). Based on the information in the record, including comments filed on the REA Notice, staff does not anticipate that licensing the project would constitute a major Federal action significantly affecting the quality of the human environment. Therefore, staff intends to prepare a draft and final Environmental Assessment (EA) on the application to relicense the Broadwater Project.

The EA will be issued and circulated for review by all interested parties. All comments filed on the EA will be analyzed by staff and considered in the Commission's final licensing decision.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to