

The Upper Drum-Spaulding, Lower Drum, and Deer Creek Projects are located within three primary river basins, the South Yuba River, Bear River, and North Fork of the North Fork American River, in Nevada and Placer Counties, California, and occupy 994 acres of federal lands administered by the Forest Service, Bureau of Land Management (BLM), and Bureau of Reclamation. The Yuba-Bear Project is located within three major river basins, the Middle Yuba River, South Yuba River, and Bear River, in Sierra, Nevada, and Placer Counties, California, and occupies 1,748 acres of federal lands administered by the Forest Service and BLM.

The final EIS contains staff's analysis of the applicants' proposals and the alternatives for relicensing the four projects. The final EIS documents the views of governmental agencies, non-governmental organizations, affected Indian tribes, the public, the license applicants, and Commission staff.

A copy of the final EIS is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "e-Library" link. Enter the docket number, excluding the last three digits, to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659.

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, contact FERC Online Support.

All comments must be filed by Monday, February 9, 2015, and should reference Project Nos. 2310-193, 14531-000, 14530-000, and/or 2266-102. Comments may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "Quick Comment." For assistance, please contact FERC Online Support. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

For further information, please contact Alan Mitchnick at (202) 502-6074 or at [alan.mitchnick@ferc.gov](mailto:alan.mitchnick@ferc.gov).

Dated: December 19, 2014.

**Kimberly D. Bose,**  
Secretary.

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**[Docket No.**

**Gordon Fulton; Notice of Preliminary Determination of a Qualifying Conduit Hydropower Facility and Soliciting Comments and Motions to Intervene**

On December 12, 2014, Gordon Fulton filed a notice of intent to

construct a qualifying conduit hydropower facility, pursuant to section 30 of the Federal Power Act (FPA), as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA). The proposed Fulton Hydropower Project would have an installed capacity of 406 kilowatts (kW), and would be located at the end of an existing 20-inch-diameter pipeline used for the purposes of irrigation and stockwater. The project would be located near the city of Mackay in Custer County, Idaho.

*Applicant Contact:* John Crockett, 3296 Snowflake Way, Boise, ID 83706, Phone No. (208) 344-5319.

*FERC Contact:* Christopher Chaney, Phone No. (202) 502-6778, email: [christopher.chaney@ferc.gov](mailto:christopher.chaney@ferc.gov).

*Qualifying Conduit Hydropower Facility Description:* The proposed project would consist of: (1) A proposed 850-square-foot powerhouse; (2) one twin jet Pelton turbine connected to an induction generator with an installed capacity of 406 kW; and (3) appurtenant facilities. The proposed project would have an estimated annual generating capacity of 1,330 megawatt-hours.

A qualifying conduit hydropower facility is one that is determined or deemed to meet all of the criteria shown in the table below.

TABLE 1—CRITERIA FOR QUALIFYING CONDUIT HYDROPOWER FACILITY

<i>Statutory provision</i>	<i>Description</i>	<i>Satisfies (Y/N)</i>
FPA 30(a)(3)(A), as amended by HREA ..	The conduit the facility uses is a tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.	Y
FPA 30(a)(3)(C)(i), as amended by HREA	The facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit.	Y
FPA 30(a)(3)(C)(ii), as amended by HREA.	The facility has an installed capacity that does not exceed 5 megawatts .....	Y
FPA 30(a)(3)(C)(iii), as amended by HREA.	On or before August 9, 2013, the facility is not licensed, or exempted from the licensing requirements of Part I of the FPA.	Y

*Preliminary Determination:* Based upon the above criteria, Commission staff preliminarily determines that the proposal satisfies the requirements for a qualifying conduit hydropower facility, which is not required to be licensed or exempted from licensing.

*Comments and Motions to Intervene:* Deadline for filing comments contesting whether the facility meets the qualifying criteria is 45 days from the issuance date of this notice.

Deadline for filing motions to intervene is 30 days from the issuance date of this notice.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and

385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

*Filing and Service of Responsive Documents:* All filings must (1) bear in all capital letters the “COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY” or “MOTION TO INTERVENE,” as applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name, address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections 385.2001 through 385.2005 of the Commission’s regulations.<sup>1</sup> All comments contesting Commission staff’s preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

The Commission strongly encourages electronic filing. Please file motions to intervene 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. 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.

*Locations of Notice of Intent:* Copies of the notice of intent can be obtained directly from the applicant or such copies can be viewed and reproduced at the Commission in its Public Reference Room, Room 2A, 888 First Street NE., Washington, DC 20426. The filing may also be viewed on the web at <http://www.ferc.gov/docs-filing/elibrary.asp> using the “eLibrary” link. Enter the docket number (e.g., CD15-17) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659.

Dated: December 18, 2014.

**Kimberly D. Bose,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### National Nuclear Security Administration

#### Record of Decision for the Continued Operation of the Department of Energy/National Nuclear Security Administration Nevada National Security Site and Off-Site Locations in the State of Nevada

**AGENCY:** National Nuclear Security Administration, U.S. Department of Energy.

**ACTION:** Record of Decision.

**SUMMARY:** The U.S. Department of Energy/National Nuclear Security Administration (DOE/NNSA) is issuing this Record of Decision (ROD) for the continued management, operation, and activities of the Nevada National Security Site (NNSS) and Off-Site Locations in the State of Nevada pursuant to the *Final Site-Wide Environmental Impact Statement for the Continued Operation of the Department of Energy/National Nuclear Security Administration Nevada National Security Site and Off-Site Locations in the State of Nevada*, DOE/EIS-0426 (Final NNSS SWEIS) issued on February 22, 2013. In making its decision, DOE/NNSA considered potential environmental impacts of operations and activities, current and future mission needs, technical and security considerations, availability of resources, and public comments on the Draft and Final NNSS SWEIS. The Final NNSS SWEIS analyzes ongoing and reasonably foreseeable future operations and activities at the NNSS and other DOE/NNSA facilities in Nevada, including the Remote Sensing Laboratory (RSL) at Nellis Air Force Base (NAFB), the North Las Vegas Facility (NLVF), the Tonopah Test Range (TTR), and environmental restoration sites located on the Nevada Test and Training Range (NTTR) (formerly the Nellis Air Force Range).

DOE/NNSA has decided to implement the Preferred Alternative, which is identified in the Summary, Table S-1, and Chapter 3, Section 3.4, of the Final NNSS SWEIS. The capabilities, projects, and activities that comprise the elements of DOE/NNSA’s decision, and the original alternative from which each is derived, are described in the “Decision” section below.

**FOR FURTHER INFORMATION CONTACT:** For further information on this ROD, or other NNSS National Environmental Policy Act (NEPA) documents, contact Ms. Linda M. Cohn, SWEIS Document Manager, NNSA Nevada Field Office, U.S. Department of Energy, P.O. Box 98518, Las Vegas, Nevada 89193-8518, (702) 295-0077. For information on the DOE NEPA process, contact Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (GC-54), U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-4600, or leave a message at (800) 472-2756. Additional information regarding DOE NEPA activities and access to many DOE NEPA documents, including the Final NNSS SWEIS, are available on the Internet through the DOE NEPA Web site at <http://energy.gov/nepa>.

#### SUPPLEMENTARY INFORMATION:

##### Background

DOE/NNSA prepared the Draft and Final NNSS SWEIS and this ROD pursuant to the regulations of the Council on Environmental Quality (CEQ) for implementing NEPA (40 CFR parts 1500-1508) and DOE’s NEPA Implementing Procedures (10 CFR part 1021).

The DOE/NNSA missions and associated programs in Nevada are (1) the National Security/Defense Mission, which includes the Stockpile Stewardship and Management Program; Nuclear Emergency Response, Nonproliferation, and Counterterrorism Program; and Strategic Partnership Program (previously Work for Others); (2) the Environmental Management Mission, which includes the Waste Management and Environmental Restoration Programs; and (3) the Nondefense Mission, which includes the General Site Support and Infrastructure, Conservation and Renewable Energy, and Other Research and Development Programs. These missions and programs are carried out at the NNSS, RSL, NLVF, and NTTR/TTR. The U.S. Air Force, U.S. Bureau of Land Management, and Nye County, Nevada, were cooperating agencies in the preparation of the NNSS SWEIS. In addition, the Consolidated Group of Tribes and Organizations, which includes representatives from 16 culturally affiliated American Indian Tribes, participated in the preparation of this SWEIS by providing text in the document that gave their perspectives of the land and activities conducted and proposed by the Federal government.

The NNSS occupies approximately 1,360 square miles of desert and mountain terrain in southern Nevada. It

<sup>1</sup> 18 CFR 385.2001-2005 (2014).