

intent must meet the requirements of 18 CFR 4.36. Comments, motions to intervene, notices of intent, and competing applications 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/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) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-12604-002) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: May 4, 2012.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2012-11353 Filed 5-10-12; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12595-002]

#### Greybull Valley Irrigation District; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On February 1, 2012, the Greybull Valley Irrigation District filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Upper Sunshine Reservoir Hydroelectric Power Project (Upper Sunshine Project or project) to be located on Sunshine Creek, near Meeteetse, Park County, Wyoming. The sole purpose of a preliminary permit, if issued, is to grant the permit holder

priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would utilize the existing Upper Sunshine dam and reservoir having a total storage capacity of 53,515 acre-feet at elevation 6,595 feet mean sea level, and would consist of the following new features: (1) A 6-foot-diameter penstock extending from the existing conduit to the powerhouse adjacent to the dam; (2) a powerhouse containing one Francis turbine/generator unit rated at 5 megawatts or less at 150 feet of net head; (3) a tailrace channel discharging from the powerhouse to Sunshine Creek; (4) a 3-mile-long, 25-kilovolt transmission line extending from the project to a transmission line owned by Rocky Mountain Power (the point of interconnection); and (5) appurtenant facilities. The estimated annual generation of the Upper Sunshine Project would be 6 gigawatt-hours.

**Applicant Contacts:** Mr. Lee Allen, 989 Highway 20 West, P.O. Box 44, Emblem, Wyoming 82422; phone: (307) 762-3555. Mr. William Schlenker, 989 Highway 20 West, P.O. Box 44, Emblem, Wyoming 82422; phone: (307) 762-3555.

**FERC Contact:** Kim Nguyen; phone: (202) 502-6105.

**Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications:** 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36. Comments, motions to intervene, notices of intent, and competing applications 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/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) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy

Regulatory Commission, 888 First Street NE., Washington, DC 20426.

More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-12595-002) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: May 4, 2012.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2012-11352 Filed 5-10-12; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 308-005]

#### PacificCorp Energy; Notice of Proposed Restricted Service List for a Programmatic Agreement for Managing Properties Included in or Eligible for Inclusion in the National Register of Historic Places

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding.<sup>1</sup> The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

Commission staff is consulting with the Oregon State Historic Preservation Officer (hereinafter, Oregon SHPO), and the Advisory Council on Historic Preservation (hereinafter, Council) pursuant to the Council's regulations, 36 CFR part 800, implementing section 106 of the National Historic Preservation Act, *as amended*, (16 U.S.C. section 470 f), to prepare and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at the Wallowa Falls Hydroelectric Project No. 308.

The programmatic agreement, when executed by the Commission and the Oregon SHPO would satisfy the Commission's section 106

<sup>1</sup> 18 CFR section 385.2010.

responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR 800.13[e]). The Commission's responsibilities pursuant to section 106 for the Wallowa Falls Hydroelectric Project would be fulfilled through the programmatic agreement, which the Commission proposes to draft

in consultation with certain parties listed below. The executed programmatic agreement would be incorporated into any Order issuing a license.

PacifiCorp Energy, as licensee for the Wallowa Falls Project No. 308, and the Nez Perce Tribe, Confederated Tribes of Umatilla Indian Reservation, Confederate Tribes of the Colville

Reservation, and Wallowa-Whitman National Forest have expressed an interest in this preceding and are invited to participate in consultations to develop the programmatic agreement.

For purposes of commenting on the programmatic agreement, we propose to restrict the service list for the aforementioned project as follows:

John Eddins or Representative, Office of Planning and Review, Advisory Council on Historic Preservation, 1100 Pennsylvania Ave., NW., Suite 809, Washington, DC 20004.

Anthony King or Representative, Wallowa-Whitman National Forest, 201 E. 2nd Street, Joseph, OR 97846.

Catherine Dickson or Representative, Cultural Resources Protection Program, Confederated Tribes of the Umatilla Indian Reservation, 46411 Timine Way, Pendleton, Oregon 97801.

Arrow Coyote or Representative, Confederate Tribes of the Colville Reserv., P.O. Box 150, Nespelem, WA 99155.

Keith Patrick Baird, THPO, Cultural Resources Program, Nez Perce Tribe, P.O. Box 365, Lapwai, ID 83540-0365.

Russ Howison or Representative, PacifiCorp Energy, 825 NE Multnomah, Suite 1500, Portland, OR 97232.

John Pouley or Representative Oregon Parks and Recreation Department Summer St., NE., Suite C Salem, OR 97301.

Any person on the official service list for the above-captioned proceeding may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. In a request for inclusion, please identify the reason(s) why there is an interest to be included. Also please identify any concerns about historic properties, including Traditional Cultural Properties. If historic properties are to be identified within the motion, please use a separate page, and label it NON-PUBLIC Information.

Any such motions 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 at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov); call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. Please put the project number (P-308-005) on the first page of the filing.

If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on any motion or motions filed within the 15 day period.

Dated: May 3, 2012.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2012-11362 Filed 5-10-12; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9670-5]

### Clean Water Act Section 303(d): Availability of List Decisions

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

**ACTION:** Notice and Request for Comments.

**SUMMARY:** This notice announces EPA's decision identifying certain water quality limited waterbodies, and the associated pollutant, in Utah to be listed pursuant to the Clean Water Act Section 303(d)(2), and requests public comment. Section 303(d)(2) requires that States submit, and EPA approve or disapprove, lists of waters for which existing technology-based pollution controls are not stringent enough to attain or maintain State water quality standards and for which total maximum daily loads (TMDLs) must be prepared.

On April 11, 2012, EPA disapproved Utah's decision to not include Kanab Creek and tributaries, from the state line to irrigation diversion at confluence with Reservoir Canyon ("Kanab Creek and tributaries"), on the State's 2008 and 2010 Section 303(d) lists. EPA evaluated existing and readily available data and information and concluded that the applicable water quality criterion for total dissolved solids (TDS) for these waters is being exceeded. Based on this evaluation, EPA has

determined that Kanab Creek and tributaries are not fully attaining the water quality standards established by the State of Utah and should be included on the State's lists of impaired waters.

EPA is providing the public the opportunity to review its decision to add these waters to Utah's 2008 and 2010 Section 303(d) lists, as required by 40 CFR 130.7(d)(2). EPA will consider public comments before transmitting its final listing decision to the State.

**DATES:** Comments must be submitted to EPA on or before June 11, 2012.

**ADDRESSES:** Comments on the proposed decision should be sent to Kris Jensen, Water Quality Unit (8EPR-EP), U.S. Environmental Protection Agency Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129, telephone (303) 312-6237, facsimile (303) 312-7517, email [jensen.kris@epa.gov](mailto:jensen.kris@epa.gov). Oral comments will not be considered. Copies of EPA's letter concerning Utah's list that explains the rationale for EPA's decision can be obtained at EPA Region 8's Web site at <http://www.epa.gov/region08/water/tmdl>, or by writing or calling Ms. Jensen at the above address. Underlying documents from the administrative record for these decisions are available for public inspection at the above address. Please contact Ms. Jensen to schedule an inspection.

**FOR FURTHER INFORMATION CONTACT:** Kris Jensen at (303) 312-6237 or [jensen.kris@epa.gov](mailto:jensen.kris@epa.gov).

**SUPPLEMENTARY INFORMATION:** Section 303(d) of the Clean Water Act (CWA) requires that each state identify those waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards. For those