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Dated: June 16, 2014.  
**Kimberly D. Bose,**  
*Secretary.*  
 [FR Doc. 2014-14465 Filed 6-19-14; 8:45 am]  
**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

**Records Governing Off-the Record Communications; Public Notice**

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a

proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site 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. For assistance, please 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.

*Exempt:*

Docket No.	Filed date	Presenter or requester
1. ER14-1386-000, ER14-1578-000, ER14-1729-000	5-20-14	Hon. Harry Reid.
2. CP13-483-000, CP13-492-000 .....	5-29-14	FERC Staff. <sup>1</sup>
3. ER14-1386-000, ER14-1729-000, ER14-1578-000	6-2-14	Governors of the States California and Nevada.
4. ER13-1380-000 .....	6-2-14	Hon. Patrick Maloney.
5. P-459-000 .....	6-2-14	Hon. Mark Kirk.
6. P-516-000 .....	6-3-14	Hon. Jeff Duncan.
7. CP13-113-000 .....	6-5-14	Hon. Lisa Murkowski.
8. P-405-106 .....	6-9-14	FERC Staff. <sup>2</sup>
9. P-14345-001 .....	6-11-14	FERC Staff. <sup>3</sup>
10. CP13-552-000, CP13-553-000 .....	6-11-14	FERC Staff. <sup>4</sup>
11. CP13-483-000, CP13-492-000 .....	6-16-14	FERC Staff. <sup>5</sup>

Dated: June 16, 2014.  
**Kimberly D. Bose,**  
*Secretary.*  
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**ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-9015-5]

**Environmental Impact Statements; Notice of Availability**

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7146 or <http://www.epa.gov/compliance/nepa/>.

<sup>1</sup> Notes from May 28, 2014 bi-weekly telephone conference call with federal cooperating agencies.

<sup>2</sup> Summary of April 23, May 6, May 20, May 27, and June 3, 2014 telephone and email correspondence with Maryland Department of Natural Resources.

<sup>3</sup> eMail communication between FERC Staff and Mary Edgar.

<sup>4</sup> Summary of May 14, 2014 conference call with Cheniere Creole Trail Pipeline, L.P.

<sup>5</sup> Notes from June 12, 2014 bi-weekly telephone conference call with federal cooperating agencies.

Weekly receipt of Environmental Impact Statements.

Filed 06/09/2014 Through 06/13/2014.

Pursuant to 40 CFR 1506.9.

*Notice:* Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

*EIS No. 20140171, Draft EIS, WAPA, NE, Interconnection of the Grande Prairie Wind Farm, Comment Period Ends: 08/04/2014, Contact: Rod O'Sullivan 720-962-7260.*

*EIS No. 20140172, Draft EIS, USACE, OR, Double-crested Cormorant Management Plan to Reduce Predation of Juvenile Salmonids in the Columbia River Estuary, Comment Period Ends: 08/04/2014, Contact: Sondra Ruckwardt 503-808-4510.*

*EIS No. 20140173, Final EIS, USFS, OR, Wolf Fuels and Vegetation Management Project, Review Period Ends: 07/28/2014, Contact: Jeff Marszal 541-416-6436.*

*EIS No. 20140174, Final EIS, USAF, NH, Second Main Operating Base KC-46A Beddown at Alternative Air National Guard Installations, Review Period Ends: 07/21/2014, Contact: Kevin Marek 240-612-8855.*

*EIS No. 20140175, Draft EIS, FERC, TX, Corpus Christi LNG Project, Comment Period Ends: 08/04/2014, Contact: Kandi Barakat 202-502-6365.*

*EIS No. 20140176, Final EIS, USACE, LA, Calcasieu Lock, Louisiana Feasibility Study, Review Period Ends: 07/21/2014, Contact: Timothy K. George 314-331-8459.*

*Amended Notice:*

*EIS No. 20140167, Final EIS, USACE, HI, Honolulu Seawater Air Conditioning Project, Review Period Ends: 07/28/2014, Contact: Ryan Winn 808-835-4309.*

Revision to the FR Notice Published 6/13/2014; Correct Review Period from 7/14/2014 to 07/28/2014.

Dated: June 17, 2014.

**Cliff Rader,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 2014-14480 Filed 6-19-14; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9912-58-Region 2]

### New York State Prohibition of Discharges of Vessel Sewage; Final Affirmative Determination

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

**ACTION:** Notice of Determination.

**SUMMARY:** Notice is hereby given that, pursuant to Clean Water Act Section 312(f)(3), the State of New York has determined that the protection and enhancement of the quality of the New York State (NYS or the State) area of Lake Erie requires greater environmental protection, and has petitioned the United States Environmental Protection Agency, Region 2, for a determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for those waters, so that the State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters.

NYS has proposed to establish a "Vessel Waste No Discharge Zone" for the NYS area of Lake Erie stretching from the Pennsylvania-New York State boundary to include the upper Niagara River to Niagara Falls. The proposed No Discharge Zone encompasses approximately 593 square miles and 84 linear shoreline miles, including the navigable portions of the Upper Niagara River and numerous other tributaries and harbors, embayments of the Lake including Barcelona Harbor, Dunkirk Harbor and Buffalo Outer Harbor, and other formally designated habitats and waterways of local, state, and national significance.

On December 6, 2012, the EPA completed a review of NYS's petition and issued a tentative affirmative determination in the **Federal Register** that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels for such waters are reasonably available. During the 30-day public comment period, the EPA received significant comments regarding the availability of adequate pumpouts for commercial vessels. Specifically, two commenters submitted that the December 6, 2012 notice did not contain adequate information about the availability of pumpout facilities for large commercial vessels. Subsequently, the EPA and New York State collected additional information to demonstrate the reasonable availability of pumpout services for commercial vessels that use the New York area of Lake Erie.

### EPA Response to Public Comments on the September 27, 2013 Tentative Affirmative Determination

On September 27, 2013, EPA published notice of its tentative affirmative determination ("TAD") that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available within the New York State waters of Lake Erie, and its approval of New York's proposal to ban the discharge of treated and untreated sewage from vessels into those waters under Clean Water Act ("CWA") § 312(f)(3). (78 FR 59681) Public comments were solicited for 30 days and the comment period ended on October 28, 2013.

EPA received a total of eight comments via letter and email. Six of the commenters support EPA's tentative affirmative determination and two commenters oppose it. All of the relevant comments received have been considered, as discussed below, and EPA hereby issues a final affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available within the New York State waters of Lake Erie.

*Comment 1:* Several commenters, including boaters, residents, Non-Governmental Organizations (NGOs) and community advocates, expressed strong support for the establishment of a vessel waste no discharge zone ("NDZ") for the New York waters of Lake Erie. Some commenters pointed out that this action will reduce pathogens and chemicals, improve water quality and further protect drinking water and restore the Lake.

*Response:* The petition was submitted under CWA § 312(f)(3), which allows New York to establish a vessel sewage no discharge zone if the state determines that the protection and enhancement of the quality of some or all of the waters within the state require greater environmental protection and if EPA determines that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available within those waters. Therefore, while these comments are consistent with New York's determination of need, that determination is beyond the scope of EPA's review.

*Comment 2:* Two commenters stated that New York's petition did not include the additional information about available commercial pumpout trucks that was included in the republication.

*Response:* In a letter to EPA dated September 6, 2013, prior to the