

Dated: March 24, 2026.

Carlos D. Clay,

Deputy Secretary.

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DEPARTMENT OF ENERGY

Western Area Power Administration

2028 Resource Pool—Parker-Davis Project, Final Power Allocations

AGENCY: Western Area Power Administration, Department of Energy (DOE).

ACTION: Notice of Parker-Davis Project final 2028 resource pool power allocations.

SUMMARY: Western Area Power Administration (WAPA), a Federal Power Marketing Administration of the Department of Energy (DOE), announces its Parker-Davis Project (P-DP) final 2028 resource pool power allocations, developed under the requirements of the Final 2028 P-DP Power Marketing Plan. This notice also includes a summary of all comments received on WAPA’s Proposed 2028 Resource Pool Allocations and WAPA’s responses.

DATES: This final 2028 resource pool power allocations decision will become effective April 27, 2026 and service will begin on October 1, 2028.

FOR FURTHER INFORMATION CONTACT: Jennifer Henn, Power Marketing Advisor, Desert Southwest Region, Western Area Power Administration, phone: (602) 812-2348, or email: *pdp-remarketing@wapa.gov*.

SUPPLEMENTARY INFORMATION:

Background

WAPA published the Final 2028 P-DP Power Marketing Plan (Final 2028 Plan) on November 12, 2024 (89 FR 88999), to define how WAPA will market hydropower from the P-DP beginning October 1, 2028, and ending September 30, 2048. The current marketing plan and contracts expire on September 30, 2028. As part of the Final 2028 Plan, WAPA adjusted each existing preference contractor’s Contract Rate of Delivery (CROD) by applying a pro rata share of an anticipated 3,750-

kilowatt (kW) capacity increase at Davis Dam Unit 3 and then reduced the adjusted CROD by two percent to create a resource pool. The resulting resource pool included 5,259 kW of summer season capacity, including 748 kW of summer season withdrawable capacity, and 4,041 kW of winter season capacity, including 146 kW of winter season withdrawable capacity, for allocation to new allottees.

WAPA published a call for resource pool applications in the **Federal Register** on November 12, 2024 (89 FR 88999), and applications were due by January 31, 2025. In response to the call for resource pool applications, WAPA received four applications for the 2028 resource pool. After reviewing and considering the applications using the Eligibility Criteria and Allocation Criteria for Resource Pool Allocations described in the Final 2028 Plan, WAPA published the P-DP Proposed 2028 Resource Pool Power Allocation in the **Federal Register** on September 3, 2025 (90 FR 42576), and opened a 45-day comment period. The comment period ended on October 20, 2025. Summaries of the comments received and WAPA’s responses are provided below. After considering all comments, WAPA has finalized the proposed power allocations as discussed herein.

Response to Comments on Resource Pool Proposed Power Allocations

During the public comment period, WAPA received two comments on the Proposed 2028 Resource Pool Power Allocations. The comments are available on WAPA’s website at *www.wapa.gov/about-wapa/regions/dsw/pdpremarketing*. There were no comments made during the public comment forum held on October 3, 2025. Transcripts from the public meetings are also available on WAPA’s website.

The following is a summary of the comments received during the comment period, and WAPA’s responses to those comments. Comments are paraphrased for brevity.

Comments and Responses

Comment: A commenter commended WAPA for its adherence to federal statutes and regulations throughout the

evaluation of resource pool applications and for following the 2028 Resource Pool Eligibility Criteria. The commenter stated that the process was clearly communicated, inclusive of stakeholder engagement, and consistent with the criteria and principles outlined in the Proposed 2028 Marketing plan.

Response: WAPA appreciates the feedback.

Comment: A commenter liked that WAPA set aside power for new groups, but felt two percent was too small and requested WAPA give access to underserved and tribal communities and make the rules clearer, so smaller utilities have a fair chance.

Response: Thank you for the comment. WAPA published a Proposed 2028 P-DP Power Marketing Plan (89 FR 43841) with a proposal for the resource pool size and eligibility criteria and accepted public comments from May 20, 2024, through August 19, 2024. WAPA balanced its statutory obligation to encourage widespread use of federal hydropower with the current challenging hydrological conditions in the Colorado River Basin. As detailed in the Final 2028 Plan, energy deliveries from the P-DP have been significantly impacted by drought. A larger resource pool would necessitate a greater reduction in allocations for existing contractors, who are already facing reduced energy deliveries under the new Quarterly Energy methodology.

WAPA is committed to fostering widespread use of federal power, including for underserved and tribal communities. The Eligibility Criteria for Resource Pool Allocations (Section III.C of the Final 2028 Plan) specifically includes Native American tribes as qualified applicants, exempting them from the requirement to achieve electric utility status and have a distribution system in place. This provision is designed to remove potential barriers to participation for tribal communities.

Final 2028 Resource Pool Power Allocations

The final 2028 resource pool allottees and capacity allocations for firm electric service (FES) are listed in the following table:

Allottees	Final Parker-Davis Project post-2028 pool capacity allocations					
	Summer			Winter		
	Non-withdrawable FES allocation (kW)	Withdrawable FES allocation (kW)	Total FES allocation (kW)	Non-withdrawable FES allocation (kW)	Withdrawable FES allocation (kW)	Total FES allocation (kW)
Industry Public Utilities	703	304	1,007	936	73	1,009

Allottees	Final Parker-Davis Project post-2028 pool capacity allocations					
	Summer			Winter		
	Non-withdrawable FES allocation (kW)	Withdrawable FES allocation (kW)	Total FES allocation (kW)	Non-withdrawable FES allocation (kW)	Withdrawable FES allocation (kW)	Total FES allocation (kW)
San Pasqual Band of Indians	703	304	1,007	936	73	1,009
Total 2028 Resource Pool	1,406	608	2,014	1,872	146	2,018

The resource pool final power allocations, listed in the table above, are based on the P–DP marketable resource available at this time. If the P–DP marketable resource is adjusted in the future, P–DP power allocations may be adjusted accordingly. The CROD adjustments for existing contractors are posted on DSW’s website at www.wapa.gov/about-wapa/regions/dsw/pdpremarketing. The existing CROD for Priority Use Power contractors will remain unchanged.

All allocations, including the new resource pool allocations, will be based on P–DP marketable capacity deemed to be available effective October 1, 2028.

Contracting Process

After the effective date of this notice, DSW will start contract development. All allocations are subject to the execution of a contract in accordance with the General Criteria and Contract Principles contained in the Final 2028 Plan. Energy associated with the new resource pool will be based on a pro rata share of the allottee’s seasonal CROD and published in the form of Quarterly Energy, as defined in the Final 2028 Plan.

WAPA solely determines the terms, conditions, rates, or charges of its power contracts. Each allottee is responsible for obtaining transmission arrangements beyond WAPA’s system for the delivery of federal power to the allottee’s load. WAPA must receive a letter of commitment from each allottee’s serving utility or their transmission provider by January 31, 2028, confirming the allottee will be able to receive the benefit of WAPA’s 2028 resource pool, unless otherwise agreed to in writing by WAPA. Upon request, WAPA may assist an allottee in obtaining transmission arrangements for the delivery of power.

Allottees will be required to execute an electric service contract no later than May 31, 2028, unless otherwise agreed to in writing by WAPA. Electric service contracts will be effective upon WAPA’s signature, and service will begin on October 1, 2028, and continue through September 30, 2048.

Consistent with the Final 2028 Plan, allottees will be required to prepay for service according to the applicable rate schedule. Allottees may participate in advance funding of WAPA’s and Reclamation’s operation and maintenance expenses by agreeing to sign the existing Advancement of Funds (AOF) agreement. The existing AOF agreement will continue for current signatories in the new marketing plan.

Legal Authorities

The Final 2028 Plan was established under the Department of Energy Organization Act (42 U.S.C. 7101, *et seq.*); the Reclamation Act of June 17, 1902 (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); and other acts specifically applicable to the projects involved. Allocating power from the resource pool falls within the Final 2028 Plan and is covered by this authority.

Regulatory Procedure Requirements

Environmental Compliance

WAPA has determined this final action fits within the following categorical exclusions listed in appendix B to 10 CFR part 1021 and appendix B of DOE’s National Environmental Policy Act (NEPA) implementing procedures published on June 30, 2025: B4.1 (Contracts, policies, and marketing and allocation plans for electric power) and B4.4 (Power marketing services and activities). Under 10 CFR 1021.102, categorically excluded projects and activities do not require preparation of either an environmental impact statement or an environmental assessment.¹ A copy of the categorical exclusion determination is available on WAPA’s website under the categorical exclusion 2024 menu at www.wapa.gov/about-wapa/regions/dsw/environment.

¹The determination was done in compliance with NEPA (42 U.S.C. 4321–4347) and DOE NEPA Implementing Procedures, including 10 CFR part 1021.

Determination Under Executive Order 12866

WAPA has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this **Federal Register** notice by the Office of Management and Budget is required.

Signing Authority

This document of the Department of Energy was signed on March 24, 2026, by Tracey A. LeBeau, Administrator, Western Area Power Administration. The document, with the original signature and date, is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on March 25, 2026.

Jennifer Hartzell,

*Alternate Federal Register Liaison Officer,
U.S. Department of Energy.*

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ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2026–1420; EPA–HQ–OPP–2026–0991; EPA–HQ–OPP–2026–1256; FRL–13274–01–OCSPP]

Pesticide Product Registration; Emergency Exemption Request and Application for a New Active Ingredient

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of receipt and request for comment.

SUMMARY: This document announces the Agency’s receipt of and solicits comment on an application from the