

implementing regulations (50 CFR 17.22 and 40 CFR 1506.6, respectively).

Dated: April 21, 2015.

**Richard Hannan,**

*Deputy Regional Director, Pacific Region, U.S. Fish and Wildlife Service, Portland, Oregon.*

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## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

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### Proposed Renewal of Information Collection: OMB Control Number 1094-0001; Alternatives Process in Hydropower Licensing

**AGENCY:** Office of the Secretary, Office of Environmental Policy and Compliance, Department of the Interior.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of Environmental Policy and Compliance, Office of the Secretary, Department of the Interior announces the proposed extension of a public information collection and seeks public comments on the provisions thereof.

**DATES:** Consideration will be given to all comments received by July 6, 2015.

**ADDRESSES:** Send your written comments to Shawn Alam, Office of Environmental Policy and Compliance, U.S. Department of the Interior, 1849 C Street NW., MS 2462-MIB, Washington, DC 20240, fax 202-208-6970, or by electronic mail to [Shawn.Alam@ios.doi.gov](mailto:Shawn.Alam@ios.doi.gov). Please mention that your comments concern the Alternatives Process in Hydropower Licensing, OMB Control Number 1094-0001.

**FOR FURTHER INFORMATION CONTACT:** To request a copy of the information collection request, any explanatory information and related forms, please use the contact information provided in the **ADDRESSES** section above.

#### SUPPLEMENTARY INFORMATION:

#### I. Abstract

This notice is for renewal of information collection.

The Office of Management and Budget (OMB) regulations at 5 CFR part 1320, which implement the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*, require that interested members of the public and affected agencies have an opportunity to comment on information collection and

recordkeeping activities (see 5 CFR 1320.8 (d)).

On March 31, 2015, the Departments of Agriculture, the Interior, and Commerce published revised interim final rules they originally published in November 2005 at 7CFR part 1, 43 CFR part 45, and 50 CFR part 221 to implement section 241 of the Energy Policy Act of 2005 (EP Act), Public Law 109-58, which the President signed into law on August 8, 2005. Section 241 of the EP Act adds a new section 33 to the Federal Power Act (FPA), 16 U.S.C. 823d, that allows the license applicant or any other party to the license proceeding to propose an alternative to a condition or prescription that one or more of the Departments develop for inclusion in a hydropower license issued by the Federal Energy Regulatory Commission (FERC) under the FPA. This provision requires that the Department of Agriculture, the Department of the Interior, and the Department of Commerce collect the information covered by 1094-0001.

Under FPA section 33, the Secretary of the Department involved must accept the proposed alternative if the Secretary determines, based on substantial evidence provided by a party to the license proceeding or otherwise available to the Secretary, (a) that the alternative condition provides for the adequate protection and utilization of the reservation, or that the alternative prescription will be no less protective than the fishway initially proposed by the Secretary, and (b) that the alternative will either cost significantly less to implement or result in improved operation of the project works for electricity production.

In order to make this determination, the regulations require that all of the following information be collected: (1) A description of the alternative, in an equivalent level of detail to the Department's preliminary condition or prescription; (2) an explanation of how the alternative: (i) If a condition, will provide for the adequate protection and utilization of the reservation; or (ii) if a prescription, will be no less protective than the fishway prescribed by the bureau; (3) an explanation of how the alternative, as compared to the preliminary condition or prescription, will: (i) Cost significantly less to implement; or (ii) result in improved operation of the project works for electricity production; (4) an explanation of how the alternative or revised alternative will affect: (i) Energy supply, distribution, cost, and use; (ii) flood control; (iii) navigation; (iv) water supply; (v) air quality; and (vi) other aspects of environmental quality; and

(5) specific citations to any scientific studies, literature, and other documented information relied on to support the proposal.

This notice of proposed renewal of an existing information collection is being published by the Office of Environmental Policy and Compliance, Department of the Interior, on behalf of all three Departments and the data provided below covers anticipated responses (alternative conditions/prescriptions and associated information) for all three Departments.

#### II. Data

(1) Title: 7 CFR part 1; 43 CFR part 45; 50 CFR part 221; the Alternatives Process in Hydropower Licensing. *OMB Control Number:* 1094-0001. *Current Expiration Date:* November 30, 2015.

*Type of Review:* Information Collection Renewal.

*Affected Entities:* Business or for-profit entities.

*Estimated annual number of respondents:* 5.

*Frequency of responses:* Once per alternative proposed.

(2) *Annual reporting and recordkeeping burden:*

*Total annual reporting per response:* 500 hours.

*Total number of estimated responses:* 5.

*Total annual reporting:* 2,500 hours.

(3) Description of the need and use of the information: The purpose of this information collection is to provide an opportunity for license parties to propose an alternative condition or prescription to that proposed by the Federal Government for inclusion in the hydropower licensing process.

#### III. Request for Comments

The Departments invite comments on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the agencies, including whether the information will have practical utility;

(b) The accuracy of the agencies' estimate of the burden of the collection of information and the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(d) Ways to minimize the burden of the collection of information on respondents, including through the use of appropriate automated, electronic, mechanical, or other collection techniques or other forms of information technology.

"Burden" means the total time, effort, and financial resources expended by

persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install, and use technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, and to complete and review the collection of information; and to transmit or otherwise disclose the information.

All written comments, with names and addresses, will be available for public inspection. If you wish us to withhold your personal information, you must prominently state at the beginning of your comment what personal information you want us to withhold. We will honor your request to the extent allowable by law. If you wish to view any comments received, you may do so by scheduling an appointment with the Office of Environmental Policy and Compliance by using the contact information in the **ADDRESSES** section above. A valid picture identification is required for entry into the Department of the Interior.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number.

Dated: April 30, 2015.

**Mary Josie Blanchard,**

*Deputy Director, Office of Environmental Policy and Compliance.*

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## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

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### Privacy Act of 1974, as Amended; Notice To Amend an Existing System of Records

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Notice of amendment to an existing system of records.

**SUMMARY:** Pursuant to the provisions of the Privacy Act of 1974, as amended, the Department of the Interior is issuing public notice of its intent to amend the Office of the Secretary Privacy Act system of records, "Hearings and Appeals Files—Interior, OS-09". The amendment will update the system location, categories of records, routine uses of records maintained, policies and practices for storing, retrieving, accessing, retaining and disposing of records, and citations to amended Department of the Interior regulations.

**DATES:** Comments must be received by June 16, 2015. The amendments to the system will be effective June 16, 2015.

**ADDRESSES:** Any person interested in commenting on this notice may do so by: submitting comments in writing to Teri Barnett, Departmental Privacy Officer, 1849 C Street NW., Mail Stop 5547 MIB, Washington, DC 20240; hand-delivering comments to Teri Barnett, Departmental Privacy Officer, 1849 C Street NW., Mail Stop 5547 MIB, Washington, DC 20240; or emailing comments to [Privacy@ios.doi.gov](mailto:Privacy@ios.doi.gov).

**FOR FURTHER INFORMATION CONTACT:** Director, Office of Hearings and Appeals, 801 N. Quincy Street, Suite 300, Arlington, Virginia 22203, or by telephone at 703-235-3810.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The Department of the Interior (DOI), Office of Hearings and Appeals (OHA), maintains the "Hearings and Appeals File—Interior, OS-09," system of records. The primary purpose of this system is to support the adjudication or other resolution of administrative disputes assigned to OHA. The amendments to the system will include updating the system location, categories of records, routine uses of records maintained, and policies and practices for storing, retrieving, accessing, retaining and disposing of records, as well as updating citations to amended DOI regulations. The categories of records in the system is being updated to delete a reference regarding contract disputes considered and decided by the Interior Board of Contract Appeals, which was replaced by Congress with the Civilian Board of Contract Appeals (Sec. 847, Pub. L. 109-163, 119 Stat. 3391), and to add a reference to hearings in hydropower licensing proceedings (43 CFR part 45). This system notice was last published in the **Federal Register** on November 27, 2006, 71 FR 68633.

The list of routine uses of records maintained in the system is being revised in several respects. Routine use

(1) is expanded to cover not only parties and their authorized representatives but also intervenors, witnesses, parties' family members, any other persons whose connections to the parties and/or the proceedings could warrant attendance and/or participation at a hearing, and authorized representatives of any of these additional persons. Routine use (1) is also expanded to expressly include service lists as documents that may be disclosed. It is typical for service lists to show, among other things, the name and address of each party or party's representative.

Routine use (2) is added to permit disclosure of case docket lists that provide limited information on pending cases, such as, docket number, case title (which may be an individual's name), and docketed date. Finally, routine use (3) is added to permit disclosure of decisions and orders whose disclosure is not required under the Freedom of Information Act, 5 U.S.C. 552(a)(2).

The amendments to the system will be effective as proposed at the end of the comment period (the comment period will end 40 days after the publication of this notice in the **Federal Register**), unless comments are received which would require a contrary determination. DOI will publish a revised notice if changes are made based upon a review of the comments received.

##### **II. Privacy Act**

The Privacy Act of 1974, as amended (5 U.S.C. 552a), embodies fair information practice principles in a statutory framework governing the means by which Federal agencies collect, maintain, use, and disseminate individuals' personal information. The Privacy Act applies to records about individuals that are maintained in a "system of records." A "system of records" is a group of any records under the control of an agency for which information about an individual is retrieved by the name or by some identifying number, symbol, or other identifying particular assigned to the individual. The Privacy Act defines an individual as a U.S. citizen or lawful permanent resident. As a matter of policy, DOI extends administrative Privacy Act protections to all individuals. Individuals may request access to their own records that are maintained in a system of records in the possession or under the control of the DOI by complying with DOI Privacy Act regulations at 43 CFR part 2, subpart K.

The Privacy Act requires each agency to publish in the **Federal Register** a description denoting the type and character of each system of records that