

is certified by the Secretary of the Interior, published in the **Federal Register** and such activities are in conformity with state law.

2. Jackson Rancheria is the owner and operator of a general convenience store on the Rancheria (hereinafter for reference purpose "General Store") which sells, among other products, certain snack and food items to members of the Tribe and the general public.

3. Said General Store is an integral part of the Tribe's economy.

4. The Tribal Council has determined that it is in the Tribe's best interest to offer for sale at the General Store, for off-premises consumption only, alcoholic beverages.

5. It is the purpose of this Ordinance to set out the terms and conditions under which the sale of said alcoholic beverages may take place.

#### General Terms

1. The sale of alcoholic beverages at the Jackson Rancheria's General Store for off-premises consumption only, is hereby authorized. For purposes of this paragraph 1 and this Ordinance, "off-premises" is defined as area outside the boundaries of the Jackson Rancheria lands.

2. No alcoholic beverages may be sold at any location on the Rancheria pursuant to this Ordinance other than the General Store.

3. The sale of said alcoholic beverages authorized by this Ordinance shall be in conformity with all applicable laws of the State of California, and the sale of said beverages shall be subject to any and all applicable state sales tax, federal excise tax and any fees required by the Federal Bureau of Alcohol, Tobacco & Firearms. This includes but is not limited to the following examples:

a. No person under the age of 21 years shall acquire or have in his or her possession at the General Store any alcoholic beverage.

b. No person shall sell alcohol to any person under the age of 21 at the General Store.

c. No person shall sell alcohol to a person apparently under the influence of liquor.

#### Posting

This Ordinance shall be conspicuously posted at the General Store at all times it is open to the public.

#### Enforcement

1. This Ordinance may be enforced by the Tribal Council by implementation of monetary fines not to exceed \$500 and/or withdrawal of authorization to sell alcohol. Prior to any enforcement

action, the Tribal Council shall provide the alleged offender of this Ordinance with at least three (3) days notice of an opportunity to be heard during a specially-called Tribal Council meeting. The decision of the Tribal Council shall be final.

2. This Ordinance also may be enforced by the Amador County Sheriff's Office at the request of the Tribal Council.

3. In the exercise of its powers and duties under this Ordinance, the Tribal Council and its individual members shall not accept any gratuity or compensation from any liquor wholesaler, retailer, or distributor for the General Store.

#### Severability, Amendment, and Sovereign Immunity

1. If any provision or application of this Ordinance is determined by review to be invalid, such adjudication shall not be held to render ineffectual the remaining portions of this title or to render such provisions inapplicable to other persons or circumstances.

2. This Ordinance may only be amended by a majority vote of the Tribal Council.

3. Nothing in this Ordinance in any way limits, alters, restricts or waives the Tribe's sovereign immunity from unconsented suit or action.

#### Effective Date

This Ordinance shall become effective following its certification by the Secretary of the Interior and its publication in the **Federal Register**.

#### Certification

The foregoing Ordinance was adopted by a vote of 3 for, and 0 against and 0 abstentions, at a duly called meeting of the Jackson Band of Miwuk Indians of the Jackson Rancheria Tribal Council at which a quorum was present, on this 18th day of April, 2008.

/s/ \_\_\_\_\_

Margaret Dalton,  
Chairperson.

ATTEST:

\_\_\_\_\_  
Gary Marks,  
Secretary-Treasurer.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-070-08-1610-DQ-030E]

#### Notice of Availability of the Proposed Resource Management Plan and Final Environmental Impact Statement for the Butte Field Office, Montana

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969 (NEPA) and the Federal Land Policy and Management Act of 1976 (FLPMA), the Bureau of Land Management (BLM) has prepared the Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/Final EIS) for the Butte Field Office, Montana.

**DATES:** The BLM planning regulations (43 CFR 1610.5-2) state that any person who meets the conditions as described in the regulations may protest the BLM's PRMP/FEIS. A person who meets the conditions and files a protest must file the protest within 30 days of the date that the Environmental Protection Agency (EPA) publishes its Notice of Availability in the **Federal Register**.

**ADDRESSES:** Copies of the PRMP/FEIS are available for public inspection at the BLM Butte Field Office, 106 North Parkmont, Butte, Montana. Interested persons may also review the PRMP/FEIS on the Internet at: [http://www.blm.gov/mt/st/en/fo/butte\\_field\\_office.html](http://www.blm.gov/mt/st/en/fo/butte_field_office.html). All protests must be in writing and mailed to the following addresses:

*Regular Mail:* Director (210), Attention: Brenda Williams, P.O. Box 66538, Washington, DC 20035.

*Overnight Mail:* Director (210), Attention: Brenda Williams, 1620 L Street, NW., Suite 1075, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Tim La Marr, RMP Project Manager, Bureau of Land Management, 106 North Parkmont, Butte, MT 59701, or by telephone at (406) 533-7645.

**SUPPLEMENTARY INFORMATION:** The Butte Field Office is located in southwest Montana in Beaverhead, Broadwater, Deer Lodge, Gallatin, Jefferson, Lewis and Clark, Park, and Silver Bow Counties. The planning area addressed in the PRMP/FEIS includes about 307,000 acres of the BLM surface lands and 652,000 acres of subsurface federal mineral estate administered by the Butte Field Office.

Copies of the PRMP/FEIS for the Butte Field Office have been sent to affected

federal, state, and local government agencies, tribal governments, and other interested parties. There have been various opportunities for the public to provide input on this plan via public meetings, open houses, and multiple scoping periods where public comments have been solicited.

The PRMP/FEIS considers four alternatives and will include the use of community-based working groups to assist with site-specific travel planning. The PRMP/FEIS addresses the following five major issues:

(1) How will vegetation on the BLM lands be managed to achieve healthy ecosystems while providing for a broad range of multiple uses?

(2) How will the BLM lands be managed to provide wildlife and fish habitat, and to conserve and recover special status and priority species?

(3) How should the BLM manage motorized public travel to meet the needs for public access and resource uses while minimizing user conflicts and impacts to air, soil, watershed, vegetation, wildlife, and other resource values?

(4) How should recreation be managed to accommodate the full range of recreational uses enjoyed by the public on the BLM lands?

(5) Which areas, if any, should be managed as special designations, and how should they be managed to protect values that warrant their special designation status? The Preferred Alternative (Alternative B) includes active vegetation management to restore vegetation communities with associated forest product quantities being the same as, or slightly higher than, current levels, riparian management zones where meeting site-specific riparian objectives would receive primary consideration, and continuation of livestock grazing at approximately the same as current levels while meeting Land Health Standards. The Preferred Alternative would entail designation of four Areas of Critical Environmental Concern (ACEC), totaling 70,644 acres in area, with special management proposed for relevant and important values, as well as recommending two river segments, with a total length of 5.7 miles, as suitable for Wild and Scenic River Designation.

Comments on the Draft RMP/EIS received from the public and from the internal BLM review were incorporated as appropriate into the PRMP/FEIS. Public comments resulted in the addition of clarifying text and slight alterations of the Preferred Alternative but did not significantly change proposed land use decisions.

Instructions for filing a protest with the Director of the BLM regarding the PRMP/FEIS may be found in the Dear Reader letter of the PRMP/FEIS for the Butte Field Office and at 43 CFR 1610.5-2. E-mailed and faxed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, the BLM will consider the e-mailed or faxed protest as an advance copy and it will receive full consideration. If you wish to provide the BLM with such advance notification, please direct fax protests to the attention of the BLM protest coordinator at (202) 452-5112, and e-mails to [Brenda\\_Hudgens-Williams@blm.gov](mailto:Brenda_Hudgens-Williams@blm.gov).

All protests, including the follow-up letter, if e-mailing or faxing, must be in writing and mailed to the appropriate address as set forth in the **ADDRESSES** section above.

Before including your phone number, e-mail address, or other personal identifying information in your protest, you should be aware that your entire protest—including your personal identifying information—may be made publicly available at any time. While you can ask us in your protest to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authority:** 40 CFR 1506.6, 43 CFR 1610.2, and 43 CFR 1610.5-1.

**Theresa M. Hanley,**

*Acting State Director.*

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**BILLING CODE 4310-DN-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV-040-1610-DR; 08-08807; TAS: 14X1109]

#### Notice of Availability: Record of Decision for the Ely Resource Management Plan/Environmental Impact Statement, Nevada

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** The Bureau of Land Management (BLM) announces the availability of the Record of Decision (ROD) for the Approved Resource Management Plan (RMP) for the Ely RMP planning area located in east-central Nevada in Lincoln, White Pine

and a portion of Nye counties. The Nevada State Director signed the ROD on August 20, 2008, which constitutes the final decision of the BLM and makes the Approved RMP effective immediately.

**ADDRESSES:** Copies of the ROD/ Approved RMP are available on request from the District Manager, Ely District Office, Bureau of Land Management, 702 North Industrial Way, Ely, Nevada 89301 or via the Internet at: [http://www.blm.gov/nv/st/en/fo/ely\\_field\\_office.html](http://www.blm.gov/nv/st/en/fo/ely_field_office.html).

**FOR FURTHER INFORMATION CONTACT:** For further information contact Jeff Weeks, RMP Project Manager, at (775) 289-1825 or e-mail to: [elyrmp@blm.gov](mailto:elyrmp@blm.gov).

**SUPPLEMENTARY INFORMATION:** The following entities participated in development of the RMP as cooperating agencies with special expertise: Great Basin National Park; Humboldt-Toiyabe National Forest; Nellis Air Force Base; Nevada Department of Transportation; Nevada Division of Minerals; Nevada Department of Wildlife; Nevada State Historic Preservation Office; Lincoln County; Nye County; White Pine County; Duckwater Shoshone Tribe; Ely Shoshone Tribe; Moapa Band of Paiutes; and the Yomba Shoshone Tribe.

The public involvement and collaboration process implemented for this effort included six open houses during scoping; presentations to interested organizations upon their invitation; presentations to and suggestions from the Mojave/Southern Great Basin and the Northeastern Great Basin Resource Advisory Councils (RACs); distribution of information via the Ely RMP Web site and periodic planning bulletins; six public meetings on the Draft RMP/EIS; and public and agency review and comment on the Draft RMP/EIS.

The planning area contains approximately 11,500,000 acres of public lands administered by the BLM Ely District. The Approved RMP describes the management direction to meet desired resource conditions through watershed analyses for livestock grazing, wildlife habitat, and special status species, while managing for mineral exploration and development, renewable energy development, recreational uses, areas of critical environmental concern. It also provides for land tenure adjustments to meet community growth needs.

The preferred alternative, Alternative E of the Draft RMP, was carried forward into the Proposed RMP and Final EIS (PRMP/FEIS) as the Proposed Plan. The PRMP/FEIS was made available on November 30, 2007 and sent to