

In the Proposed Action, pit backfills and overburden piles are to be covered with at least 4 feet of chert or limestone, overlaid by 18 inches of topsoil. A cover called the Simple 1 cover, consisting of 18 inches of topsoil overlying 1 foot of weathered alluvium and 2 feet of chert, is proposed for capping of seleniferous portions of the EOP. As part of the DEIS analysis, groundwater modeling has been used to estimate the potential effects of the proposed action on groundwater and surface water resources in the project area. Model results indicate that the Proposed Action, as designed, has the potential to release selenium concentrations to groundwater and ultimately surface water in excess of the applicable water quality standard. To address this potential excess, alternative capping designs (Alternatives 1A and 1B) were developed to reduce the amount of meteoric water that would infiltrate through the backfilled pits and external overburden piles. The reduction in infiltration would result in a reduction in the volume of water that would leach through mine overburden thereby reducing the volume of water containing constituents of concern that could potentially affect the quality of area groundwater and surface water.

Alternatives 1A and 1B would be comprised of all components of the Proposed Action but would require P4 to install a layer of impermeable material (a laminated Geosynthetic Clay Liner or GCLL) between the seleniferous materials and the applied growth media to reduce the volume of water infiltrating into the backfill. The GCLL cover system would be comprised of the following materials (from surface to base):

- 18 inches of topsoil;
- 1 foot of weathered alluvium cover material;
- Approximately 6 inches of drainage/protective layer material (actual thickness is dependent on slope and aspect);
- GCLL;
- 6 inches of a protective sub-grade layer (weathered alluvium or other earthen material); and
- Run of Mine (ROM) overburden.

The GCLL itself includes a thin layer of powdered sodium bentonite clay sandwiched between two geotextile layers. A geotextile is a woven or nonwoven sheet material that is resistant to penetration damage. The top geotextile layer is laminated with a polyethylene geomembrane layer, providing an additional layer of protection (hence the name, Geosynthetic Clay Liner Laminate).

While Alternatives 1A and 1B primarily address water quality issues, additional alternatives to address other issues are also considered in the DEIS.

A Notice of Intent (NOI) to prepare this EIS was published in the **Federal Register** on February 3, 2006. Publication of the NOI in the **Federal Register** initiated a 56 day public scoping period for the Proposed Action that provided for acceptance of written comments. The scoping process identified concerns that included potential effects of the project on water resources; socioeconomic conditions; livestock grazing; reclamation and restoration; wildlife and vegetation; soils; threatened, endangered, and sensitive species; air quality; aesthetics; land use; visual resources; hazardous and solid wastes; tribal interests and cumulative effects.

It is currently expected that P4's existing South Rasmussen Mine will be depleted sometime in 2012. Because of operating requirements at the Soda Springs processing plant, it is necessary to bring Blackfoot Bridge Mine online in 2010. In years 1 through 4, a blend of ores from both South Rasmussen Mine and Blackfoot Bridge Mine would be required.

Three public meetings will be held, each an open house, from 7 p.m. to 9 p.m. The open houses will include displays explaining the project and a forum for commenting on the project. Public meetings will be held in the Soda Springs City Office Building, 9 West 2nd South, Soda Springs, Idaho; in the BLM Pocatello Field Office, 4350 Cliffs Drive, Pocatello, Idaho; and in the Tribal Business Center, Pima Avenue, Fort Hall, Idaho. Each of these meetings will be held within 30 days of this Notice. Alternatively, interested parties may contact the BLM Project Lead listed above for specific information regarding the public meetings. Written and electronic comments regarding the DEIS should be submitted within 45 days of the date of publication of the EPA's Notice in the **Federal Register**.

Please note that public comments and information submitted including names, street addresses and e-mail addresses of respondents will be available for public review and disclosure at the above BLM address during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment

to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Karen Rice,

Associate District Manager.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

DEPARTMENT OF AGRICULTURE

U.S. Forest Service

[LLMTC0400000 L51010000.ER0000
LVRWE0420000]

Notice of Availability of a Draft Environmental Impact Statement for the Dewey Conveyor Project, Custer County, SD

AGENCIES: Bureau of Land Management, Interior (BLM); and United States Forest Service, Agriculture (USFS).

ACTION: Notice of availability.

SUMMARY: In accordance with section 102 of the National Environmental Policy Act of 1969, the BLM and the USFS have jointly prepared a Draft Environmental Impact Statement (DEIS) to analyze the Dewey Conveyor Project, Custer County, South Dakota, and by this Notice are announcing the opening of the comment period.

DATES: To ensure that your written comments on the Dewey Conveyor Project DEIS will be considered, the BLM or USFS must receive them by September 14, 2009, which is 45 days after July 31, 2009, the date the Environmental Protection Agency (EPA) published its Notice of Availability in the **Federal Register** [74 FR 38187]. The BLM and the USFS will announce future meetings or hearings and any other public involvement activities at least 15 days in advance through public notices, media news releases, and/or mailings.

ADDRESSES: You may submit comments by any of the following methods:

- *Web site:* http://www.blm.gov/mt/st/en/fo/south_dakota_field.html.
- *E-mail:* Marian_Atkins@blm.gov.

Include Docket number SDM-96415 in the subject line of the message.

- *Fax:* (605) 892-7015.
- *Mail or hand delivery:* Marian Atkins, South Dakota Field Manager, Bureau of Land Management, 310 Roundup Street, Belle Fourche, South Dakota 57717.

Copies of the Dewey Conveyor Project DEIS are available at the BLM State Office located at 5001 Southgate Drive, Billings, Montana, and at the South Dakota Field Office located at 310 Roundup Street, Belle Fourche, South Dakota. Electronic copies in pdf format are available on CD-ROM and may be obtained by contacting Marian Atkins of BLM in Belle Fourche, South Dakota, at the address above. A copy of the Draft EIS is also available for review via the Agency Web site: http://www.blm.gov/mt/st/en/fo/south_dakota_field.html.

FOR FURTHER INFORMATION CONTACT:

Marian Atkins, South Dakota Field Manager, Bureau of Land Management, 310 Roundup Street, Belle Fourche, South Dakota 57717; (605) 892-7000; Marian_Atkins@blm.gov; or Laura Burns, FS Lands Program Manager, Hell Canyon District, Black Hills National Forest, 330 Mount Rushmore Road, Custer, South Dakota 57730; (605) 673-4853; lburns@fs.fed.us.

Or visit the BLM's Web site and access the Dewey Conveyor Project information at the following link http://www.blm.gov/mt/st/en/fo/south_dakota_field.html.

SUPPLEMENTARY INFORMATION:

GCC Dacotah, Inc., has located a limestone deposit several miles north of the town of Dewey, South Dakota, in a geologically favorable area where the limestone lies at, or close to, the surface, making mining economically feasible. The nearby town of Dewey is located along an existing rail transportation corridor.

The surface of the land currently proposed for mining is mostly private property, largely owned by GCC Dacotah, Inc. Within the area proposed for mining, all of the mineral rights are controlled by GCC Dacotah, Inc., either by direct ownership, leasing of privately-owned lands, or through the staking of mining claims on lands underlain by federally-owned minerals. GCC Dacotah, Inc., has a license to mine limestone in the State of South Dakota issued by the South Dakota Department of Environment and Natural Resources.

The Dewey Conveyor Project was proposed by GCC Dacotah, Inc., as a means to transport limestone from the future quarry location to a rail load-out facility near Dewey. GCC Dacotah, Inc., has submitted an Application for Transportation and Utility Systems and Facilities on Federal Lands. If the application is approved, a special use permit would be required from the USFS and a right-of-way (ROW) grant would be required from the BLM for the conveyor to cross Federal lands. The BLM and the USFS have prepared this

DEIS to consider the effects of the proposed action to permit a transportation facility on Federal lands.

On October 2, 2007, the BLM published a Notice of Intent (NOI) to prepare an environmental impact statement in the **Federal Register** (72 FR 56083). Publication of the NOI began a 60-day public comment period on the scope of the EIS. The comment period was further extended to January 11, 2008, to allow for additional project-related comments. The BLM provided a Web site with project information that also described the various methods of providing public comment on the scope of the proposed action, including an e-mail address for comments to be sent electronically.

The BLM and USFS scheduled four public meetings in towns near the project area to facilitate information exchange and to gather public comments regarding the scope of the proposed Dewey Conveyor Project. A total of 51 attendees signed in voluntarily at meetings held in Edgemont, South Dakota, on November 5, 2007; Custer, South Dakota, on November 6, 2007; Newcastle, Wyoming, on November 7, 2007; and Dewey, South Dakota, on December 3, 2007.

The public meetings used an "open house" format. Information on the project was provided on poster boards showing the project location (including maps), a list of preliminary issues identified by the agencies, and photographic simulations of the proposed conveyor belt. The public scoping comments mainly addressed the appearance of the covered elevated conveyor belt and concerns about the increased use of the county road.

The BLM also contracted with Mr. Donovan Sprague, a member of the federally-recognized Minnicoujou Lakota Tribe, to conduct interviews with tribal members on their interest and concerns in the proposed Dewey Conveyor Project.

The BLM and USFS have jointly prepared a Draft EIS for the Dewey Conveyor Project. The DEIS considers four alternatives. Alternative A is the Proposed Action, which includes a 6.6 mile long, above-ground, enclosed conveyor system beginning at the quarry and terminating at a new railroad load-out facility. The route would cross 1.5 miles of the Black Hills National Forest and 1.0 mile of public land administered by the BLM.

Alternative B is the No Action Alternative. Under the No Action alternative, the proposed action to grant a ROW or issue a special use permit authorizing construction of a conveyor

system would not be approved. The analysis for this alternative assumes GCC Dacotah, Inc., would not choose to haul limestone in trucks over the existing Dewey County Road.

Alternative C is an alternative to the proposed action and involves hauling limestone by truck from the quarry to the proposed load-out facility using an improved Dewey County road. Public safety concerns call for the county road to be widened and straightened over approximately 7.2 miles. Widening and straightening the county road where it crosses Federal lands would require a special use permit and a right-of-way (ROW) grant from the USFS and BLM.

Alternative D calls for the construction of another road generally following the route of the proposed conveyor that would only be used for hauling limestone by truck and eliminate the potential visual impact from the proposed conveyor. This would allow for local traffic to be largely separated from the hauling traffic. Approximately 1.4 miles of the existing county road would need to be straightened and widened over the pass that crosses the Elk Mountains on the National Forest. Both a ROW grant and a special use permit would be required for new road construction across Federal lands. The BLM and the USFS will decide whether or not to approve the Application for Transportation and Utility Systems and Facilities on Federal Lands and grant a 100-foot-wide ROW for a conveyor crossing and a special use permit or some alternative thereto.

The BLM and the USFS will also decide what stipulations or mitigation will be attached to any ROW grant or special use permit. Mining of the limestone resource to be produced and transported to a proposed rail load-out facility near Dewey, either by the proposed conveyor belt or one of the trucking action alternatives haul routes, is considered by the agencies in the DEIS.

Based on public scoping comments and subsequent analysis in the DEIS, the BLM and the USFS have identified Alternative A, the Proposed Action, as the agencies' preferred alternative.

Please note that public comments and information submitted including names, street addresses, and e-mail addresses of respondents will be available for public review and disclosure at the above addresses during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that

your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Marian M. Atkins,

Field Manager, South Dakota Field Manager.

Craig Bobzien,

Forest Supervisor, Black Hills National Forest.

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BILLING CODE 4310-DN-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLAZ956000.L14200000.BJ0000.241A]

Notice of Filing of Plats of Survey; AZ

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of filing of plats of survey; Arizona.

SUMMARY: The plats of survey of the described lands were officially filed in the Arizona State Office, Bureau of Land Management, Phoenix, Arizona, on dates indicated.

SUPPLEMENTARY INFORMATION:

The Gila and Salt River Meridian, Arizona:

The plat representing the dependent resurvey of a portion of the east boundary and the Red Sky Mill Site, Mineral Survey No. 1532B, Township 15 North, Range 1 East, accepted February 27, 2009, and officially filed March 4, 2009, for Group 1041, Arizona.

This plat was prepared at the request of the United States Forest Service.

The plat representing the dependent resurvey of a portion of the north boundary and a metes-and-bounds survey in section 5, Township 5 North, Range 2 East, accepted May 27, 2009, and officially filed June 3, 2009, for Group 1054, Arizona.

This plat was prepared at the request of the Bureau of Land Management.

The plat representing the dependent resurvey of a portion of the north boundary of the Salt River Pima-Maricopa Indian Community, Township 3 North, Range 5 East, accepted December 10, 2008, and officially filed December 17, 2008, for Group 1050, Arizona.

This plat was prepared at the request of the Bureau of Indian Affairs, Western Regional Office.

The supplemental plat of sections 35 and 36, Township 3 North, Range 6 East, accepted May 20, 2009, and officially filed May 29, 2009, Arizona.

This plat was prepared at the request of the Bureau of Indian Affairs, Western Regional Office.

The plat (2 sheets) representing the dependent resurvey of a portion of the Fifth Standard Parallel North (north boundary), a portion of the subdivisional lines, and Amended HES 619, Tracts A and B, and a metes-and-bounds survey in section 3, Township 20 North, Range 7 East, accepted March 9, 2009, and officially filed March 13, 2009, for Group 1018, Arizona.

This plat was prepared at the request of the United States Forest Service.

The plat representing the dependent resurvey of a portion of the Fifth Standard Parallel North (south boundary), a portion of the subdivisional lines, the subdivision of section 33 and the metes-and-bounds surveys in section 33, Township 21 North, Range 7 East, accepted March 9, 2009, and officially filed March 13, 2009, for Group 1018, Arizona.

This plat was prepared at the request of the United States Forest Service.

The supplemental plat of the SW¹/₄ of section 33, Township 21 North, Range 7 East, accepted May 20, 2009, and officially filed May 29, 2009, Arizona.

This plat was prepared at the request of the United States Forest Service.

The plat representing the dependent resurvey of the east, west and north boundaries, Township 33 North, Range 10 East, accepted July 28, 2009, and officially filed July 31, 2009, for Group 1059, Arizona.

This plat was prepared at the request of the Bureau of Indian Affairs, Navajo Regional Office.

The plat representing the dependent resurvey of the Eighth Standard Parallel North (south boundary), Township 33 North, Range 12 East, accepted July 28, 2009, and officially filed July 31, 2009, for Group 1059, Arizona.

This plat was prepared at the request of the Bureau of Indian Affairs, Navajo Regional Office.

The plat (2 sheets) representing the survey of the Ninth Standard Parallel North (south boundary), the east, west and north boundaries, the subdivisional lines, the subdivision of certain sections and metes-and-bounds surveys of Tracts 37 and 38, Township 37 North, Range 12 East, accepted December 4, 2008, and officially filed December 11, 2008, for Group 1028, Arizona.

This plat was prepared at the request of the Bureau of Indian Affairs, Navajo Regional Office.

The plat representing the survey of the Third Guide Meridian East (east boundary), the south, west and north boundaries, the subdivisional lines, and the subdivision of sections 13, 14 and

15, Township 22 North, Range 12¹/₂ East, and the survey of a portion of the Third Guide Meridian East (east boundary), Township 23 North, Range 12¹/₂ East, accepted November 17, 2008, and officially filed November 20, 2008, for Group 1025, Arizona.

This plat was prepared at the request of the Bureau of Indian Affairs, Navajo Regional Office.

The plat representing the survey of a portion of the Third Guide Meridian East (west boundary), Township 36 North, Range 13 East, the survey of the Third Guide Meridian East (west boundary), Township 37 North, Range 13 East, the survey of the Ninth Standard Parallel North (south boundary), the north boundary, the subdivisional lines and the subdivision of certain sections, Township 37 North, Range 12¹/₂ East, accepted January 29, 2009, and officially filed February 6, 2009, for Group 1033, Arizona.

This plat was prepared at the request of the Bureau of Indian Affairs, Navajo Regional Office.

The plat (2 sheets) representing the survey of the south, east and north boundaries, the subdivisional lines, the subdivision of certain sections and a metes-and-bounds survey in section 19, Township 22 North, Range 13 East, accepted November 17, 2008, and officially filed November 20, 2008, for Group 1025, Arizona.

This plat was prepared at the request of the Bureau of Indian Affairs, Navajo Regional Office.

The plat representing the survey of a portion of the Tenth Standard Parallel North (south boundary), Township 41 North, Range 19 East, the Fifth Guide Meridian East (east boundary), the west boundary, the subdivisional lines, the subdivision of section 6 and a metes-and-bounds survey of a portion of the Monument Valley Tribal Park (MVTP) boundary, Township 40 North, Range 20 East, accepted January 29, 2009, and officially filed February 6, 2009, for Group 1043, Arizona.

This plat was prepared at the request of the Bureau of Indian Affairs, Navajo Regional Office.

The plat (3 sheets) representing the dependent resurvey of portions of the west boundary, the Hopi-Navajo Partition Line, Segment "C", and the boundary of Management District No. 6, Hopi Indian Reservation, and the survey of a portion of the Fifth Guide Meridian East (east boundary), the south boundary and a portion of the subdivisional lines, Township 30 North, Range 20 East, accepted June 24, 2009, and officially filed July 2, 2009, for Group 1044, Arizona.