

necessary to allow for the use of public lands for the Proposed Action.

*Over The River*TM was informally proposed by the artists Christo and Jeanne-Claude in 1996. Based on OTR Corp.'s verbal proposal, the BLM started conducting an Environmental Assessment (EA) and held public meetings between 1997 and 2000. The BLM initiated an informal scoping period through eight public meetings held in communities within the proposed project area from April 1997 to October 2000. OTR Corp. re-approached the BLM about the proposed project in August 2005. Additional EA-level scoping occurred in January and February 2006. The BLM also hosted interagency meetings with CDOT, DNR, Fremont County, Chaffee County, and CSP on May 24, 2006, to discuss and understand the public comments and questions. The scoping comments led to a Notice Of Intent (NOI) published in the **Federal Register** on June 19, 2006 (71 FR 35289), announcing the intent to prepare an EIS based on several factors, including a specific request from the applicants; the increasing complexity of the project; the level of controversy related to the project; and the level of involvement during the scoping process. The NOI was also advertised in local newspapers. The OTR Corp. and the BLM developed and signed a Memorandum of Understanding for EIS preparation in May 2007. OTR Corp. delivered a *Design and Planning Report* in 2007 that included a preliminary set of alternatives. However, the 2007 report did not include some of the details previously requested by the BLM and cooperating agencies that were necessary to move forward with the EIS. In April 2008, the BLM received a *Detailed Design Proposal* including additional project information with the level of detail necessary to move forward with the EIS. This led to the process of filing an upper-level-agency review of a Notice of Realty Action, published in the **Federal Register** on October 31, 2008 (73 FR 64982).

This Draft EIS analyzes seven separate alternatives, including the No Action Alternative. The action alternatives were developed to consider and compare configurations of public lands that could be made available for artistic panel placement as well as construction, logistics, traffic planning, and visitor management. The process of developing a range of alternatives began with a review of the artists' proposal and public and agency scoping comments, as well as a series of cooperating agency meetings. The following four project components, each of which could be

altered in various ways to respond to known issues and concerns, formed the basis of the alternatives development process: panel placement, transportation, visitor management, and temporal considerations.

The primary issues that were identified as key general concerns of the public, project team staff, and cooperators that are further analyzed in this Draft EIS include: emergency response; project engineering; natural and cultural resources (including soils, geology, noxious weeds, and wildland fire); pollution and sanitation; public safety; recreation; socioeconomics; transportation; and wildlife.

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.

Authority: 40 CFR 1506.6, 40 CFR 1506.10.

John Mehlhoff,

Associate State Director.

[FR Doc. 2010-17245 Filed 7-15-10; 8:45 am]

BILLING CODE 4310-JB-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Match-E-Be-Nash-She-Wish (Gun Lake) Tribe Liquor Control Ordinance

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice publishes the Secretary's certification of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (Gun Lake) Liquor Control Ordinance. The Ordinance regulates and controls the possession, sale, and consumption of liquor within the tribal lands. The tribal lands are located in Indian Country and this Ordinance allows for possession and sale of alcoholic beverages within their boundaries. This Ordinance regulates the possession, sale and consumption of alcoholic beverages on tribal trust land in conformity with applicable tribal, Federal and state laws.

DATES: *Effective Date:* This Ordinance is effective July 16, 2010.

FOR FURTHER INFORMATION CONTACT: David Christensen, Tribal Operations Officer, Midwest Regional Office, One

Federal Drive, Room 550, Ft. Snelling, MN 55111, Telephone (612) 725-4554; or Elizabeth Colliflower, Office of Tribal Services, 1849 C Street, NW., Mail Stop 4513-MIB, Washington, DC 20240; Telephone (202) 513-7641.

SUPPLEMENTARY INFORMATION: Pursuant to the Act of August 15, 1953, Public Law 83-277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor ordinances for the purpose of regulating liquor transactions in Indian Country. The Tribal Council of the Gun Lake Tribe Liquor Control Ordinance adopted this Liquor Ordinance on March 9, 2010. The purpose of this Ordinance is to govern the sale, possession and distribution of alcohol within Gun Lake's tribal land.

This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs. I certify that this Liquor Ordinance of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (Gun Lake) was duly adopted by its Tribal Council by Resolution No. 10-582 on March 9, 2010.

Dated: July 8, 2010.

Larry Echo Hawk,

Assistant Secretary—Indian Affairs.

The Liquor Ordinance of the Gun Lake Tribe Liquor Control Ordinance reads as follows:

Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians Liquor Control Ordinance

Chapter 1

General Provisions

Section 1 This Ordinance may be cited as the "Gun Lake Tribe Liquor Control Ordinance."

Section 2 The purpose of this Ordinance is to regulate the possession, sale and consumption of Alcoholic Beverages on Tribal Trust Land in conformity with applicable Tribal, federal, and state law.

Section 3 The possession, transportation, storage, sale and consumption of Alcoholic Beverages shall be lawful on Tribal Trust Land, provided that such activities comply with the provisions of this Ordinance, and with the applicable provisions of the laws of the State of Michigan.

Chapter 2

Definitions

For purposes of this Ordinance the following definitions apply:

(a) "Alcohol" means that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, commonly produced by the fermentation or distillation of grain, starch, grapes, molasses or other substances,

including all dilutions and mixtures of this substance.

(b) "Alcoholic Beverage" means any liquid or mixture intended for human consumption that contains more than 0.5% of Alcohol by volume.

(c) "Intoxicated Person" means a person whose mental or physical functioning is impaired as a result of the use of alcohol.

(d) "Licensee" means one who holds a valid license from the Tribe to sell Alcoholic Beverages on the Tribal Trust Land, and includes employees or agents of the Licensee.

(e) "Minor" means a person less than twenty-one (21) years of age.

(f) "Ordinance" means this Ordinance to regulate the possession, transportation, storage, sale and consumption of Alcoholic Beverages, adopted pursuant to 18 U.S.C. 1161.

(g) "Tribal Council" means the governing body of the Tribe as established by Article VI of the Tribe's Constitution.

(h) "Tribal Court" means the Court established pursuant to Article VII, Section 1(s) of the Tribe's Constitution.

(i) "Tribal Trust Land" means those lands held in trust by the United States of America for the benefit of the Tribe.

(j) "Tribe" means the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan, also known as the Gun Lake Tribe.

Chapter 3

Tribal Liquor License

Section 1 No person or entity shall engage in the sale of Alcoholic Beverages on Tribal Trust Land, unless licensed to do so by the Tribal Council in accordance with the terms of this Ordinance and in compliance with the Tribal-State Class III Gaming Compact between the Tribe and the State of Michigan.

Section 2 The authority to issue, suspend and revoke a Tribal Liquor License is vested in the Tribal Council, under Article VII, Section 1 (q) of the Tribe's Constitution. No License shall be issued under this Ordinance except upon a sworn application filed with the Tribal Council containing, at a minimum, the following:

(a) A description of the area or premises to be licensed and the hours that Alcoholic Beverages will be served.

(b) An agreement by the applicant to observe and abide by all conditions of the Tribal Liquor License, all applicable state liquor laws, and federal law.

(c) A statement that the applicant has never been convicted of a felony.

(d) An application fee in an amount set by the Tribal Council.

Section 3 Notice of the Tribal Liquor License application shall be posted on the premises and distributed to Tribal Citizens in a manner that provides an opportunity to comment or file a protest regarding the application.

Section 4 Every Tribal Liquor License application shall be considered by the Tribal Council in a meeting at which the applicant and Tribal Citizens shall have the right to be present, to observe the proceedings, and to offer sworn oral or written testimony or other evidence relevant to the application. After the meeting, the Tribal Council shall

determine whether to grant or deny the License, based on whether the Tribal Council, in its sole discretion, determines that granting the License is in the best interest of the Tribe.

Section 5 Any Tribal Liquor License shall be subject to such conditions as the Tribal Council shall impose, including, but not limited to the following:

(a) The License shall be for a term of one year, shall identify the specific areas and hours permitted for the sale of Alcoholic Beverages, and shall be subject to annual renewal.

(b) The Licensee shall at all times maintain an orderly, clean, and neat establishment, both inside and outside the licensed premises.

(c) The licensed premises shall be open to inspection by duly authorized Tribal officials at all times during regular business hours.

(d) No Alcoholic Beverages shall be sold, served, disposed of, delivered, or given to any person, or consumed on the licensed premises, except during the hours and days that would be permitted by the applicable laws of the State of Michigan, unless the hours of service are further limited by the Tribal Council.

(e) Any spirits resold for consumption on the Tribal Trust Land shall be purchased from the Michigan Liquor Control Commission, and beer and wine shall be purchased from distributors licensed by the Michigan Liquor Control Commission.

(f) All acts and transactions performed under authority of the Tribal Liquor License shall be in conformity with the applicable laws of the State of Michigan, the provisions of this Ordinance, and any rules or policies promulgated under this Ordinance.

(g) No person under the age of twenty-one (21) shall be sold, served, delivered, given or allowed to consume Alcoholic Beverages at any location on the Tribal Trust Land, and no person under the age of eighteen (18) years shall be employed to sell or serve any Alcoholic Beverages.

(h) Alcoholic Beverages shall not be compelled, given away, or furnished without charge in any facility licensed under this Ordinance.

(i) No person licensed under this Ordinance shall sell, deliver, give, or furnish any Alcoholic Beverage to any Intoxicated Person.

Section 6 Notwithstanding any other provision of this Ordinance, a Tribal Liquor License is a permit for a fixed time period. A Tribal Liquor License shall not be deemed a property right or vested right of any kind. The granting of a Tribal Liquor License shall not create any entitlement to any renewal of such license.

Section 7 No Tribal Liquor License issued under this Ordinance may be assigned, pledged, transferred, leased, licensed or sold. Any attempt to do so is grounds for the immediate revocation of the License.

Section 8 Any Tribal Liquor License issued hereunder may be suspended or revoked by the Tribal Council for the breach of any provision of this Ordinance, or any condition of the Tribal Liquor License, upon fifteen (15) days written notice to the Licensee, unless a shorter notice period is

necessary to preserve public health and safety on the Tribal Trust Land. The Licensee may request a hearing before the Tribal Council. The decision of the Tribal Council shall be final.

Chapter 4

Incorporation of Michigan Laws by Reference

Section 1 In accordance with 18 U.S.C. 1161, the Tribe hereby adopts and applies as tribal law those Michigan laws, as now or hereafter amended, relating to the sale and regulation of Alcoholic Beverages encompassing the following areas: Sale to a Minor; sale to a visibly intoxicated individual; sale of adulterated or misbranded liquor; and hours of operation.

The following laws from the Michigan Liquor Control Code of 1998 are hereby adopted and applied as Tribal law:

436.1233 Uniform prices for sale of alcoholic liquor; gross profit; discount for certain sales of alcoholic liquor.

436.1701 Selling or furnishing alcoholic liquor to person less than 21 years of age; failure to make diligent inquiry; misdemeanor; signs; consumption of alcoholic liquor as cause of death or injury; felony; enforcement against licensee; defense in action for violation; report; definitions.

436.1703 Purchase, consumption, or possession of alcoholic liquor by minor; attempt; violation; fines; sanctions; furnishing fraudulent identification to minor; screening and assessment; chemical breath analysis; construction of section; exceptions; "any bodily alcohol content" defined.

436.1707 Selling, serving, or furnishing alcohol; prohibitions.

436.1801 Granting or renewing license; selling, furnishing or giving alcoholic liquor to minor or person visibly intoxicated; right of action for damage or personal injury; actual damages; institution of action; notice; survival of action; separate actions by parents; commencement of action against retail licensee; indemnification; defenses available to licensee; rebuttable presumption; prohibited causes of action; section as exclusive remedy for money damages against licensee; civil action subject to revised judicature act.

436.1815 Adherence to responsible business practices as defense; compensation of employee on commission basis.

436.1901 Compliance required, prohibited acts.

436.1905 Selling or furnishing alcoholic liquor to minor; enforcement actions prohibited; conditions; exception.

436.2005 Adulterated, misbranded, or refilled liquor.

436.2025 Giving away alcoholic liquor; samplings or tastings of alcoholic liquor; sales to intoxicated persons prohibited.

The laws referenced in this section shall apply in the same manner and to the same extent as such laws apply elsewhere in Michigan, unless otherwise agreed by the Tribe and State.

Section 2 Whenever such Michigan laws are incorporated by reference, amendments to those laws shall also be deemed to be incorporated upon their effective date in the State of Michigan, without the need for further action by the Tribal Council.

Section 3 Nothing in this Ordinance shall be construed as consent by the Tribe to the jurisdiction of the State of Michigan or any of its courts or subordinate political subdivisions over any activity arising under this Ordinance, nor shall anything in this Ordinance constitute an express or implied waiver of the sovereign immunity of the Tribe.

Chapter 5

General Penalties

Section 1 Any violation of this Ordinance, including any regulation under this Ordinance, shall be subject to a civil fine of not more than Five Hundred Dollars (\$500.00) for each such violation. The Tribal Council may adopt by Resolution a schedule of fines for each violation, taking into account the severity of the offense and threat the violation may pose to the general health and welfare. Such schedule may also provide for the imposition of increased monetary penalties for repeated violations. The civil penalties provided for in this section shall be in addition to any criminal penalties that may be imposed under applicable law.

Section 2 The Tribal Council is authorized to adopt such regulations as may be necessary to implement the provisions of this Ordinance.

Section 3 This Ordinance shall take effect immediately upon its adoption by the Tribal Council.

[FR Doc. 2010-17363 Filed 7-15-10; 8:45 am]

BILLING CODE 4310-4J-P

DEPARTMENT OF THE INTERIOR

National Park Service

Chesapeake and Ohio Canal National Historical Park Advisory Commission; Notice of Public Meeting

AGENCY: National Park Service, Department of the Interior.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given that a meeting of the Chesapeake and Ohio Canal National Historical Park Advisory Commission will be held at 9 a.m., on Friday, August 13, 2010, at the Brunswick City Hall, 1 West Potomac Street, Brunswick, Maryland 21716.

DATES: Friday, August 13, 2010.

ADDRESSES: Brunswick City Hall, 1 West Potomac Street, Brunswick, Maryland 21716.

FOR FURTHER INFORMATION CONTACT:

Kevin Brandt, Superintendent, Chesapeake and Ohio Canal National Historical Park, is available to provide further information and to receive comments prior to the meeting, at 1850 Dual Highway, Suite 100, Hagerstown, Maryland 21740, telephone: (301) 714-2201. 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.

SUPPLEMENTARY INFORMATION: The Commission was established by Public Law 91-664 to meet and consult with the Secretary of the Interior on general policies and specific matters related to the administration and development of the Chesapeake and Ohio Canal National Historical Park.

The members of the Commission are as follows:

Mrs. Sheila Rabb Weidenfeld,
Chairperson

Mr. Charles J. Weir

Mr. Barry A. Passett

Mr. James G. McCleaf II

Mr. John A. Ziegler

Mrs. Mary E. Woodward

Mrs. Donna Printz

Mrs. Ferial S. Bishop

Ms. Nancy C. Long

Mrs. Jo Reynolds

Dr. James H. Gilford

Brother James Kirkpatrick

Dr. George E. Lewis, Jr.

Mr. Charles D. McElrath

Ms. Patricia Schooley

Mr. Jack Reeder

Ms. Merrily Pierce

Topics that will be presented during the meeting include:

1. Update on park operations;
2. Update on major construction development projects;
3. Update on partnership projects.

The meeting will be open to the public. Any member of the public may file with the Commission a written statement concerning the matters to be discussed. Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact Kevin Brandt, Superintendent, Chesapeake and Ohio Canal National Historical Park. Minutes of the meeting will be available for public inspection six weeks after the meeting at Chesapeake and Ohio Canal National Historical Park Headquarters, 1850 Dual Highway, Suite 100, Hagerstown, Maryland 21740.

Dated: June 7, 2010.

Kevin D. Brandt,

Superintendent, Chesapeake and Ohio Canal National Historical Park.

[FR Doc. 2010-17325 Filed 7-15-10; 8:45 am]

BILLING CODE 4310-6V-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNM920000 L13100000 FI0000; NMLC 066147]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease NMLC 066147, New Mexico

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Reinstatement of Terminated Oil and Gas Lease.

SUMMARY: Under the Class II provisions of the Federal Oil and Gas Royalty Management Act of 1982, the Bureau of Land Management received a petition for reinstatement of oil and gas lease NMLC 066147 from the lessee(s), Estate of C.W. Trainer, Zia Royalty LLC, Grady Thompson, Collin S. Smith, R.G. Barton Jr., Trust, E.F. Howe, HOG Partnership LP, Phillip G. Herkenhuff, Gordon E. Herkenhuff, Edna Gay H. Dwyre, Devon Energy Production Company LP, College of Southwest, George W. Baker, for lands in Lea County, New Mexico. The petition was filed on time and was accompanied by all the rentals due since the date the lease terminated under the law.

FOR FURTHER INFORMATION CONTACT:

Lourdes B. Ortiz, Bureau of Land Management, New Mexico State Office, P.O. Box 27115, Santa Fe, New Mexico 87502-0115 or at (505) 954-2146.

SUPPLEMENTARY INFORMATION: No valid lease has been issued that affects the lands. The lessees agree to new lease terms for rentals and royalties of \$10 per acre or a fraction thereof, per year, and 18 2/3 percent, respectively. The lessees paid the required \$500 administrative fee for the reinstatement of the lease and the \$166 cost for publishing this Notice in the **Federal Register**. The lessees met all the requirements for reinstatement of the lease as set out in Section 31(d) and (e) of the Mineral Leasing Act of 1920 (30 U.S.C. 188). We are proposing to reinstate lease NMLC 066147, effective the date of termination, December 1, 2009, under the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Lourdes B. Ortiz,

Land Law Examiner, Fluids Adjudication Team.

[FR Doc. 2010-17421 Filed 7-15-10; 8:45 am]

BILLING CODE 4310-FB-P