

would be required. No new route alternatives were considered in detail because this is a rebuild of an existing line.

*Segment 7* consists of a 118-mile, single-circuit 500-kV transmission line between the Populus Substation and the proposed Cedar Hill Substation near the county line between Cassia and Twin Falls Counties in Idaho. Ten alternative route segments were considered in detail, including two that cross the Sawtooth National Forest, one of which crosses into Nevada for approximately 9 miles.

*Segment 8* consists of a 131-mile, single-circuit 500-kV transmission line between the Midpoint Substation and the Hemingway Substation, located approximately 30 miles southwest of Boise, Idaho. Five alternative route segments were considered in detail.

*Segment 9* consists of a 162-mile, single-circuit 500-kV transmission line between the proposed Cedar Hill Substation and the planned Hemingway Substation near Murphy, Idaho. Eight alternative route segments were considered in detail.

*Segment 10* consists of a 34-mile, single-circuit 500-kV transmission line between the Midpoint Substation, located approximately 9 miles south of Shoshone, and Cedar Hill Substation near the county line between Cassia and Twin Falls Counties in Idaho. No other alternative routes were considered in detail for this segment.

The BLM, USFS, Proponents, and Cooperating Agencies worked together to develop routes that would conform to existing Federal land use plans. However, this objective was not reached for many of the routes analyzed in the DEIS. Unlike the regulations at 43 CFR 46.425 that allow the BLM to defer identification of an agency preferred route alternative until the Final EIS, the BLM planning regulations at 43 CFR 1610.4-7 require identification of the BLM's Preferred Plan Amendment in the DEIS. The BLM has identified draft plan amendments below for each situation of nonconformance that would bring the Proposed or Alternative Route into conformance with the respective land use plan. Each of these plan amendments is the BLM's preferred plan amendment. The specific land use plan amendments actually needed will be determined by the final agency preferred route selected. Therefore, some of the following prospective plan amendments may not need to be implemented. The BLM will identify those plan amendments it intends to implement (as Proposed Plan Amendments), along with its preferred route, in the Final EIS.

The following land-use plan amendments may be needed to bring the Gateway West Transmission Line Project into conformance with the applicable Resource Management Plans (RMPs) and Management Framework Plans (MFPs) for BLM-managed lands and Land and Resource Management Plans (Forest Plans) for National Forest System lands crossed by the project, depending on project approval and on the final route selected. All prospective plan amendments will comply with applicable Federal laws and regulations, be analyzed in the Gateway West EIS, and apply only to Federal lands and mineral estate administered by the BLM or USFS.

*Casper RMP:* An amendment may be needed for visual resource management.

*Rawlins RMP:* An amendment may be needed for visual resource management.

*Green River RMP:* Amendments may be needed for visual resource management, sage-grouse, and raptor management.

*Kemmerer RMP:* Amendments may be needed for management of visual resources, historic trails, heritage resources, sage-grouse, the Rock Creek/Tunp Special Designation Area, and recreation.

*Malad MFP:* Amendments may be needed for management of visual resources and to designate a new utility corridor.

*Bennett Hills/Timmerman Hills MFP:* An amendment may be needed for visual resource management.

*Cassia RMP:* Amendments may be needed for management of visual resources, historic trails, and to designate a new utility corridor.

*Twin Falls MFP:* An amendment may be needed for visual resource management and to allow a linear facility outside of existing corridors.

*Jarbidge RMP:* Amendments may be needed for management of visual resources, paleontological sites, historic trails, to adjust management objectives in an ACEC, and to designate a new utility corridor.

*Kuna MFP:* An amendment may be needed for a historic site and to designate a new utility corridor.

*Morley Nelson Snake River Birds of Prey National Conservation Area RMP:* Amendments may be needed for management of visual resources, non-motorized area management, to adjust management objectives in a Special Recreation Management Area, sensitive plant habitat, and to designate a new utility corridor.

*Bruneau MFP:* An amendment may be needed for visual resource management.

*Wells RMP:* An amendment may be needed to allow a linear facility outside of identified planning corridors.

*Medicine Bow Forest Plan:* An amendment may be needed for management of visual resources, goshawk and amphibian habitat, recreation, and to change the management prescription for any area crossed by new transmission lines not within the WWE corridor.

*Caribou Forest Plan:* An amendment may be needed to designate a new utility corridor.

*Sawtooth Forest Plan:* An amendment may be needed for management of visual resources and recreation.

The DEIS analyzes the environmental consequences of the No Action alternative, the proposed action, segment and design alternatives, and land use plan amendments. For this EIS, the No Action alternative means that the Idaho Power and Rocky Mountain Power ROW application for the Gateway West project would be denied by the BLM. The BLM will utilize and coordinate the NEPA commenting process to satisfy the public involvement process for Section 106 of the National Historic Preservation Act (16 U.S.C. 470f), as provided for in 36 CFR 800.2(d)(3). Ongoing Native American Tribal consultations will continue to be conducted in accordance with policy, and Tribal concerns, including impacts on Indian trust assets, will be given due consideration. Federal, State, and local agencies, along with other stakeholders that may be interested or affected by the BLM's decision on this project, are invited to participate.

**Brent L. Larson,**

*Forest Supervisor, Caribou-Targhee National Forest.*

**Donald A. Simpson,**

*Wyoming State Director.*

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**BILLING CODE 4310-22-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLWYP00000-L51100000-GA0000-LVEMK09CK380, WYW172684]

### Notice of Availability of the Buckskin Mine Hay Creek II Coal Lease-by-Application Final Environmental Impact Statement, Wyoming

**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) announces the availability of the Buckskin Mine Hay Creek II Coal Lease-by-Application (LBA) Final Environmental Impact Statement (EIS). The tract is being considered for sale as a result of a coal lease application received from the operator of the adjacent Buckskin Mine in Campbell County, Wyoming.

**DATES:** To ensure comments will be considered, the BLM must receive written comments on the Buckskin Mine Hay Creek II Final EIS within 30 days following the date the Environmental Protection Agency (EPA) publishes its Notice of Availability in the **Federal Register**.

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

- *E-mail:*

*Hay Creek II WYMail@blm.gov*. Please include "Hay Creek II Coal FEIS—Teresa Johnson" in the subject line.

- *FAX:* 307-261-7587, Attn: Teresa Johnson.

- *Mail:* Wyoming High Plains District Office, Bureau of Land Management, Attn: Teresa Johnson, 2987 Prospector Drive, Casper, Wyoming 82604.

- Written comments may also be hand-delivered to the BLM Wyoming High Plains District Office in Casper. Copies of the Final EIS are available at the following BLM office locations: BLM Wyoming State Office, 5353 Yellowstone Road, Cheyenne, Wyoming 82009; and the BLM Wyoming High Plains District Office, 2987 Prospector Drive, Casper, Wyoming 82604. The Final EIS is available electronically at the following Web site: <http://www.blm.gov/wy/st/en/info/NEPA/documents/hpd/HayCreekII.html>.

**FOR FURTHER INFORMATION CONTACT:** Teresa Johnson or Mike Karbs at the BLM Wyoming High Plains District Office address above or telephone 307-261-7600.

**SUPPLEMENTARY INFORMATION:** The Final EIS analyzes and discloses to the public direct, indirect, and cumulative environmental impacts of issuing the Hay Creek II LBA, case number WYW172684, in the Wyoming portion of the decertified Powder River Federal Coal Production Region. The BLM is considering issuing a coal lease as a result of a March 24, 2006, application submitted by Kiewit Mining Properties, Inc., to lease Federal coal near the Buckskin Mine approximately 12 miles north of Gillette, Wyoming.

Kiewit Mining Properties, Inc. proposes to lease the tract as a maintenance tract to extend the life of

the existing mining operations at the Buckskin Mine under the provisions of the Leasing on Application regulations at 43 CFR subpart 3425. BLM personnel reviewed the application and delineated a proposed tract that would best serve the public interest. The BLM's preferred tract delineation contains approximately 1,567 acres and approximately 277 million tons of in-place coal. The lands are in Campbell County, Wyoming and are generally located within sections 7 through 9 and 17 through 19 in T. 52 N., R. 72 W., 6th PM, Wyoming. If a decision is made to lease the coal, the lands will be specifically described in the Notice of Coal Lease Sale.

The Office of Surface Mining Reclamation and Enforcement (OSM) and the Wyoming Department of Environmental Quality (WDEQ) are cooperating agencies in the preparation of this Final EIS.

If the tract is leased as a maintenance tract, the new lease will be incorporated into the existing mining and reclamation plan for the adjacent mine. The Secretary of the Interior (Secretary) must approve the revision to the Mineral Leasing Act (MLA) mining plan before the Federal coal can be mined. If the tract is leased, OSM is the Federal agency that would be responsible for recommending approval, approval with conditions, or disapproval of the revised MLA mining plan to the Secretary. The WDEQ has entered into a cooperative agreement with the Secretary to regulate surface coal mining operations on Federal and non-Federal lands within Wyoming.

On December 21, 2007, the BLM published a Notice of Intent (NOI) to prepare an EIS for the Hay Creek II coal lease application in the **Federal Register** (72 FR 72750). A notice announcing the availability of the Draft EIS was published in the **Federal Register** by the EPA on March 12, 2010, (75 FR 11882). A 60-day comment period on the Draft EIS commenced with publication of the EPA's notice of availability and ended on May 10, 2010. The BLM published a Notice of Availability and Notice of Public Hearing in the **Federal Register** on March 12, 2010, (75 FR 11906). The BLM's **Federal Register** notice announced the date and time of a public hearing, which was held on April 22, 2010, in Gillette, Wyoming. The purpose of the hearing was to solicit comments on the Draft EIS, fair market value, and the maximum economic recovery of the Federal coal. No statements were given as testimony at the public hearing. During the Draft EIS comment period, the BLM received eight comment letters, which are included in an appendix to the Final

EIS with BLM's responses to the comments.

The Final EIS analyzes leasing the Hay Creek II coal tract as-applied-for as the Proposed Action. Under the Proposed Action, a competitive sale would be held and a lease issued for Federal coal in the tract as applied for by Kiewit Mining Properties, Inc. As part of the coal leasing process, the BLM identified an alternative tract configuration, which is the preferred alternative, to assure the maximum economic recovery of the coal, to avoid isolating or bypassing marketable coal, and to prompt competitive interest in the unleased Federal coal for this area. The alternate tract configuration that BLM has identified is described and analyzed as a separate alternative in the Final EIS. Under this alternative, a competitive sale would be held and a lease would be issued for Federal coal lands included in a tract modified by the BLM. The Final EIS also analyzes the alternative of rejecting the application to lease Federal coal as the No Action Alternative. The Proposed Action and alternatives being considered in the Final EIS are in conformance with the *Resource Management Plan for Public Lands Administered by the Bureau of Land Management Buffalo Field Office (2001)*. A Record of Decision (ROD) will be prepared after the close of the 30-day review period for the Final EIS. Comments received on the Final EIS will be considered during preparation of the ROD.

Copies of the Final EIS have been mailed to all parties on the mailing list for this project. Requests for copies can be made in writing, by facsimile, or electronically to the addresses listed at the beginning of this notice. The BLM asks that those submitting comments on the Final EIS make them as specific as possible with reference to page numbers and chapters of the document. Comments that contain only opinions or preferences will not receive a formal response; however, they will be considered as part of the BLM decision-making process. Please note that 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 address during regular business hours (7:45 a.m. through 4:30 p.m.), Monday through Friday, except holidays.

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

be made publicly available at any time. While you may 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.

**Donald A. Simpson,**  
State Director.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLCOF02000 L71220000.EA0000  
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#### Notice of Availability of the Final Environmental Impact Statement for the Proposed Over the River Art Project, Colorado

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

**ACTION:** Notice of Availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Land Policy and Management Act of 1976, as amended, the Bureau of Land Management (BLM) has prepared a Final Environmental Impact Statement (EIS) for the Proposed *Over the River Art Project* (*Over the River Final EIS*) and by this notice is announcing its availability and the initiation of the 30-day availability period.

**DATES:** The publication of the BLM's Notice of Availability of this Final EIS in the **Federal Register** initiates a 30-day public availability period. The Final EIS will be available to the public until August 29, 2011. While the availability period is not a formal public comment period, BLM may receive comments on the Final EIS which may be addressed in the Record of Decision.

**ADDRESSES:** Copies of the *Over the River Final EIS* are available for public inspection at the BLM Royal Gorge Field Office. See the **SUPPLEMENTARY INFORMATION** section for additional public inspection addresses. Interested persons may also review the Final EIS at the following Web site: <http://www.blm.gov/co/st/en/fo/rgfo/planning/otr.html>.

Any written comments related to the *Over the River Final EIS* may be submitted by any of the following methods:

- *Web site comment form:* <http://www.blm.gov/co/st/en/fo/rgfo/planning/otr.html>.
- *E-mail:* [co\\_otr\\_comments@blm.gov](mailto:co_otr_comments@blm.gov).
- *Fax:* (719) 269-8599.

- *Mail:* BLM Royal Gorge Field Office, Over the River Comments, 3028 E. Main St., Cañon City, Colorado 81212.

Please write "OTR Comments" in the subject line of comments that are e-mailed or faxed.

**FOR FURTHER INFORMATION CONTACT:** Mr. Vincent Hooper, *Over the River Project Manager*, at the Royal Gorge Field Office (see **ADDRESSES** section above); telephone (719) 269-8555; e-mail [co\\_otr\\_comments@blm.gov](mailto:co_otr_comments@blm.gov). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The OTR Corporation, formed by the artists Christo and Jeanne-Claude, proposes to install a work of art, known as *Over the River*, on Federal, state, and private lands adjacent to the Arkansas River between the cities of Salida and Cañon City in Colorado. Following an estimated 2-year construction period, the exhibit is proposed for a 2-week display and viewing period in early August 2014. The proposed art exhibit involves the installation of approximately 900 porous, semi-transparent fabric panels, which would be suspended 8 to 25 feet above the water for a total distance of approximately 5.9 miles at eight locations. The panels would be supported by approximately 1,270 steel cables and a series of steel anchor transition frames. More than 9,000 steel anchors would be drilled along and into the banks of the Arkansas River to support the panels. At the end of the 2-week exhibition period, the system of cables and anchors and other above-ground materials would be removed over an estimated 3-month period. The artists would be responsible for restoring the river corridor according to the standards defined by permitting and approval authorities. More than 300,000 people are expected to visit the Arkansas River canyon during the 2-week exhibition period. The proposed art exhibit is a no-fee visitor event. As proposed, the project would be located primarily on Federal lands administered by the BLM Royal Gorge Field Office, but would also be located on lands owned or managed by the Colorado State Land Board (SLB), Union Pacific Railroad, and private landowners; lands leased by the Colorado Division of

Wildlife (CDOW); and lands owned or cooperatively managed by Colorado State Parks in the Arkansas Headwaters Recreation Area. The Colorado Department of Transportation (CDOT) and Colorado State Patrol have jurisdiction for activities along U.S. Highway 50. The majority of the project area is within Fremont County; however, a small portion at the western end of the project is within Chaffee County. Approximately 80 percent of the area in the proposed project would be located in the Arkansas Canyonlands Area of Critical Environmental Concern (ACEC), a BLM-designated area that recognizes the need for recreation use as well as protection for the river corridor's scenic values.

The Final EIS identifies 7 alternatives (including a no action alternative) that vary by panel length, transportation, visitor management, and timing considerations. The action alternatives were also developed to consider and compare configurations of public lands that could be made available for artistic panel placement as well as construction and logistics.

The BLM Royal Gorge Field Office is the lead Federal agency responsible for preparing the EIS and complying with the requirements of NEPA and other applicable laws and regulations. Multiple cooperating agencies and permitting authorities have participated and provided input in the development of the *Over the River Final EIS*, including CDOT, Chaffee and Fremont Counties, and the Colorado Department of Natural Resources (DNR), which includes CDOW, Colorado State Parks, and SLB.

*Over the River* was informally proposed by the artists Christo and Jeanne-Claude in 1996. Based on OTR Corporation's verbal proposal, the BLM began an Environmental Assessment (EA) and initiated an informal scoping period through 8 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. On May 24, 2006, the BLM also hosted interagency meetings with CDOT, DNR, Fremont County, Chaffee County, and Colorado State Patrol to discuss and understand the public comments and questions. The scoping comments led to a Notice of Intent which published in the **Federal Register** on June 19, 2006 (71 FR 35289), announcing the intent to prepare an EIS. The decision to prepare an EIS was based on several factors, including a specific request from the applicants, the