

B. The introduction, distribution, transport, consumption, use and possession of liquor for personal consumption by a person legally present on private, non-commercial property are permitted, subject to applicable Tribal law.

C. These exceptions shall be narrowly construed.

#### Section 15. Compliance with 18 U.S.C. 1161

The Nation will comply with Nebraska liquor laws to the extent required by 18 U.S.C. 1161.

#### Section 16. Severability and Effective Date

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

B. This Ordinance is effective immediately upon publication in the **Federal Register**.

#### Section 17. Amendment and Construction

A. This Ordinance may only be amended by a vote of the Tribal Council or as otherwise allowed by Tribal law and all such amendments shall not be effective until thirty days after the date of publication in the **Federal Register**.

B. Nothing in this Ordinance shall be construed to diminish or impair in any way the rights or sovereign powers of the Nation or Tribal government.

[FR Doc. 2013-01268 Filed 1-18-13; 8:45 am]

BILLING CODE 4310-4J-P

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLAZ910000.L13400000.DT0000.LXSS058A0000]

#### Notice of Availability of the Restoration Design Energy Project Record of Decision/Approved Resource Management Plan Amendments, AZ

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

**ACTION:** Notice of availability.

**SUMMARY:** The Bureau of Land Management (BLM) announces the availability of the Restoration Design Energy Project (RDEP) Record of Decision (ROD)/approved Resource Management Plan (RMP) amendments for BLM-administered lands in Arizona. The Arizona State Director signed the ROD on January 18, 2013, which

constitutes the BLM's final decision and makes the approved RMP amendments effective immediately.

**ADDRESSES:** Copies of the ROD/approved RMP amendments are available upon request from the BLM, Arizona State Office, One North Central Avenue, Suite 800, Phoenix, AZ 85004-4427 or via the Internet at [http://www.blm.gov/az/st/en/prog/energy/arra\\_solar.htm](http://www.blm.gov/az/st/en/prog/energy/arra_solar.htm). Copies of the ROD/approved RMP amendments are also available for public inspection at the Arizona State Office.

#### FOR FURTHER INFORMATION CONTACT:

Kathy Pedrick, BLM Project Manager; telephone: 602-417-9235; mail: One North Central Avenue, Suite 800, Phoenix, AZ 85004-4427; or email: [az\\_arra\\_rdep@blm.gov](mailto:az_arra_rdep@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 RDEP supports the Secretary of the Interior's goals to build America's new energy future and to protect and restore treasured landscapes. The purpose of the RDEP was to conduct statewide planning that fosters environmentally responsible development of renewable energy and allows the permitting of future renewable energy development projects to proceed in a more efficient and standardized manner. The RDEP ROD identifies geographic areas best suited for renewable energy development and establishes a baseline set of environmental protection measures for such projects. A total of 192,100 acres are identified as Renewable Energy Development Areas (REDAs) in the ROD/approved RMP amendments.

The following BLM RMPs are amended through the RDEP ROD to incorporate the identification of REDAs and environmental protection measures, as appropriate: Bradshaw-Harquahala RMP (2010); Arizona Strip Field Office RMP (2008); Kingman Resource Area RMP (1995); Lake Havasu Field Office RMP (2007); Lower Sonoran RMP (2012); Phoenix RMP (1988); Safford District RMP (1991); and Yuma Field Office RMP (2010). Additionally, the BLM is amending the Yuma Field Office RMP through this ROD to designate the Agua Caliente Solar Energy Zone (SEZ), identify SEZ-specific design features, change the Visual Resource Management (VRM) class from VRM

class III to VRM class IV for lands within the 2,550-acre SEZ, and remove the Special Recreation Management Area designation and Wildlife Habitat Management Area allocations from within the SEZ.

The preferred alternative as described in the RDEP Draft Environmental Impact Statement (EIS) was carried forward with some modifications into the Final EIS/proposed RMP amendments, published in the **Federal Register** on October 26, 2012 (77 FR 65401) and November 2, 2012 (77 FR 66183). There are no appealable decisions within the ROD/approved RMP amendments.

The BLM did not receive any protest letters on the RDEP Final EIS/proposed RMP amendments. However, the BLM Arizona State Director did receive four comment letters on the RDEP Final EIS; the comments were reviewed for content, and the ROD includes a discussion of the clarifications made as a result of the comment letters.

No inconsistencies with State or local plans, policies, or programs were identified during the Governor's consistency review of the RDEP Final EIS/proposed RMP amendments. The approved RMP amendments are the same as Alternative 6 described in the RDEP Final EIS/proposed RMP amendments with only minor editorial modifications made in preparing the ROD/approved RMP amendments. The ROD/approved RMP amendments can be accessed at the RDEP Web site: [http://www.blm.gov/az/st/en/prog/energy/arra\\_solar.htm](http://www.blm.gov/az/st/en/prog/energy/arra_solar.htm).

**Authority:** 40 CFR 1505.2 and 43 CFR 1610.5-1.

**Raymond Suazo,**

*Arizona State Director.*

[FR Doc. 2013-01193 Filed 1-18-13; 8:45 am]

BILLING CODE 4310-32-P

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLAK930000.L16100000.DU0000.12XL]

#### BLM Director's Response to the Alaska Governor's Appeal of the BLM Alaska State Director's Governor's Consistency Review Determination

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

**ACTION:** Notice.

**SUMMARY:** The Bureau of Land Management (BLM) is publishing this notice to explain why the BLM Director is rejecting the Alaska Governor's recommendations regarding the Environmental Assessment and Finding

of No Significant Impact for the Delta River Special Recreation Management Area (SRMA) Plan and East Alaska Resource Management Plan (EARMP) Amendment.

**FOR FURTHER INFORMATION CONTACT:** Joe Stout, Division Chief for Decision Support, Planning and NEPA, telephone 202-912-7275; address 1849 C Street NW., Room 2134LM, Washington, DC 20240; email [j2stout@blm.gov](mailto:j2stout@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. A copy of the Delta River SRMA Plan and EARMP are available on the BLM-Alaska Web site at: [www.blm.gov/ak](http://www.blm.gov/ak).

**SUPPLEMENTARY INFORMATION:** On July 25, 2011, the BLM released the Environmental Assessment (EA) and Finding of No Significant Impact for the Delta River SRMA Plan and the EARMP Amendment. On September 20, 2011, the Governor of Alaska submitted a Governor's Consistency Review Finding of Inconsistency for the EA and Finding of No Significant Impact for the Delta River SRMA Plan and EARMP Amendment (Finding) to the BLM Alaska State Director. The State Director determined the Governor's Finding was outside the scope of the Governor's Consistency Review process and did not accept the Governor's recommendations. A written response was sent to the Governor on March 28, 2012, addressing issues raised in the Governor's Finding, and informing him of clarifications made to the BLM's Decision Record for the project.

On April 27, 2012, the Governor appealed the State Director's decision not to accept his recommendations to the BLM Director. The BLM Director issued a final response to the Governor affirming the State Director's decision and made minor revisions to the final decision record for the project to address some of the Governor's concerns. Pursuant to 43 CFR 1610.3-2, the substantive portions of the Director's response to the Governor are printed as follows.

"Your letter contained an April 27, 2012, appeal of the BLM Alaska State Director's response to your Finding of Inconsistency for the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the Delta River Special Recreation Management Area (SRMA) Plan and East Alaska

Resource Management Plan Amendment Plan (EARMP). Your letter also responded to the Director's Protest Resolution Report, dated December 9, 2011. I have carefully considered your appeal and response, and associated recommendations. A detailed response to the issues raised is enclosed; you will note that we have adopted several of your recommendations as part of the Protest Resolution Process.

In response to your appeal, under the Federal Land Policy and Management Act (FLPMA) and its implementing regulations, the scope of the appeal process is narrow, as is the Governor's Consistency Review process. Pursuant to 43 CFR 1610.3-2(e), in reviewing your appeal, I must first consider whether you have raised actual inconsistencies with State or local plans, policies, or programs. If such inconsistencies are raised, I would then consider whether your recommendations address the inconsistencies and provide for a reasonable balance between the national interest and the State of Alaska's interest.

Your appeal states that the Plan does not comply with the requirement of 43 CFR 1610.3-2(a) and (b) for BLM land use plans to be consistent with the purposes, policies and programs of Federal laws and regulations applicable to public lands. The appeal maintains your position that the Plan does not meet this standard because it is inconsistent with various provisions of the Alaska National Interest Lands Conservation Act (ANILCA) and its implementing regulations, as well as the Wild and Scenic Rivers Act. The consistency review and appeal process, as set forth in 43 CFR 1610.3-2(d) and (e) applies to the identification of known inconsistencies with State or local plans, policies, or programs. After carefully considering the points raised in the appeal, I have concluded that the appeal has not identified any known inconsistencies with State or local plans, policies, or programs. Therefore, I affirm the BLM Alaska State Director's response to your Finding of Inconsistency.

Also, please note that BLM Assistant Director Edwin Roberson, on my behalf, gave due consideration to several of the State's concerns with the Plan in the December 9, 2011, Director's Protest Resolution Report, as reflected in his letter to the Alaska Attorney General's Office, dated March 28, 2012. I refer you to the findings in the Director's Protest Resolution Report for the BLM response to these concerns. The Report can be found at: <http://www.blm.gov/wo/st/en/>

[prog/planning/planning\\_overview/protest\\_resolution/protestreports.html](http://www.blm.gov/wo/st/en/prog/planning/planning_overview/protest_resolution/protestreports.html)."

The following attachment also was provided as part of the response:

**BLM Response to Issues Raised by Governor Sean Parnell**

1. *Recommending the public refrain from legally allowed activities is inconsistent with ANILCA Section 1110 and Department of the Interior implementing regulations at 36 CFR 36.11.*

While the BLM intends to manage certain segments of the Delta River Special Recreation Management Area to afford opportunities for nonmotorized user experiences, your concerns regarding the BLM recommending that the public refrain from motorized boating and airplane landings are duly noted. As described in the Director's Protest Resolution Report, the BLM has decided to remove motorized boating and airplane landings as "outcomes to be avoided" for the Tangle Lakes Zone 1 RMZ and the Delta River Zone 4 RMZ. If in the future the BLM finds that such use would be detrimental to the resource values of the area, the BLM will take action under 43 CFR 36.11(h) or other applicable law to restrict such activities.

2. *Group size limitations must be implemented by regulation consistent with ANILCA Section 1110(a) and Department of the Interior implementing regulation at 43 CFR 36.11.*

Camp group size limits do not fall within the scope of Section 1110(a) of ANILCA. Section 1110(a) and its implementing regulation 43 CFR 36.11 solely pertain to methods of transportation. The BLM's establishment of the group size limit allows the BLM authorized officer to permit exceptions for larger groups where appropriate, and is consistent with Section 302(b) of FLPMA, which provides the Secretary of the Interior with authority to regulate such uses through published rules or other instruments as the Secretary deems appropriate.

3. *Following the direction in ANILCA Section 810 to determine whether subsistence access restrictions need to be implemented by regulation pursuant to ANILCA Section 811 is a misinterpretation of ANILCA and is inconsistent with the regulatory process followed by other Department of the Interior land management agencies.*

I agree that the BLM Alaska State Director's response did not clearly differentiate between Sections 810 and 811 of ANILCA. The BLM will clarify that the standard found in 810 does not apply to 811 in the Decision Record and the Final Special Recreation Management Area Plan/Plan Amendment. Furthermore, while there is no need at this time to issue regulations implementing ANILCA Section 811, the BLM will continue to strive to be consistent with other Federal land management agencies in this regard.

4. *The Plan did not follow the cited Interagency Wild and Scenic Rivers Coordinating Council process to determine outstandingly remarkable values for the Delta Wild and Scenic River.*

As noted in Section 2.2.1 of the Plan, the BLM followed the Interagency Wild and

Scenic River Coordinating Council process and other relevant guidance in determining the River's outstandingly remarkable values. For each value considered, the BLM determined that the entire State of Alaska was the geographic region for which the value was evaluated and compared for purposes of determining its significance.

**Authority:** 43 CFR 1610.3–2(e).

**Janine Velasco,**

*Acting Deputy Director, Operations.*

[FR Doc. 2013–01200 Filed 1–18–13; 8:45 am]

**BILLING CODE 4310–JA–P**

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### Notice of Proposed Information Collection

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

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

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing its intention to request renewed collection authority for the exemption of coal extraction incidental to the extraction of other minerals. This information collection activity was previously approved by the Office of Management and Budget (OMB), and assigned clearance number 1029–0089. **DATES:** Comments on the proposed information collection must be received by March 25, 2013, to be assured of consideration.

**ADDRESSES:** Comments may be mailed to John Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Room 203–SIB, Washington, DC 20240. Comments may also be submitted electronically to [jtrelease@osmre.gov](mailto:jtrelease@osmre.gov).

**FOR FURTHER INFORMATION CONTACT:** To receive a copy of the information collection request and explanatory information contact John Trelease at (202) 208–2783 or email at [jtrelease@osmre.gov](mailto:jtrelease@osmre.gov).

**SUPPLEMENTARY INFORMATION:** OMB regulations at 5 CFR part 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13), 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)]. This notice identifies an information collection that OSM will be submitting to OMB for

approval. This collection is contained in 30 CFR Part 702—Exemption for Coal Extraction Incidental to the Extraction of Other Minerals. The information submitted by respondents is required to obtain a benefit. OSM will request a 3-year term of approval for this information collection activity.

Comments are invited on: (1) The need for the collection of information for the performance of the functions of the agency; (2) the accuracy of the agency's burden estimates; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information. A summary of the public comments will accompany OSM's submission of the information collection request to OMB.

Before including your address, phone number, email 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.

**Title:** 30 CFR Part 702—Exemption for Coal Extraction Incidental to the Extraction of Other Minerals.

**OMB Control Number:** 1029–0089.

**Summary:** This Part implements the requirement in Section 701(28) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), which grants an exemption from the requirements of SMCRA to operators extracting not more than 16<sup>2</sup>/<sub>3</sub> percentage tonnage of coal incidental to the extraction of other minerals. This information will be used by the regulatory authorities to make that determination.

**Bureau Form Number:** None.

**Frequency of Collection:** Once and annually thereafter.

**Description of Respondents:** Producers of coal and other minerals and State regulatory authorities.

**Total Annual Responses:** 120.

**Total Annual Burden Hours:** 586.

**Total Non-wage Costs:** \$1,200.

Dated: January 14, 2013.

**Andrew F. DeVito,**

*Chief, Division of Regulatory Support.*

[FR Doc. 2013–01149 Filed 1–18–13; 8:45 am]

**BILLING CODE 4310–05–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731–TA–929–931 (Second Review)]

### Silicomanganese From India, Kazakhstan, Venezuela: Notice of Commission Determination To Conduct Full Five-Year Reviews

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission hereby gives notice that it will proceed with full reviews pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(5)) to determine whether revocation of the antidumping duty orders on silicomanganese from India, Kazakhstan, and Venezuela would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the reviews will be established and announced at a later date. For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**DATES:** *Effective Date:* January 4, 2013.

**FOR FURTHER INFORMATION CONTACT:**

Angela M.W. Newell (202–708–5409), Office of Investigations, U.S.

International Trade Commission, 500 E Street SW., Washington, DC 20436.

Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** On January 4, 2013, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Act. The Commission found that the domestic interested party group response to its notice of institution (77 FR 59970, October 1, 2012) was adequate and that the respondent interested party group response with respect to the review on subject imports from Venezuela was adequate, and