

organizations, 18 from mining companies, ten from consultants and other businesses, six from non-governmental environmental organizations, five from government agencies, and three from elected officials). The comments included 147 requests to add a total of 13 minerals to the list, with seven minerals (copper, silver, nickel, gold, zinc, molybdenum and lead) each receiving over 10 requests for addition to the list. There were 183 requests to delete one mineral (uranium) from the list.

After considering all comments received, the Department of the Interior believes that the methodology described in USGS Open-File Report 2018–1021 remains valid. Therefore, the Department of the Interior is hereby finalizing the draft list of 35 critical minerals as the final list. This list of critical minerals, while “final,” is not a permanent list, but will be dynamic and updated periodically to reflect current data on supply, demand, and concentration of production, as well as current policy priorities. This final list will serve as the initial focus for the Department of Commerce report, currently in development pursuant to Executive Order 13817.

This final list is based on the definition of a “critical mineral” provided in Executive Order 13817. The U.S. Government and other organizations may also use other definitions and rely on other criteria to identify a material or mineral as “critical” or otherwise important. This final list is not intended to replace those related terms and definitions for minerals or materials that are deemed strategic, critical or otherwise important (e.g., National Defense Stockpile). The Department of the Interior recognizes the economic significance and indispensable nature of other minerals that are produced domestically in large quantities such as copper, zinc, molybdenum, gold, silver, and industrial minerals such as phosphate, sand, gravel, and aggregate. Given current levels of domestic production, the U.S. is not highly reliant on imports for these minerals and typically has a combination of domestic reserves and reliable foreign sources adequate to meet foreseeable domestic consumption requirements. While these minerals do not currently meet the definition of critical, they are similar to critical minerals in that they are indispensable to a modern society for the purposes of national security, technology, infrastructure, and energy production (both fossil fuels and renewables). It should be noted that some potential supply chain vulnerabilities relating to

critical minerals, such as high import reliance and limited domestic capability for production of refined metals and processed alloys, extend beyond what is described here and will be addressed within the Department of Commerce report to be submitted to the President as required by Executive Order 13817. The Department of the Interior also recognizes that many public comments addressed issues not directly associated with the development of the critical minerals list. Instead, they addressed regulatory and policy issues more appropriately considered as part of the Department of Commerce report.

Those comments will be available to help inform the development of the Commerce report.

Finally, the Department of the Interior recognizes that a significant number of comments requested the removal of uranium from the list. As noted above and in USGS Open-File Report 2018–1021, input from other agencies represented on the NSTC Subcommittee on Critical and Strategic Mineral Supply Chains emphasized that uranium, while primarily known as a fuel mineral, also has important non-fuel uses, and otherwise meets the criteria for inclusion.

The NSTC Mineral Criticality Screening Tool was designed as an early warning screening tool that identifies potentially critical minerals using regularly-reported and publicly-available data. The screening tool was designed so that potential mineral criticality could be evaluated in a repeatable and transparent manner, on an ongoing basis. This tool is updated annually by the USGS on behalf of the NSTC Subcommittee when USGS releases a new year of mineral production and price data. This systematic, annual collection, analysis, and publication of mineral information is the foundation for the analysis of present-day security of supply for minerals and mineral materials and of changes in the security of supply over time. With this basis, the finalized list of critical minerals provides a starting point for developing a new Federal strategy and a continuing process to strengthen supply chains. The finalized list does not foreclose later addition of minerals that become critical in the future due to advances in technology, natural disasters, world events, and other factors influencing the security of supply and demand.

As part of developing the new Federal strategy, Executive Order 13817 and Secretary’s Order 3359, “Critical Mineral Independence and Security” (December 21, 2017), direct further efforts to assess potential domestic

critical mineral resources above ground and below ground, and to examine Federal leasing and permitting processes to expedite access to these potential resources. Because the critical minerals on the final list are administered under existing mineral disposal laws and regulations, any recommendations to improve permitting processes for those critical minerals will improve permitting processes for all minerals administered under the same laws and regulations by the Bureau of Land Management and other Federal land management agencies.

The Department of the Interior recognizes that many commodities are not mined directly, but are instead recovered during the processing, smelting, or refining of a host material and are, therefore, deemed “byproducts.” Of the 35 minerals deemed critical, 12 are byproducts. Therefore, strategies to increase the domestic supply of these commodities must necessarily consider the mining and processing of the host materials because enhanced recovery of byproducts alone may be insufficient to meet U.S. consumption.

**Authority:** E.O. 13817, 82 FR 60835 (December 26, 2017).

**Timothy R. Petty,**

*Assistant Secretary for Water and Science.*

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## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

[18XD0120AF/DT11100000/  
DST000000.54AB00; OMB Control Number  
1035—New]

### Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Trust Evaluation System

**AGENCY:** Office of the Special Trustee for American Indians, Interior.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, we, the Office of the Special Trustee for American Indians (OST, we), are proposing a new information collection. **DATES:** Interested persons are invited to submit comments on or before June 18, 2018.

**ADDRESSES:** Send written comments on this information collection request (ICR) to the Office of Management and Budget’s Desk Officer for the Department of the Interior by email at

*OIRA\_Submission@omb.eop.gov*; or via facsimile to (202) 395-5806. Please provide a copy of your comments to Ronald L. Hunt, Federal Information Resources Director, Department of the Interior, Office of the Special Trustee for American Indians, Office of Information Resources, 4400 Masthead Street NE, Albuquerque, NM 87109; or by email to *Ronald\_Hunt@ost.doi.gov*, or by telephone at (505) 816-1258. Please reference OMB Control Number 1035-OST in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Cecilia Smith, Management & Program Analyst, OST, Program Management, by email at *Cecilia\_Smith@ost.doi.gov*, or by telephone at (505) 816-1259. You may also view the ICR at <http://www.reginfo.gov/public/do/PRAMain>.

**SUPPLEMENTARY INFORMATION:** In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on May 25, 2015 (80 FR 30485). No comments were received in response to that notice.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the OST; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the OST enhance the quality, utility, and clarity of the information to be collected; and (5) how might the OST minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. 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.

**Abstract:** The Office of the Special Trustee for American Indians (OST) is responsible for overseeing the implementation of trust reforms, trust accounting and coordination of trust policies intra-bureau-wide related to the management of Indian trust funds and assets; see 25 U.S.C. 4041. The OST, Office of Trust Review and Audit (OTRA) is responsible for performing trust examinations, evaluations and assessments of Indian trust programs and functions, pursuant to executive direction by the Secretary of the Interior. In addition, OTRA has a congressional mandate to conduct Annual Tribal Trust Evaluations for Tribes that compact trust programs, functions, services, and/or activities under Public Law 93-638 Self-Governance Compacts on behalf of the Secretary of the Interior. This authority is in 25 U.S.C. 5363(d)(1) & (2) and the enabling regulations in 25 CFR 1000.350. OTRA currently collects Indian trust data and documentation from Tribes and Agencies in fulfillment of performing the Indian trust examinations on Federal Agencies and Tribal trust evaluations for compacted Tribes. This collection is enabled by performing desk reviews (via email electronic questionnaires), and on-site visits to Tribes and Federal agencies (although Federal agencies are exempt from the provisions of the PRA).

Under 25 CFR 1000.355, the Secretary's designated representative will conduct trust evaluations for each self-governance tribe that has an annual funding agreement. The end result is the issuance of a report, which is required by 25 CFR 1000.365. Currently, Department of the Interior, OST-OTRA, conducts an on-site review of trust operations where a tribe has compacted a trust program. During that review, under current methodology, interviews are conducted and documents are requested on-site. Information collected is then brought back to the Albuquerque office and analyzed. A draft report is written and provided to the tribe for comment where applicable, comments received back are incorporated into the report, and a final report is issued to the tribe.

OTRA is changing the method of collecting information from an on-site manual audit data collection method to a web-based automated audit data collection and audit management tool, called the Trust Evaluation System

(TES). Currently OTRA travels to the audit location and uses a Thomas Reuters audit software solution called Auto Audit to manage the data collected in the field and the audit. TES, a web-based tool, will be cloud hosted and will be interactive with the Auditor, Tribes and Agencies throughout the evaluation process in conducting the trust examinations, tribal trust evaluations, and trust records assessments, via the web, as desktop reviews.

OST will be collecting the same data it currently collects manually, but will utilize electronic questionnaires and document uploads from Tribes and Federal agencies, via the web in TES, to complete the evaluations and examinations it currently conducts. This method will be implemented to replace the desktop reviews and/or traveling to each location to conduct these audits. Some audits will be still be conducted on-site, but only for high-risk locations. OTRA's audit universe consists of up to 300 audits on 3-5 year audit cycle for OST and Bureau of Indian Affairs (BIA) offices throughout the greater United States and Alaska.

*Title of Collection:* Trust Evaluation System.

*OMB Control Number:* 1035-New.

*Form Number:* None.

*Type of Review:* Existing collection in use without OMB approval.

*Respondents/Affected Public:* Tribes that have an annual funding agreement in place to compact Indian trust programs.

*Total Estimated Number of Annual Respondents:* 80 Tribes. Federal agencies are exempt from the PRA and are not included in the total annual respondents/responses/burden hours estimates.

*Total Estimated Number of Annual Responses:* 1,280.

*Estimated Completion Time per Response:* 2 hours for reporting and 1 hour for recordkeeping.

*Total Estimated Number of Annual Burden Hours:* 3,840.

*Respondent's Obligation:* Mandatory.

*Frequency of Collection:* Once per fiscal or calendar year (year the respective tribe operates under).

*Total Estimated Annual Non-hour Burden Cost:* None.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

**Jerold Gidner,**

*Principal Deputy Special Trustee, Office of the Special Trustee for American Indians.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLCAD06000 L51010000.ER0000  
LVRWB17B5480 17X]

#### Notice of Availability of the Final Supplemental Environmental Impact Statement and Environmental Impact Report and Proposed Land Use Plan Amendment to the California Desert Conservation Area Plan for the Palen Solar Project, California

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

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) has prepared a Final Supplemental Environmental Impact Statement (EIS) and Proposed Land Use Plan Amendment to the California Desert Conservation Area (CDCA) Plan for the Palen Solar Project, and by this notice is announcing its availability. This document is also an Environmental Impact Report (EIR) prepared by Riverside County under the California Environmental Quality Act (CEQA).

**DATES:** BLM planning regulations state that any person who meets the conditions as described in the regulations may protest the BLM's Proposed Land Use Plan Amendment and Final Supplemental EIS. 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 publishes its Notice of Availability in the **Federal Register**.

**ADDRESSES:** Copies of the Final Supplemental EIS and Proposed Land Use Plan Amendment have been sent to affected Federal, State, local, and tribal government agencies and to other stakeholders. Copies of the Final Supplemental EIS and Proposed Land Use Plan Amendment are available for public inspection at the BLM-Palm Springs South Coast Field Office at 1201 Bird Center Dr., Palm Springs, CA 92262 and at the BLM-California Desert

District Office, 22835 Calle San Juan de Los Lagos, Moreno Valley, CA 92553. Interested persons may also review the Final Supplemental EIS and Proposed Land Use Plan Amendment on the internet at <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=68122>. All protests must be in writing and mailed to one of the following addresses:

- **Regular Mail:** BLM Director (210), Attention: Protest Coordinator, P.O. Box 71383, Washington, DC 20024-1383.
- **Overnight Delivery:** BLM Director (210), Attention: Protest Coordinator, 20 M Street SE, Room 2134LM, Washington, DC 20003.

#### FOR FURTHER INFORMATION CONTACT:

Mark DeMaio, BLM Project Manager, telephone (760) 833-7124; address Bureau of Land Management, Palm Springs-South Coast Field Office, 1201 Bird Center Drive, Palm Springs, CA 92262; email [mdemaio@blm.gov](mailto:mdemaio@blm.gov).

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at (800) 877-8339 to contact the above individual during normal business hours. The FRS 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:** EDF Renewable Energy has applied for a Right-of-Way (ROW) from the BLM to construct, operate, maintain, and decommission a 500 megawatt (MW) solar photovoltaic facility near Desert Center, Riverside County, California. The ROW application area comprises about 4,200 acres, with a proposed project footprint of about 3,400 acres. The proposed project also includes construction of a 6.7-mile single circuit 230 kilovolt generation interconnection (gen-tie) transmission line connecting the project to the Southern California Edison (SCE) Red Bluff Substation. The BLM is also considering an amendment to the CDCA Plan that would be necessary to authorize the project. This is a joint EIS/EIR for compliance with NEPA and CEQA. Riverside County is the lead agency under CEQA.

This Project application was originally submitted in 2007 as the Palen Solar Power Project (PSPP) by Palen Solar I, LLC (PSI), a wholly owned subsidiary of Solar Millennium. The PSPP was proposed as a solar trough project, and was the subject of an EIS under NEPA. The BLM, pursuant to its obligations under FLPMA and NEPA, published a Draft EIS, followed by a

Proposed CDCA Plan Amendment and Final EIS on May 13, 2011 (76 FR 28064). Before the BLM issued a Record of Decision (ROD), PSI informed the BLM that it would not construct the Project due to bankruptcy. As a result, the BLM did not issue a ROD, did not amend the CDCA Plan, and did not issue a ROW grant for the PSPP. On June 21, 2012, the bankruptcy court approved the transfer of the application from PSI to Palen Solar III, LLC (PSIII). BrightSource Energy Inc. (BSE) then acquired all rights to PSIII at auction. PSIII submitted a revised ROW application to the BLM for the Palen Solar Electricity Generating System Project (PSEGS), a 500 MW concentrating solar power tower technology facility and single-circuit 230 kV gen-tie line. On July 27, 2013, the BLM issued a Draft Supplemental EIS and Plan Amendment to evaluate the potential additional environmental impacts caused by PSEGS. As part of the state permitting process, the California Energy Commission evaluated the PSEGS under CEQA, and issued Preliminary and Final Staff Assessments for the amended project in June and November of 2013, respectively. The BLM did not issue a Final Supplemental EIS for the PSEGS Project because BSE and its partner, Abengoa Solar Inc., abandoned the State authorization proceedings at the California Energy Commission. In December 2015, EDF Renewable Energy acquired the PSEGS application. EDF Renewable Energy has submitted a revised ROW application for the Proposed Project, which is analyzed in this Final Supplemental EIS/EIR and Proposed Land Use Plan Amendment.

The BLM held public meetings on the revised ROW application in June and August 2016 in Palm Springs, California. On October 27, 2017, the BLM issued the Draft Supplemental EIS/EIR and Draft Land Use Plan Amendment, which analyzed the impacts of the Proposed Action and two action alternatives, in addition to a No Action Alternative. Alternative 1, Reduced Footprint, would be a 500 MW Photovoltaic (PV) array on about 3,100 acres. It avoids the central and largest desert wash and incorporates a more efficient use of the land for the solar array. Alternative 2, Avoidance Alternative, would be a solar PV project on about 1,620 acres (160 to 230 MW). Like the Proposed Action, under each of these alternatives, the BLM would amend the CDCA Plan to allow the project. Under the No-Action Alternative, the BLM would deny the