

Dated: May 17, 2019.

**Tara Sweeney,**

*Assistant Secretary—Indian Affairs.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

[192D0102DR/DS5A300000/  
DR.5A311.IA000118]

#### Final Environmental Impact Statement for the Tule River Tribe's Proposed Fee-to-Trust and Eagle Mountain Casino Relocation Project, Tulare County, California

**AGENCY:** Bureau of Indian Affairs,  
Interior.

**ACTION:** Notice.

**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs (BIA), as lead agency, with the Tule River Indian Tribe (Tribe), City of Porterville (City), Tulare County (County), California Department of Transportation (Caltrans), and the U.S. Environmental Protection Agency (EPA) serving as cooperating agencies, intends to file a Final Environmental Impact Statement (FEIS) with the EPA in connection with the Tribe's application for transfer into trust by the United States of approximately 40 acres for gaming and other purposes in the City of Porterville, Tulare County, California.

**DATES:** The BIA will issue a Record of Decision for the proposed action on or after 30 days after the date the EPA publishes its Notice of Availability in the **Federal Register**. The BIA must receive any comments on the FEIS before that date.

**ADDRESSES:** You may mail or hand-deliver written comments to Amy Dutschke, Regional Director, Bureau of Indian Affairs, Pacific Region, 2800 Cottage Way, Sacramento, CA 95825. Please include your name, return address, and the caption "FEIS Comments, Tule River Tribe Casino Relocation Project" on the first page of your written comments. You may also submit comments through email to Chad Broussard, Environmental Protection Specialist, Bureau of Indian Affairs, at [chad.broussard@bia.gov](mailto:chad.broussard@bia.gov). If emailing comments, please use "FEIS Comments, Tule River Tribe Casino Relocation Project" as the subject of your email.

**FOR FURTHER INFORMATION CONTACT:** Chad Broussard, Environmental Protection Specialist, Bureau of Indian Affairs, Pacific Regional Office, 2800

Cottage Way, Room W–2820, Sacramento, California 95825; telephone: (916) 978–6165; email: [chad.broussard@bia.gov](mailto:chad.broussard@bia.gov). Information is also available online at [www.tuleriverreis.com](http://www.tuleriverreis.com).

**SUPPLEMENTARY INFORMATION:** The Tribe proposes to construct a casino resort on the approximately 40-acre trust property in Tulare County, California. The BIA published a Notice of Intent (NOI) to prepare an EIS in the **Federal Register** on December 30, 2016 (81 FR 96477), and in the *Porterville Recorder*, and held a public scoping meeting on January 23, 2017, at the Veterans Memorial Building, in Porterville, California. The BIA published the Notice of Availability (NOA) of the Draft EIS in the **Federal Register** on September 21, 2018 (83 FR 47935), and held a public hearing on October 15, 2018, at the Veterans Memorial Building in Porterville, California.

**Background:** The Tribe's proposed project consists of the following components: (1) The Department's transfer of approximately 40 acres from fee to trust status; (2) issuance of a determination by the Secretary of the Interior pursuant to Section 20 of the Indian Gaming Regulatory Act, 25 U.S.C. 2719; and (3) the development of the trust parcel and the off-site improvement areas. The proposed casino-hotel resort would include a hotel, convention center, multipurpose event space, several restaurant facilities, parking facilities and water reclamation infrastructure. The new facility would replace the Tribe's existing casino, and the existing casino buildings would be converted to Tribal government or service uses.

The following alternatives are considered in the FEIS: (1) Proposed Project; (2) Proposed Project with On-Site Water and Wastewater Systems; (3) Reduced Intensity Hotel and Casino; (4) Non-Gaming Hotel and Conference Center; (5) Expansion of Existing Eagle Mountain Casino; and (6) No Action Alternative. The BIA identified Alternative 1 as the Preferred Alternative as discussed in the FEIS.

The information and analysis contained in the FEIS, as well as its evaluation and assessment of the Preferred Alternative, will assist the Department of the Interior (Department) in its review of the issues presented in the fee-to-trust application. The Preferred Alternative does not reflect the Department's final decision because the Department must further evaluate all of the criteria listed in 25 CFR part 151 and 25 CFR part 292. The Department's consideration and analysis of the

applicable regulations may lead to a final decision that selects an alternative other than the Preferred Alternative, including no action, or a variant of the Preferred or another of the alternatives analyzed in the FEIS.

Environmental issues addressed in the FEIS include geology and soils, water resources, air quality, biological resources, cultural and paleontological resources, socioeconomic conditions (including environmental justice), transportation and circulation, land use, public services, noise, hazardous materials, aesthetics, cumulative effects, and indirect and growth inducing effects.

**Locations Where the FEIS is Available for Review:** The FEIS is available for review during regular business hours at the BIA Pacific Regional Office at the address noted above in the **ADDRESSES** section of this notice, and the Porterville Public Library at 41 West Thurman Avenue in Porterville, California. The FEIS is also available online at [www.tuleriverreis.com](http://www.tuleriverreis.com). To obtain a compact disc copy of the FEIS, please provide your name and address in writing or by phone to Chad Broussard, Bureau of Indian Affairs, Pacific Regional Office. Contact information is listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

Individual paper copies of the FEIS will be provided upon payment of applicable printing expenses by the requestor for the number of copies requested.

**Public Comment Availability:** Comments, including names and addresses of respondents, will be available for public review at the BIA address shown in the **ADDRESSES** section, during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Before including your address, telephone 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 in your comment that your personal identifying information be withheld from public review, the BIA cannot guarantee that this will occur.

**Authority:** This notice is published pursuant to Sec. 1503.1 of the Council of Environmental Quality Regulations (40 CFR parts 1500 through 1508) and Sec. 46.305 of the Department of the Interior Regulations (43 CFR part 46), implementing the procedural requirements of the NEPA of 1969, as amended (42 U.S.C. 4371, *et seq.*), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: May 20, 2019.

**John Tahsuda,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

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#### Notice of Availability of the Draft Southeastern Oregon Resource Management Plan Amendment and Draft Environmental Impact Statement for the Malheur Field Office, Vale District, Oregon

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

**ACTION:** Notice of Availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, and the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, the Bureau of Land Management (BLM) has prepared a Draft Southeastern Oregon Resource Management Plan (RMP) Amendment and Draft Environmental Impact Statement (EIS) for the Malheur Field Office of the Vale District and, by this notice, is announcing the opening of the comment period.

**DATES:** To ensure that comments will be considered, the BLM must receive written comments on the Draft Southeastern Oregon RMP Amendment and Draft EIS within 90 days following the date the Environmental Protection Agency publishes its notice of availability of the Draft Southeastern Oregon RMP Amendment and Draft EIS in the **Federal Register**. The BLM will announce future meetings or hearings and any other public participation activities at least 15 days in advance through public notices, media releases, and/or mailings.

**ADDRESSES:** You may submit comments related to the Draft Southeastern Oregon RMP Amendment and Draft EIS by any of the following methods:

- *Website:* <https://go.usa.gov/xnsQx>.
- *Email:* [BLM\\_OR\\_VL\\_SEORMP@blm.gov](mailto:BLM_OR_VL_SEORMP@blm.gov).

*blm.gov*.

- *Fax:* 541-473-6213.

• *Mail:* SEORMPA, c/o Vale District BLM, 100 Oregon Street, Vale, OR 97918.

The Draft Southeastern Oregon RMP Amendment and Draft EIS and accompanying background documents are available at the website: <https://go.usa.gov/xnsQx>.

#### FOR FURTHER INFORMATION CONTACT:

Renee Straub, Assistant Field Manager, 541-473-6289; 100 Oregon Street, Vale, OR 97918; [BLM\\_OR\\_VL\\_Mail@blm.gov](mailto:BLM_OR_VL_Mail@blm.gov). Contact Ms. Straub to have your name added to our mailing list. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact the above individual during normal business hours. FRS is available 24 hours a day, seven days a week, to leave a message or a question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 *et seq.*, is the statutory authority that provides the primary direction to the BLM to develop, maintain, amend, and revise land use plans, which provide for the use of public lands. Further, FLPMA provides that the BLM shall manage the public lands under the principles of multiple use and sustained yield (Sec. 103, 43 U.S.C. 1702; Sec 202, 43 U.S.C. 1712; and Sec. 302, 43 U.S.C. 1732). The southeastern Oregon planning area covers approximately 4.6 million acres of public lands in Malheur, Grant, Harney, and Baker Counties in Oregon. The area is characterized by a basin and range topography, with remote canyons, desert, and mountain systems. The Draft Southeastern Oregon RMP Amendment and Draft EIS includes a range of five alternatives designed to address three main issues raised in a 2010 settlement agreement: Lands with wilderness characteristics, off highway vehicle (OHV) use, and livestock grazing. Resource uses not addressed by the alternatives in this focused amendment will continue as defined under the 2002 Southeastern Oregon RMP, as amended by the 2015 and 2019 Oregon Greater Sage-Grouse Approved RMP Amendments.

The following is an overview of the five alternatives:

- The No Action Alternative represents the continuation of existing management under the 2002 Southeastern Oregon RMP and Record of Decision (ROD) (as amended by the 2015 Oregon Greater Sage-Grouse RMP Amendment) with the inclusion of interim management stipulations outlined in the 2010 settlement agreement. These stipulations require the protection of wilderness characteristics in 76 public land units where the BLM's updated inventory found wilderness characteristics to exist.
- Alternative A is the BLM's preferred alternative and reflects the

continuation of existing management under the 2002 Southeastern Oregon RMP and ROD (as amended by the 2015 Oregon Greater Sage-Grouse RMP Amendment) without the restrictions of the 2010 settlement agreement. The 2002 Southeastern Oregon RMP and ROD did not provide specific management for, or protection of, lands with wilderness characteristics. If this alternative were selected, the 2002 Southeastern Oregon RMP and ROD would not prioritize protection of lands with wilderness characteristics outside of existing wilderness study areas. Processing voluntary grazing permit relinquishment and implementation of measures to address standards and guidelines for rangeland health would continue as under current management and policy. Management of all other resources would continue under the 2002 Southeastern Oregon RMP, as amended. Existing allocations at the land use planning level (such as visual resource management classes, OHV categories, and rights-of-way authorizations) across the planning area would not change. Under Alternative A, the BLM would continue to provide for a sustainable yield of forage for livestock grazing while maintaining resource values for long-term multiple use, consistent with management objectives, and would be unchanged from current practices.

Alternatives B, C, and D would establish new management protections for units of public land (outside of existing wilderness study areas) that have been identified as having wilderness characteristics. The specific units identified for protection varies by alternative.

- Alternative B reflects the highest level of protection required by the 2010 settlement agreement. Alternative B prioritizes protection of wilderness characteristics in all 76 units determined to possess wilderness characteristics. The 76 wilderness characteristics units and all wilderness study areas would be managed as closed to OHV use, and existing primitive routes would be closed to motorized travel. In addition, in all other units where off-road vehicle use is currently allowed (referred to as "open"), OHV use would be limited to existing roads and primitive routes. To address the 2010 settlement agreement in this alternative, where existing livestock grazing practices are found to be significant causal factors for non-attainment of standards and guidelines for rangeland health, the BLM would suspend grazing permits, either at the allotment- or pasture-scale, for the duration of the RMP in units identified