

the Department of the Interior Regulations (43 CFR part 46) implementing the procedural requirements of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), and in accordance with the exercise of authority delegated to the Assistant Secretary—Indian Affairs by part 209 of the Department Manual.

Dated: December 17, 2019.

**Tara Sweeney,**

*Assistant Secretary—Indian Affairs.*

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**BILLING CODE 4337-15-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[19X.LL.AZP01000.L1400000.EQ0000; AZA-37401]

#### Notice of Realty Action: Classification and Segregation for Lease/Conveyance for Recreation and Public Purposes for Proposed Poston Butte Preserve in Pinal County, AZ

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

**ACTION:** Notice of realty action.

**SUMMARY:** In accordance with Section 7 of the Taylor Grazing Act and Executive Order 6910, as amended, the Bureau of Land Management (BLM) has examined certain public lands in Pinal County, Arizona, and has found them suitable for classification for lease or conveyance to the Town of Florence, under the provisions of the Recreation and Public Purposes (R&PP) Act of June 14, 1926, as amended.

**DATES:** Interested parties may submit written comments regarding this proposed classification for lease or conveyance on or before February 3, 2020.

**ADDRESSES:** Send written comments to Edward J. Kender, Field Manager, BLM Lower Sonoran Field Office, 21605 North 7th Avenue, Phoenix, AZ 85027. Detailed information including, but not limited to, a proposed plan of development and preliminary maps are available for review during business hours, 7:30 a.m. to 4:30 p.m. Mountain Standard Time, Monday through Friday, except during Federal holidays, at the BLM Lower Sonoran Field Office.

**FOR FURTHER INFORMATION CONTACT:**

Sirita Benally, Realty Specialist, at the location listed in the **ADDRESSES** section, by phone at 623-580-5557, or by email at [sbenally@blm.gov](mailto:sbenally@blm.gov). Persons who use a telecommunications device for the deaf may call the Federal Relay Service (FRS) at 1-800-877-8339 to leave a message

or question for the above individual. The FRS is available 24 hours a day, 7 days a week. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The Town of Florence has submitted a statement in compliance with the regulations at 43 CFR 2741.4(b) and proposes to use the land to develop a public park for recreational purposes to meet future recreational needs. The project consists of non-motorized recreational trails, trailheads, picnic facilities, restrooms, perimeter fencing, site furnishings, directional and interpretive signage, and parking. The Town of Florence, has not applied for more than the 6,400-acre limitation for recreation uses in a year (or 640 acres if a nonprofit corporation or association), nor more than 640 acres for each of the programs involving public resources other than recreation. The lands examined and identified as suitable for lease or conveyance under the R&PP Act are legally described as:

**Gila and Salt River Meridian, Arizona**

T. 4 S., R. 9 E.,

Section 26, that portion of the NW $\frac{1}{4}$  lying north of the existing railroad right-of-way;

Section 27, N $\frac{1}{2}$ NW $\frac{1}{4}$

The area described contains approximately 200 acres aggregate.

Lease or conveyance of the lands for recreational or public purposes use is in conformance with the BLM Lower Sonoran Record of Decision & Approved Resource Management Plan, approved September 2012.

The parcels are not identified as access points for recreation in accordance with Secretary's Order 3373—Evaluating Public Access in Bureau of Land Management Public Land Disposals and Exchanges. There are no anticipated impacts from the BLM-managed public land disposal on recreational access to adjacent tracts of publicly accessible lands.

All interested parties will receive a copy of this notice once it is published in the **Federal Register**. A copy of the **Federal Register** notice with information about this proposed realty action will be published in the newspaper of local circulation once a week for three consecutive weeks. The regulations at 43 CFR Subpart 2741 addressing requirements and procedures for conveyances under the R&PP Act do not require a public meeting.

Upon publication of this notice in the **Federal Register** the lands will be segregated from all forms of appropriation under the public land laws, including the United States general mining laws, except for lease or conveyance under the R&PP Act, leasing

under the mineral leasing laws and disposals under the mineral material disposal laws.

The lease or conveyance of the land, when issued, will be subject to the following terms, conditions and reservations:

1. The reservation to the United States of a right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945);

2. Provisions of the R&PP Act and to all applicable regulations of the Secretary of the Interior;

3. All minerals shall be reserved to the United States, together with the right to prospect for, mine and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe; and subject to valid existing rights;

4. An appropriate indemnification clause protecting the United States from claims arising out of the lessee's/patentee's use, occupancy, or occupations on the leased/patented lands;

5. Any other reservations that the authorized officer determines appropriate to ensure public access and proper management of Federal lands and interests therein; and

Additional terms, conditions and reservations may be added that the authorized officer deems appropriate.

**Classification Comments:** Interested persons may submit comments involving the suitability of the land for development of public parks for recreational purposes. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with state and Federal programs.

**Application Comments:** Interested persons may submit written comments, including notification of any encumbrances or other claims relating to the land, information regarding specific use proposed in the application, whether the BLM followed proper administrative procedures in reaching the decision to segregate the lands, or any other factor not directly related to the suitability of the lands for the R&PP lease/patent.

Any adverse comments will be reviewed by the BLM State Director or other authorized official of the Department of the Interior, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the classification will become effective on February 18, 2020. The lands will not be offered for conveyance until after the classification becomes effective.

Before including your address, phone number, email address, or other personal identifying information in any comment, 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, the BLM cannot guarantee that we will be able to do so.

**Authority:** 43 CFR 2741.5.

**Edward J. Kender,**  
*Field Manager, Lower Sonoran Field Office.*

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**BILLING CODE P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[19X.LLIDIO2000.L71220000.  
FR0000.LVTFD1915100.241A.4500131504]

#### Notice of Availability for the Draft Environmental Impact Statement for the Proposed Blackrock Land Exchange, Bannock and Power Counties, Idaho

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

**ACTION:** Notice of availability.

**SUMMARY:** In compliance 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) Pocatello Field Office, in Pocatello, Idaho, has prepared a Draft Environmental Impact Statement (EIS) for the proposed Blackrock Land Exchange. By this notice, the BLM is announcing the beginning of the 45-day public comment period for the Draft EIS.

**DATES:** In order to have comments considered for inclusion in the Final EIS, the BLM must receive comments on the Draft EIS by February 3, 2020, or 45 days following the date that the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**, whichever is greater.

The date(s) and location(s) of public meetings are:

- January 7, 2020 from 4–6 p.m. at the Shoshone-Bannock Hotel and Event Center, 777 Bannock Trail Avenue, Fort Hall, Idaho
- January 8, 2020 from 5–7 p.m. at the BLM Pocatello Field Office, 4350 Cliffs Drive, Pocatello, Idaho

**ADDRESSES:** You may submit comments related to the proposed Blackrock Land Exchange only by the following methods:

- **Website:** <https://go.usa.gov/xEUuc>.
- **Fax:** 208.478.6376.
- **Mail:** BLM, Pocatello Field Office, Attention: Blackrock Land Exchange, 4350 S Cliffs Dr., Pocatello, ID 83204.

A copy of the Draft EIS is available at the BLM's ePlanning website: <https://go.usa.gov/xEUuc>. A hard copy of the document can be reviewed at the BLM Pocatello Field Office, at the address listed above.

#### FOR FURTHER INFORMATION CONTACT:

Bryce Anderson, Project Manager, by telephone: 208-478-6353; address: 4350 S Cliffs Dr., Pocatello, ID 83204; or email: [bdanderson@blm.gov](mailto:bdanderson@blm.gov). People who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact Mr. Anderson. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with Mr. Anderson. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The BLM is the lead agency for the proposed land exchange. The Idaho Department of Environmental Quality (IDEQ), Idaho Governor's Office of Energy and Mineral Resources (OEMR), U.S. Environmental Protection Agency (EPA), and Department of Interior Bureau of Indian Affairs (BIA) are Cooperating Agencies.

In 1994, the J.R. Simplot Company (Simplot) submitted an application to acquire 719 acres of Federal land managed by the BLM in exchange for 667 acres of non-Federal land. The Federal lands are adjacent to Simplot's Don Plant in Power and Bannock Counties, Idaho. The non-Federal lands are located in the Blackrock and Caddy Canyon areas in Bannock County approximately 5 miles east-southeast of Pocatello.

In 1998, pursuant to the Comprehensive Environmental Response Compensation and Liability Act, the Don Plant facilities and the surrounding area, known as the Eastern Michaud Flats (EMF), were designated as a Superfund Site, including a portion of the proposed Federal lands to be exchanged. The BLM prepared an Environmental Assessment (EA) to analyze the proposed land exchange and issued a Decision Record/Finding of No Significant Impact (DR/FONSI) on December 21, 2007. The Shoshone-Bannock Tribes litigated the decision in District Court. In May 2011, the Court granted the tribes' motion and remanded the DR/FONSI to the BLM, ordering the agency to prepare an EIS.

The BLM's purpose is to evaluate the land exchange proposal. If approved, the proposal would improve resource management in an area containing crucial mule deer winter range and secure permanent public access within a popular recreation area. The BLM's need is to respond to the proposal pursuant to FLPMA. Simplot's purpose for the proposed land exchange is to implement legally enforceable controls as directed by the EPA and IDEQ. To meet fluoride reduction requirements from a 2016 Consent Order with the IDEQ, Simplot has proposed construction of cooling ponds adjacent to the Don Plant, which would require the acquisition of adjacent Federal lands. Additionally, this acquisition would allow Simplot to maximize the operational life of its ongoing phosphate processing operations at the Don Plant by expanding gypsum stacks onto adjacent land.

A Notice of Intent to prepare this EIS was published in the **Federal Register** on May 20, 2019 (84 FR 22893), initiating a 45-day public scoping period during which the BLM accepted comments on the proposed land exchange. Key resource issues identified during scoping include: Air quality, cultural resources, fish and wildlife, hazardous and solid wastes, lands and realty, recreation, socioeconomic, environmental justice, tribal treaty rights, visual resources, and water resources. Based on feedback from Cooperating Agencies, stakeholders, and public scoping, the BLM has developed alternatives to the Proposed Action, including a No Action Alternative, which are detailed in the Draft EIS.

The BLM will fulfill the public involvement requirements under the National Historic Preservation Act (NHPA) (54 U.S.C. 306108) as provided in 36 CFR 800.2(d)(3) through the NEPA process. Information the BLM receives about historic and cultural resources within the area potentially affected by the proposed action will assist the BLM in identifying and evaluating impacts to such resources in the context of both NEPA and Section 106 of the NHPA.

The BLM will continue consulting with Native American tribes on a government-to-government basis in accordance with Executive Order 13175 and other policies. The BLM will give tribal concerns due consideration, including impacts on Native American trust assets and potential impacts to cultural resources.

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