

Affairs, which the PF had found did not provide evidence of Indian descent. These two exhibits did not provide evidence applicable to criterion 83.7(e).

Both of the third parties submitted articles on general Cherokee Indian history, DNA as evidence, and other non-responsive issues. These submissions were either the same as or similar to the documents analyzed for the PF and did not provide evidence for criterion 83.7(e).

In summary, Petitioner #227 has not provided evidence to demonstrate that its ancestors who were named in the PF, or others identified in records submitted for the FD, were members of a band of Cherokee Indians in Lawrence County. The records do not demonstrate that the petitioner's ancestors were members or descendants of an Indian tribe in any of the localities where those individuals originated prior to settling in Tennessee. The evidence for the FD, whether submitted by the petitioner or third parties, or gathered by the OFA in its verification process, does not document the current members' generation-to-generation descent from their claimed ancestors. The evidence shows that the group known as the "Central Band of Cherokee" is a recently formed group of individuals who claim to have Indian ancestry from a historical Indian tribe, but who have not documented those claims. None of the 407 members of the group has demonstrated descent from a historical Indian tribe or historical Indian tribes that combined and functioned as an autonomous political entity.

The Department declines to acknowledge the group known as the "Central Band of Cherokee," Petitioner #227, as an Indian tribe because the evidence in the record does not demonstrate that the petitioner's members descend from a historical Indian tribe as required by mandatory criterion 83.7(e). The Department bases this FD on an evaluation of materials the petitioner and third parties submitted in response to the PF, and materials already in the record for the PF. This FD also incorporates evidence the Department researchers developed during the verification process. Therefore, this FD should be read and considered in conjunction with the PF.

A copy of the FD that includes the summary evaluation under the criteria and provides the evidence, reasoning, and analyses for the FD will be provided to the petitioner and interested parties, and is available to other parties upon written request. It will be posted on the Bureau of Indian Affairs Web site at: <http://www.bia.gov/WhoWeAre/AS-IA/OFA/RecentCases/index.htm>. Requests

for a copy of the FD should be addressed to the office listed in the **ADDRESSES** section of this notice.

After the publication of this notice of the FD in the **Federal Register**, the petitioner or any interested party may file a request for reconsideration with the Interior Board of Indian Appeals (IBIA) under the procedures in § 83.11 of the regulations. The IBIA must receive this request no later than 90 days after the publication of the FD in the **Federal Register**. The FD will become final and effective 90 days from the **Federal Register** publication, unless a request for reconsideration is received within that time.

Dated: March 23, 2012.

Larry Echo Hawk,

Assistant Secretary—Indian Affairs.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVS01000 L58530000 EU0000; 11-08807; MO# 4500022239; TAS: 14X5232]

Notice of Availability of the Final Supplemental Environmental Impact Statement and Record of Decision for the Upper Las Vegas Wash Conservation Transfer Area, Las Vegas, NV

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, as amended, the Bureau of Land Management (BLM) has prepared a Final Supplemental Environmental Impact Statement (EIS) and a Record of Decision (ROD) for the Upper Las Vegas Wash Conservation Transfer Area, Las Vegas, Nevada, and by this notice is announcing their availability.

DATES: The final decision on the Upper Las Vegas Wash Conservation Transfer Area will not become effective for a minimum of 30 days after the Environmental Protection Agency publishes its notice of availability in the **Federal Register**.

ADDRESSES: Printed copies or a compact disc of the Final Supplemental EIS are available on request from the BLM Las Vegas Field Office, 4701 N. Torrey Pines Drive, Las Vegas, Nevada 89130, phone 702-515-5000, or email to: NV_SNDO_Planning@blm.gov. Interested persons may also review the

Final Supplemental EIS at the following Web site: <http://www.blm.gov/nv/st/en/fo/lvfo.html>.

Copies of the Final Supplemental EIS and ROD are available for public inspection at the following locations in Nevada:

- BLM Nevada State Office, 1340 Financial Blvd., Reno
- BLM Southern Nevada District Office, 4701 North Torrey Pines Drive, Las Vegas

FOR FURTHER INFORMATION CONTACT: Bob Ross, telephone 702-515-5199; address Las Vegas Field Office, 4701 N. Torrey Pines Drive, Las Vegas, NV 89130; or email Bob_Ross@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 Final Supplemental EIS describes and analyzes boundary adjustments to the Upper Las Vegas Wash Conservation Transfer Area (CTA). The CTA study area is located in the northern portion of the Las Vegas Valley. In 1998, the Southern Nevada Public Land Management Act (SNPLMA) authorized the BLM to dispose of Federal land in Clark County, Nevada. In 2002, the Clark County Conservation of Public Land and Natural Resources Act amended the SNPLMA to expand the disposal boundary area and added approximately 22,000 acres of land available for disposal. The BLM analyzed the impacts of all lands eligible for disposal in the Las Vegas Valley in the 2004 Las Vegas Disposal Boundary Final EIS and ROD. The Las Vegas Disposal Boundary Final EIS identified a 5,000 acre general area as the CTA and stipulated additional study be conducted to determine a final CTA boundary. Subsequently, due to extensive public input, an additional 8,000 acres were added to the 5,000-acre CTA study area. This Final Supplemental EIS is the culmination of the boundary study. The BLM prepared a Supplemental EIS because of the significance of paleontological, botanical, hydrological, and cultural resources present within the CTA study area and the need for additional public input. The Final Supplemental EIS/ROD selects the Preferred Alternative B as the final boundary for the CTA, which will ensure protection of sensitive resources, including fossils, cultural resources, the

natural functioning of the wash, and endemic plants on public lands within the CTA study area. The Final Supplemental EIS analyzed five action alternatives ranging from approximately 13,000 acres to less than 1,500 acres and the no action alternative.

- Alternative A: 12,953 acres, includes the fossil formation, sensitive cultural and plant resources, active wash, the adjacent alluvial fan, and a 1-mile resource-protection zone around the northern and eastern boundaries of the Las Vegas Paiute reservation.

- Alternative B: 10,670 acres, includes culturally significant lands, the fossil formation, sensitive plant resources, the active wash, open space adjacent to the Las Vegas Paiute reservation, and the adjacent alluvial fan as unavailable for disposal and development. Alternative B includes 2,653 acres within the 13,000-acre study area available for development.

Alternative B was originally proposed as 11,008 acres and was revised from the Draft Supplemental EIS.

- Alternative C: 6,362 acres, includes the fossil formation, sensitive cultural and plant resources, active wash, and a portion of the adjacent alluvial fan.

- Alternative D: 5,301 acres, includes most of the fossil formation, the sensitive cultural and rare plant resources, and the active wash.

- Alternative E: 3,314 acres, includes some of the fossil formation, the sensitive cultural and rare plant resources, and part of the active wash.

- No Action Alternative: 1,448 acres, includes the Tule Spring cultural site and the 300-acre Eglington Preserve.

On January 22, 2010, the Environmental Protection Agency published the Notice of Availability for the Draft Supplemental EIS for this project in the **Federal Register** [75 FR 3730]. The BLM held three public meetings and accepted written comments during a 60-day comment period, which was extended an additional 60 days. A total of 1,914 responses from individuals and 13 comments from governmental entities were received. The comments pertained to a variety of broad categories, including alternatives, boundaries, management, and physical/natural resources. The Final Supplemental EIS addresses the following issues identified during the comment period: the NEPA process (consultation/coordination, proposal description, alternatives, and connected actions/cumulative impacts); social resources (cultural, visual, noise, land use, recreation, transportation, and socioeconomic); and physical/natural resources (botanical, water, paleontological, and earth).

Comments on the Draft Supplemental EIS received from the public and internal BLM review were considered and incorporated as appropriate into the Final Supplemental EIS. Public comments resulted in the addition of clarifying text, but did not significantly change the proposed decision.

Filing an Appeal:

The decision by BLM to select the revised Alternative B boundary as the agency's Preferred Alternative is appealable subject to 43 CFR part 4, subpart E—Special Rules Applicable to Public Land Hearings and Appeals, and 43 CFR 2801.10. Any party adversely affected by this decision may appeal within the 30 day timeframe by filing an appeal with the BLM Las Vegas Field Manager, 4701 N. Torrey Pines Drive, Las Vegas, Nevada 89130, or fax: 702-515-5023. A copy of the notice of appeal, and statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, Pacific Southwest Region, 2800 Cottage Way, Room E-1712, Sacramento, California 95826, no later than 15 days after filing documents with the Las Vegas Field Manager.

To file a petition for stay of the ROD pursuant to 43 CFR 4.21 while an appeal is pending before the Interior Board of Land Appeals (IBLA), the petition for stay must accompany the Notice of Appeal (43 CFR 4.21 or 43 CFR 2801.10). A petition for stay must show sufficient justification based on the standards listed in 43 CFR 4.21(b). If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on the IBLA at the same time it is filed with the Las Vegas Field Manager. Persons interested in filing an appeal are encouraged to consult the cited Federal regulations for additional appeal requirements.

Authority: 40 CFR 1506.6 and 1506.10.

Robert B. Ross, Jr.,
Las Vegas Field Manager.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLAK930000 L16100000.DS0000.12XL]

Notice of Availability of the Draft Integrated Activity Plan/Environmental Impact Statement for the National Petroleum Reserve—Alaska and Announcement of Public Subsistence-Related Hearings

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended, the Naval Petroleum Reserves Production Act of 1976, as amended, and the Federal Land Policy and Management Act of 1976, as amended, the Bureau of Land Management (BLM) has prepared the National Petroleum Reserve—Alaska (NPR—A) Draft Integrated Activity Plan/Environmental Impact Statement (IAP/EIS) and by this notice is announcing the opening of the comment period. The BLM is also announcing that it will hold public meetings on the Draft IAP/EIS and subsistence resource hearings to receive comments on the Draft IAP/EIS and its potential to impact subsistence resources and activities.

DATES: To ensure that comments will be considered, the BLM must receive written comments on the Draft IAP/EIS on or before May 29, 2012, following the date the Environmental Protection Agency publishes its notice of the Draft IAP/EIS in the **Federal Register**. Public meetings on the Draft IAP/EIS will be held in the following communities in Alaska: Anaktuvuk Pass, Anchorage, Atkasuk, Barrow, Fairbanks, Nuiqsut, Point Lay, and Wainwright. Public hearings on subsistence resources and activities will occur in conjunction with the public meetings for the Draft IAP/EIS in the potentially affected communities of Anaktuvuk Pass, Atkasuk, Barrow, Nuiqsut, Point Lay, and Wainwright. The dates, times, and locations of the meetings and hearings will be announced through public notices, media news releases, and/or other mailings at least 15 days in advance.

ADDRESSES: You may submit comments related to the Draft IAP/EIS for the National Petroleum Reserve-Alaska by any of the following methods:

- *Web site:* <http://www.blm.gov/ak/st/en.html>.
- *Fax:* 866-611-9420 (toll Free) or 907-268-4224.
- *Mail:* NPR—A IAP/EIS Comments, AECOM Project Office, 1835 South