

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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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

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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. 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.

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personal identifying information—may be made publicly available at any time. In your comment, you can ask to have your personal identifying information withheld from public review, but the BLM cannot guarantee that it will be able to do so.

(Authority: 40 CFR 1506.6, 40 CFR 1506.10)

John F. Ruhs,

BLM Idaho State Director.

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DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NAGPRA-NPS0029400;
PPWOCRADNO-PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: San Diego Museum of Man, San Diego, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The San Diego Museum of Man, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of unassociated funerary objects. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to the San Diego Museum of Man. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to the San Diego Museum of Man at the address in this notice by January 21, 2020.

ADDRESSES: Kara Vetter, Director of Cultural Resources, San Diego Museum of Man, 1350 El Prado, Balboa Park San Diego, CA 92101, telephone (619) 239-2001 Ext. 44, email kvetter@museumofman.org.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the San Diego

Museum of Man, San Diego, CA, that meet the definition of unassociated funerary objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

History and Description of the Cultural Item(s)

Sometime in 1929, 27 cultural items were removed from site W-199 in San Diego County, CA. Malcolm J. Rogers conducted excavations on behalf of the San Diego Museum of Man in the vicinity of La Jolla, along El Paseo Grande during which a burial site containing the remains of one individual was investigated. The 27 unassociated funerary objects are: 13 chipped stone unworked flakes, three chipped stone core tools, two chipped stone cores, one chipped stone utilized flake, one chipped stone scraper, two chipped stone choppers, one unmodified shell, three soil samples, and one volcanic cobble. The human remains are not in the control of the San Diego Museum of Man.

Sometime in the 1930's and 1960's, 239 cultural items were removed from sites CA-SDI-5623 or W-202 and W-202A in San Diego County, CA, in the vicinity of Descanso Valley. Excavations conducted on two separate occasions by Malcolm J. Rogers, on behalf of the Museum of Man and Mrs. Dorothy McKenna, an independent relic hunter, documented the presence of two cremations. The cremains are currently in the control of McKenna. The 239 unassociated funerary objects are: Six unmodified faunal bone, seven ceramic decorated body sherds, 58 ceramic undecorated body sherd, three ceramic decorated rim sherds, 41 ceramic undecorated rim sherds, 13 ceramic other, six chipped stone biface, two chipped stone core, two chipped stone core tools, one chipped stone other, 58 chipped stone projectile points, five chipped stone scrapers, 17 chipped stone unworked flakes, one chipped stone utilized flake, three ecofact, five manos, two groundstone shaft straightener, three groundstone other, three modified shells, one unmodified shell, one battered stone, and one historic metal.

Sometime between 1933 and 1950, 95 cultural items were removed from sites CA-SDI-5 or W-207 and W-207A in San Diego County, CA, by Malcolm J.

Rogers during excavations on behalf of the San Diego Museum of Man, in the vicinity of the San Pasqual State Monument Park. Rogers's field notes indicate that these sites comprised a cinerary urn cemetery that had been initially discovered by land-leasers in 1913. The 95 unassociated funerary objects are: 32 ceramic undecorated body sherds, 11 ceramic undecorated rim sherds, three chipped stone biface, one chipped stone chopper, one chipped stone core, one chipped stone core tool, eight chipped stone projectile points, two chipped stone unworked flake, two chipped stone utilized flake, six manos, one modified shell, two battered stone, 23 historical ceramic, and two historical glass. The human remains are not in the control of the San Diego Museum of Man.

Sites W-199, CA-SDI-5623 or (W-202 and W-202A) and CA-SDI-5 or (W-207 and W-207A) are all located within territory traditionally occupied by the Kumeyaay Nation, which is represented by the below listed Indian Tribes. Based on cultural resources collection research, geographic location, ethnographic information, oral history evidence and consultation, these unassociated funerary objects are identified as Kumeyaay.

Determinations Made by the San Diego Museum of Man

Officials of the San Diego Museum of Man have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 361 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.

- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and the Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California; Capitan Grande Band of Diegueno Mission Indians of California (Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California; Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California); Ewiiapaayp Band of Kumeyaay Indians, California; Iipay Nation of Santa Ysabel, California (previously listed as the Santa Ysabel Band of Diegueno Mission Indians of the Santa Ysabel Reservation); Inaja Band of Diegueno Indians of the Inaja and