

Section XIX. Profits

A. *Disposition of Proceeds.* The gross proceeds collected by the Commission from licensing shall be distributed as follows:

1. For the payment of all necessary personnel, administrative costs, and legal fees for the administration of the provisions of this Liquor Ordinance.

2. The remainder shall be remitted to the General Fund Account of the Tribe.

Section XX. Sovereign Immunity

Nothing in this Liquor Ordinance is intended nor shall be construed as a waiver of the sovereign immunity of the Pueblo. No employee, officer, or agent of the Pueblo shall be authorized, nor shall he or she attempt, to waive the immunity of the Pueblo.

Section XXI. Jurisdiction; Conflicts With Other Laws

A. *Jurisdiction.* Exceptions as otherwise provided in this Liquor Ordinance, any and all actions pertaining to alleged violations of this Liquor Ordinance, or seeking any relief against the Pueblo, its officers, employees, or agents arising under this Liquor Ordinance, shall be brought in the Tribal Court, which court shall have exclusive jurisdiction consistent with the inherent sovereignty and immunity of the Pueblo and applicable federal and Pueblo law.

B. *Conflicts with Other Laws.* If this Liquor Ordinance is determined to conflict with any other Pueblo law of general application, this Liquor Ordinance shall control.

Section XXII. Severability

If any provisions of this Liquor Ordinance or the application of any provision to any Person or circumstances is held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of this Liquor Ordinance and its application to any other Person or circumstances, and, to this end, the provisions of this Liquor Ordinance are severable.

Section XXIII. Effective Date

This Liquor Ordinance shall be effective on such date as the Secretary of the Interior certifies this Liquor Ordinance and publishes the same in the **Federal Register**, and it supersedes any and all prior Liquor Ordinances that have been so adopted and certified.

Section XXIV. Amendment

This Liquor Ordinance may be amended by a resolution adopted by a majority vote of the Tribal Council.

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DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[NV-060-1990]

Notice of Availability of the Draft Environmental Impact Statement for a Proposed Expansion of Existing Gold Mining/Processing Operations in Lander and Eureka Counties, NV

AGENCY: Bureau of Land Management, Interior.

COOPERATING AGENCY: Nevada Department of Wildlife.

ACTION: Notice of Availability.

SUMMARY: In accordance with section 102(2)(c) of the National Environmental Policy Act of 1969, 43 CFR Part 3809, and the Council on Environmental Quality Regulations found at 40 CFR 1500-1508, the Bureau of Land Management (BLM) Battle Mountain Field Office has prepared a Draft Environmental Impact Statement (DEIS) on the Cortez Gold Mines' (CGM) proposed Cortez Hills Expansion Project, which is a proposed amendment to the Pipeline/South Pipeline Plan of Operations. The DEIS analyzes the environmental effects of the Proposed Action and alternatives, including the No Action Alternative.

DATES: The DEIS is available for public comment for 60 days starting on October 5, 2007, the date the Environmental Protection Agency publishes its Notice of Availability (NOA) in the **Federal Register**. To provide the public with an opportunity to review the proposal and project information, the BLM will host public meetings in Crescent Valley and Battle Mountain, Nevada. The BLM will notify the public of the meeting dates, times, and locations at least 15 days prior to the meetings. Announcements of the public meeting will be made by news release to the media, individual letter mailings, and posting on the BLM Web site: http://www.blm.gov/nv/st/en/fo/battle_mountain_field.html.

Comments, including names and street addresses, will be available for public review at the address below during regular business hours, 7:30 a.m. to 4:30 p.m., Monday through Friday, except holidays, and will be published as part of the Final EIS. Before including your address, phone number, e-mail address or other personal identifying information in your comment, be advised that your entire comment and personal identifying information may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we

cannot guarantee that we will be able to do so.

ADDRESSES: Written comments should be addressed to the Bureau of Land Management, ATTN: Stephen Drummond, Battle Mountain Field Office, 50 Bastian Road, Battle Mountain, NV 89820.

FOR FURTHER INFORMATION CONTACT: Stephen Drummond, 775-635-4000.

SUPPLEMENTARY INFORMATION: CGM, on behalf of Cortez Joint Venture, proposes to expand its Pipeline/South Pipeline Project, an existing open-pit gold mining and processing operation. The Pipeline/South Pipeline Project is located in north-central Nevada approximately 31 miles south of Beowawe in Lander County.

The proposed Cortez Hills Expansion Project (Project) is located in:

Mount Diablo Meridian, Nevada

T. 27 N., R. 48 E.;
T. 27 N., R. 47 E.;
T. 27 N., R. 46 E.;
T. 26 N., R. 47 E.;
T. 26 N., R. 48 E.;
T. 28 N., R. 46 E.; and
T. 28 N., R. 47 E. in Lander and Eureka counties.

The Proposed Action would require new surface disturbance of 6,792 acres, including 6,571 acres of public land administered by the BLM Battle Mountain Field Office and 221 acres of private land owned by CGM. Existing CGM mining and processing facilities are located in three main areas in the Cortez Gold Mines Operations Area. These areas are referred to as the Pipeline Complex, Cortez Complex and Gold Acres Complex. The existing and proposed disturbance acreages for the Project would total 16,231 acres. The Proposed Action would include development of new mining facilities in the proposed Cortez Hills Complex, including development of a new open pit, underground mining, three new waste rock facilities, new heap leach pad, construction of a 12-mile conveyor system, modification or construction of related roads and ancillary facilities, and a new groundwater dewatering system to include in pit, perimeter, and underground facilities. The Proposed Action also would include continued use of existing facilities in the Pipeline Complex, Cortez Complex and Gold Acres Complex, as well as expansion of existing facilities (pits and waste rock facilities) in the Pipeline Complex and Cortez Complex. CGM proposes to mine the ore bodies associated with the Cortez and Cortez Hills complexes concurrently with their existing Pipeline/South Pipeline ore bodies. The majority of the high grade ore mined

under the Cortez Hills Expansion Project would be processed at the existing Pipeline and/or Cortez mills. The proposed Project would expand existing tailings facilities at both the Pipeline and Cortez complexes. A lesser quantity of refractory ore would be sold to an off-site processing facility. The primary method of processing low-grade ore would be heap leaching.

The DEIS addresses concerns identified by the BLM and other agencies, as well as comments raised during the public scoping period in 2005. Issues analyzed in the DEIS include: Air quality, cultural resources, water quality, environmental justice, floodplains, hazardous materials and solid waste, invasive, and/or non-native species, migratory birds, Native American religious concerns, special status species, wetlands and riparian zones, and wilderness characteristics. Construction and operation of the proposed Cortez Hills Expansion Project is projected to begin in 2008. The life of the mine would include approximately 10 years of active mining and concurrent reclamation as areas become available, as well as an additional three years for ongoing ore processing, final reclamation, and closure.

A range of alternatives (including alternate waste rock facility and heap leach pad locations, underground mining only, and the No Action Alternative) has been developed and analyzed to address the concerns and issues that were identified. Other alternatives under consideration and the rationale for their elimination from detailed analysis also are discussed. Mitigation measures have been identified to minimize potential environmental impacts and to assure that the proposed Project would not result in undue or unnecessary degradation of public lands. In addition, the DEIS includes an analysis of cumulative impacts, including a comprehensive evaluation of potential impacts to Native American religious concerns.

Dated: August 20, 2007.

Gerald M. Smith,

Battle Mountain Field Office Manager.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[UT-070-1610-DP-010J]

Notice of Availability of the Supplement to the Vernal Field Office Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) for Non-Wilderness Study Area (WSA) Lands With Wilderness Characteristics

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969 (NEPA, 42 U.S.C. 4321, *et seq.*) and the Federal Land Policy and Management Act of 1976 (FLPMA, 43 U.S.C. 1701, *et seq.*), the Bureau of Land Management (BLM) has prepared the Supplement to the Vernal Field Office DRMP/DEIS to augment the identification and analysis of managing non-WSA lands with wilderness characteristics.

DATES: The 90-day public comment period will begin on the date the Environmental Protection Agency (EPA) publishes its Notice of Availability (NOA) in the **Federal Register**. To assure that public comments will be considered, the BLM must receive written comments on the Supplement to the Vernal Field Office DRMP/DEIS on or before the end of the comment period at the address listed below.

Comments: Comments and information submitted on the Supplement to the Vernal Field Office DRMP/DEIS, including names, e-mail addresses, and street addresses of respondents, will be available for public review and disclosure at the Vernal Field Office address listed below. The BLM will not accept anonymous comments. Before including your address, phone number, e-mail 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.

Comments may be submitted by any of the following methods:

- **Mail:** Bureau of Land Management, Vernal Field Office, 170 South 500 East, Vernal, UT 84078.

- **E-mail:**
UT_Vernal_Comments@blm.gov.

- **Fax:** (435) 781-4480.

FOR FURTHER INFORMATION CONTACT:

Kelly Buckner, RMP Project Manager, Bureau of Land Management, Vernal Field Office, 170 South 500 East, Vernal, UT 84078; telephone (435) 781-4400; e-mail Kelly.Buckner@blm.gov. Copies of the Supplement to the Vernal Field Office DRMP/DEIS are available in the Vernal Field Office and on the Internet at <http://www.blm.gov/ut/st/en/fo/vernal.html>.

Background Information: The planning area includes approximately 1.8 million acres of BLM administered surface lands and 2.1 million acres of federal mineral estate under federal, state, private, and Ute Tribal surface in Duchesne, and Uintah Counties in northeast Utah, and about 3,000 acres in Grand County. The planning area encompasses public lands currently managed under the Book Cliffs and Diamond Mountain RMPs. The decisions of the DRMP/DEIS will only apply to BLM-administered public lands and federal mineral estate. The Vernal Field Office prepared the DRMP/DEIS to reevaluate, with public involvement, existing conditions, resources and uses, and consider the mix of resource allocations and management decisions designed to balance uses and protection of resources pursuant to FLPMA and other applicable laws. The DRMP/DEIS was released for public review January 14, 2005.

Pursuant to FLPMA Sections 201 and 202 (43 U.S.C. 1711, 1712) and the BLM's land use planning handbook (Manual Handbook H-1601-1), BLM has authority to evaluate and manage non-WSA lands with wilderness characteristics through land use planning. These characteristics include the appearance of naturalness, outstanding opportunities for solitude, and outstanding opportunities for primitive and unconfined recreation. The applicable law requires that the BLM consider these lands and resource values in planning, including prescribing measures to manage for their wilderness characteristics. Accordingly, during the planning process, the Vernal Field Office found 25 areas (totaling 277,596 acres), outside of existing WSAs that have wilderness characteristics.

The DRMP/DEIS analyzed five alternatives for the management of public lands in the Vernal Field Office and disclosed the impacts of implementing each alternative to the human environment. To ensure that (1) adequate consideration is given to non-WSA lands with wilderness characteristics, (2) an adequate range of alternatives is considered for these