

exploration and mining, except for those effects stemming from valid existing rights. The EIS will analyze at least two alternatives, including a withdrawal as currently proposed and the "No Action" alternative, which would be to continue to allow location of new mining claims. Other alternatives may be analyzed as appropriate, including withdrawal of a smaller area.

The proposed action is to withdraw, subject to valid existing rights, certain public lands and National Forest System lands from location and entry under the 1872 Mining Law, but not the mineral leasing, geothermal leasing, mineral materials laws, or public land laws. The subject areas were previously described in BLM's Notice of Proposed Withdrawal and Opportunity for Public Meeting; Arizona which published in the **Federal Register** on July 21, 2009 [74 FR 35887]. The map for the "Petition/Application for Withdrawal" is available from the BLM Arizona Strip District office and the Forest Service Kaibab National Forest office at the addresses listed above.

The total areas described aggregate approximately 993,549 acres of BLM-administered public lands and National Forest System lands and any Federal locatable minerals underlying non-Federal surface in Coconino and Mohave Counties located adjacent to the Grand Canyon National Park in Arizona. The total non-Federal lands within the area aggregate approximately 85,673 acres in Coconino and Mohave Counties.

If the withdrawal were to be approved by the Secretary of the Interior, the closure to location and entry under the Mining Law would be subject to valid existing rights and authorized in accordance with section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714, and the Federal regulations at 43 CFR part 2300.

You may submit comments on issues in writing to the BLM at any public scoping meeting, or you may submit them to the BLM using one of the methods listed in the **ADDRESSES** section above. To be most helpful, you should submit comments within 15 days after the last public meeting. 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 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.

(Authority: 43 CFR part 2300)

**Helen M. Hankins,**

*Arizona Associate State Director.*

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**BILLING CODE 4310-32-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Notice of Intent To Contract for Hydroelectric Power Development on the South Canal, Uncompahgre Project, Colorado

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** notice of intent to accept proposals, select lessee, and contract for hydroelectric power development on the South Canal, Uncompahgre Project, Colorado.

**SUMMARY:** Current Federal policy allows non-Federal development of electrical power resource potential on Federal water resource projects. The Bureau of Reclamation (Reclamation) will consider proposals for non-Federal development of hydroelectric power on the South Canal of the Uncompahgre Project. Reclamation is considering such hydroelectric power development under a lease of power privilege. No Federal funds will be available for such hydroelectric power development. The Uncompahgre Project is a Federal Reclamation project. This Notice presents background information, proposal content guidelines, and information concerning selection of a non-Federal entity to develop hydroelectric power on the South Canal.

**DATES:** A written proposal and seven copies must be submitted on or before 5 p.m. (Mountain Standard Time) on Monday, February 1, 2010. A proposal will be considered timely only if it is received in the office of the Area Manager on or before 5 p.m. on the above-designated date. Interested entities are cautioned that delayed delivery to the Area Manager's office due to failures or misunderstandings of the entity and/or of mail, overnight, or courier services will not excuse lateness and, accordingly, are advised to provide sufficient time for delivery. Late proposals will not be considered.

**ADDRESSES:** Send written proposal and seven copies to Ms. Carol DeAngelis, Area Manager, Bureau of Reclamation, Western Colorado Area Office, 2764 Compass Drive, Suite 106, Grand Junction, Colorado 81506; telephone (970) 248-0600.

**FOR FURTHER INFORMATION CONTACT:** Technical data may be obtained from

Mr. Dan Crabtree, Bureau of Reclamation, Western Colorado Area Office, 2764 Compass Drive, Suite 106, Grand Junction, Colorado 81506; telephone (970) 248-0652. Reclamation will be available to meet with interested entities only upon written request to Mr. Dan Crabtree at the above-cited address. Upon request, Reclamation will provide an opportunity for a site visit. Reclamation reserves the right to schedule a single meeting and/or visit to address the questions of all entities that have submitted questions or requested site visits.

Information related to operation and maintenance of the South Canal may be obtained from Mr. Marc Catlin, Uncompahgre Valley Water Users Association, P.O. Box 69, Montrose, Colorado 81402; telephone (970) 249-3813.

**SUPPLEMENTARY INFORMATION:** The Uncompahgre Project, located in west-central Colorado along the Uncompahgre River in the Colorado River Basin, was authorized by the Secretary of the Interior on March 14, 1903, under provisions of the Reclamation Act of 1902. After the passage of the Reclamation Act of 1902, the Uncompahgre Project was selected for development and the United States began construction in 1904. The Act of June 22, 1938, 52 Stat. 941, authorized the Secretary of the Interior to develop or sell surplus power from the Uncompahgre Project. The Uncompahgre Valley Water Users Association, under its contracts with the United States, has certain operation, maintenance, and replacement responsibilities and obligations concerning the South Canal and Uncompahgre Project.

Reclamation is considering hydroelectric power development on the South Canal under a lease of power privilege. A lease of power privilege is an alternative to Federal hydroelectric power development. A lease of power privilege is a contractual right given to a non-Federal entity to use a Reclamation facility for electric power generation consistent with Reclamation project purposes. Leases of power privilege have terms not to exceed 40 years. The general authority for lease of power privilege under Reclamation law includes, among others, the Town Sites and Power Development Act of 1906 (43 U.S.C. Sec. 522) and the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)) (1939 Act).

Reclamation will be the lead Federal agency for ensuring compliance with the National Environmental Policy Act (NEPA) of any lease of power privilege

considered in response to this Notice. Leases of power privilege may be issued only when Reclamation has completed NEPA and related environmental compliance. Any lease of power privilege on the South Canal must accommodate existing contractual commitments related to operation and maintenance of the South Canal and other Uncompahgre Project facilities. The lessee (*i.e.*, successful proposing entity) would be required to enter into a contract with the Uncompahgre Valley Water Users Association to coordinate operation and maintenance of any proposed hydropower developments with existing Federal features.

All costs incurred by the United States related to development and operation and maintenance under a lease of power privilege, including NEPA compliance and development of the lease of power privilege, would be at the expense of the lessee. In addition, the lessee would be required to make annual payments to the United States for the use of a government facility in the amount of at least 3 mills per kilowatt-hour of generation. Under the lease of power privilege, provisions will be included for inflation of the annual payment with time. Such annual payments to the United States would be deposited as a credit to the Reclamation Fund.

### Proposal Content Guidelines

Interested parties should submit proposals explaining in as precise detail as is practicable how the hydropower potential would be developed. Factors which a proposal should consider and address include, but are not limited to, the following:

(a) Provide all information relevant to the qualifications of the proposing entity to plan and implement such a project, including, but not limited to, information about preference status, type of organization, length of time in business, experience in funding, design and construction of similar projects, industry rating(s) that indicate financial soundness and/or technical and managerial capability, experience of key management personnel, history of any reorganizations or mergers with other companies, and any other information that demonstrates the interested entity's organizational, technical, and financial ability to perform all aspects of the work. Include a discussion of past experience in operating and maintaining similar facilities and provide references as appropriate. The term "preference entity," as applied to a lease of power privilege, means an entity qualifying for preference under Section 9(c) of the 1939 Act as a municipality, public

corporation or agency, or cooperative or other nonprofit organization financed in whole or in part by loans made pursuant to the Rural Electrification Act of 1936, as amended.

(b) Provide geographical locations and describe principal structures and other important features of the proposed development including roads and transmission lines. Estimate and describe installed capacity and the capacity of the power facilities. Also describe seasonal or annual generation patterns. Include estimates of the average amount of electrical energy that would be produced from the facility for each month of average, dry, or wet water years. If capacity and energy can be delivered to another location, either by the proposing entity or by potential wheeling agents, specify where capacity and energy can be delivered. Include concepts for power sales and contractual arrangements, involved parties, and the proposed approach to wheeling, if required.

(c) Indicate plans for acquiring title to or the right to occupy and use lands necessary for the proposed development, including such additional lands as may be required during construction.

(d) Identify water rights applicable to the operation of the proposed development(s), the holder of such rights, and how these rights would be used, acquired, or perfected.

(e) Discuss any studies necessary to adequately define impacts of the development on the Uncompahgre Project and the environment. Describe any significant environmental issues associated with the development and the proposing entity's approach for gathering relevant data and resolving or mitigating such issues to protect and enhance the quality of the environment. Explain any proposed use of the hydropower development for conservation and utilization of the available water resources in the public interest.

(f) Describe anticipated contractual arrangements with the Uncompahgre Valley Water Users Association which has operation and maintenance responsibility for the Uncompahgre Project feature(s) that are proposed for utilization in the hydropower development under consideration. Define how the hydropower development would operate in harmony with the Uncompahgre Project and existing applicable contracts related to operation and maintenance of Uncompahgre Project feature(s) being considered for modification.

(g) Describe plans for assuming liability for damage to the operational

and structural integrity of the Uncompahgre Project caused by construction, operation, and/or maintenance of the hydropower development.

(h) Identify the organizational structure planned for the long-term operation and maintenance of any proposed hydropower development.

(i) Provide a management plan to accomplish such activities as planning, NEPA compliance, lease of power privilege development, design, construction, facility testing, and start of hydropower production. Prepare schedules of these activities as applicable. Describe what studies are necessary to accomplish the hydroelectric power development and how the studies would be implemented.

(j) Estimate development cost. This cost should include all investment costs such as the cost of studies to determine feasibility, NEPA compliance, design, construction, and financing as well as the amortized annual cost of the investment. Also, the annual operation, maintenance, and replacement expense for the hydropower development; annual payments to the United States; expenses that may be associated with the Uncompahgre Project; and the anticipated return on investment should be included. If there are additional transmission or wheeling expenses associated with the hydropower development, these should also be included. Identify proposed methods of financing the hydropower development. An economic analysis should be presented that compares the present worth of all benefits and the costs of the hydropower development.

### Selection of Lessee

Reclamation will evaluate proposals received in response to this published Notice. Reclamation will give more favorable consideration to proposals that (1) are well adapted to developing, conserving, and utilizing the water and protecting natural resources; (2) clearly demonstrate that the offeror is qualified to develop the hydropower facility and provide for long-term operation and maintenance; and (3) best share the economic benefits of the hydropower development among parties to the lease of power privilege. A proposal will be deemed unacceptable if it is inconsistent with Uncompahgre Project purposes, as determined by Reclamation.

Reclamation will give preference to those entities that qualify as preference entities (as defined under Proposal Content Guidelines, item (a), of this Notice) provided that their proposal is at least as well adapted to developing,

conserving, and utilizing the water and natural resources as other submitted proposals and that the preference entity is well qualified. Preference entities would be allowed 90 days to improve their proposals, if necessary, to be made at least equal to a proposal(s) that may have been submitted by a non-preference entity.

#### **Power Purchasing and/or Marketing Considerations**

The lessee would be responsible for transmission and marketing of the power generated by the proposed project.

#### **Notice and Time Period To Enter Into Lease of Power Privilege**

Reclamation will notify, in writing, all entities submitting proposals of Reclamation's decision regarding selection of the potential lessee. The selected potential lessee will have two years from the date of such notification to accomplish NEPA compliance and enter into a lease of power privilege for the proposed development of hydropower at South Canal. The lessee will then have up to two years from the date of execution of the lease to complete the designs and specifications and an additional year to begin construction. Such timeframes may be adjusted for just cause resulting from actions and/or circumstances that are beyond the control of the lessee.

Dated: July 24, 2009.

**Larry Walkoviak,**

*Regional Director—UC Region.*

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## **INTERNATIONAL TRADE COMMISSION**

[Investigation No. AA1921-167 (Third Review)]

### **Pressure Sensitive Plastic Tape From Italy**

**AGENCY:** United States International Trade Commission.

**ACTION:** Scheduling of a full five-year review concerning the antidumping duty finding on pressure sensitive plastic tape from Italy.

**SUMMARY:** The Commission hereby gives notice of the scheduling of a full review pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(5)) (the Act) to determine whether revocation of the antidumping duty finding on pressure sensitive plastic tape from Italy would be likely to lead to continuation or recurrence of material

injury within a reasonably foreseeable time. For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**DATES:** *Effective Date:* August 20, 2009.

**FOR FURTHER INFORMATION CONTACT:**

Edward Petronzio (202-205-3176), Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:**

*Background.*—On August 4, 2009, the Commission determined to conduct a full review pursuant to section 751(c)(5) of the Act (74 FR 40845, August 13, 2009). A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements are available from the Office of the Secretary and at the Commission's Web site.

*Participation in the review and public service list.*—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in this review as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, by 45 days after publication of this notice. A party that filed a notice of appearance following publication of the Commission's notice of institution of the review need not file an additional notice of appearance. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

*Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.*—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in this review available to

authorized applicants under the APO issued in the review, provided that the application is made by 45 days after publication of this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the review. A party granted access to BPI following publication of the Commission's notice of institution of the review need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

*Staff report.*—The prehearing staff report in the review will be placed in the nonpublic record on December 21, 2009, and a public version will be issued thereafter, pursuant to section 207.64 of the Commission's rules.

*Hearing.*—The Commission will hold a hearing in connection with the review beginning at 9:30 a.m. on January 14, 2010, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before January 8, 2010. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on January 11, 2010, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), 207.24, and 207.66 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

*Written submissions.*—Each party to the review may submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.65 of the Commission's rules; the deadline for filing is January 5, 2010. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.67 of the Commission's rules. The deadline for filing posthearing briefs is January 25, 2010; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the review may submit a written statement of information pertinent to the subject of