

Immigration Services (USCIS) has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until November 30, 2009.

During this 60-day period, USCIS will be evaluating whether to revise the Form I-290B. Should USCIS decide to revise Form I-290B we will advise the public when we publish the 30-day notice in the **Federal Register** in accordance with the Paperwork Reduction Act. The public will then have 30 days to comment on any revisions to the Form I-290B.

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Department of Homeland Security (DHS), USCIS, Chief, Regulatory Products Division, Clearance Officer, 111 Massachusetts Avenue, NW., Washington, DC 20529-2210. Comments may also be submitted to DHS via facsimile to 202-272-8352 or via e-mail at [rfs.regs@dhs.gov](mailto:rfs.regs@dhs.gov). When submitting comments by e-mail, please make sure to add OMB Control No. 1615-0095 in the subject box. Written comments and suggestions from the public and affected agencies concerning the collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies' estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

### Overview of This Information Collection

(1) *Type of Information Collection:* Extension of an existing information collection.

(2) *Title of the Form/Collection:* Notice of Appeal or Motion.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I-290B; U.S. Citizenship and Immigration Services (USCIS).

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Individuals or households. Form I-290B is necessary for USCIS to make a determination that appeal or motion to reopen or reconsider meet eligibility requirements, and for the Administrative Appeals Office to adjudicate the merits of the appeal, or reopen the motion.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 30,000 responses at 1 hour and 30 minutes (1.50) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 45,000 annual burden hours.

If you need a copy of the information collection instrument, please visit the Web site at: <http://www.regulations.gov/>.

We may also be contacted at: USCIS, Regulatory Products Division, 111 Massachusetts Avenue, NW., Washington, DC 20529-2210, Telephone number 202-272-8377.

Dated: September 24, 2009.

#### Sunday Aigbe,

Chief, Regulatory Products Division, U.S. Citizenship and Immigration Services, Department of Homeland Security.

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BILLING CODE 9111-97-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Grassland Bypass Project, Merced and Fresno Counties, CA

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

**ACTION:** Notice of Availability of the Final Environmental Impact Statement and Environmental Impact Report (Final EIS/EIR).

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), the Bureau of Reclamation (Reclamation), the Federal lead agency,

and the San Luis & Delta-Mendota Water Authority (Authority), the State lead agency, have prepared a Final Environmental Impact Statement (EIS) and a Final Environmental Impact Report (EIR) for the continuation of the Grassland Bypass Project until December 31, 2019 (Project). Reclamation proposes to enter a Use Agreement with the Authority for the continued use of a portion of the San Luis Drain after 2009 to convey subsurface agricultural irrigation water to Mud Slough (North). The Central Valley Regional Water Quality Control Board would need to revise their Basin Plan Amendment to delay compliance with selenium objectives for 2010 and amend the existing Waste Discharge Requirements for the Project in order to allow for anticipated drainage discharge into Mud Slough, and the Authority and the California Department of Fish and Game will need to amend their existing Memorandum of Understanding for the portion of Mud Slough North in the State's China Island Wildlife Area. Reclamation and the Authority would need to remove existing and future sediments from the affected portion of the San Luis Drain.

A Notice of Availability of the joint Draft EIS/EIR was published in the **Federal Register** on Thursday, January 15, 2009 (74 FR 2615). The written comment period on the Draft EIS/EIR ended March 16, 2009. The Final EIS/EIR contains responses to all comments received and reflects comments and any additional information received during the review period.

**DATES:** Reclamation will not make a decision on the proposed action until at least 30 days after release of the Final EIS/EIR. After the 30-day waiting period, Reclamation will complete a Record of Decision (ROD). The ROD will state the action that will be implemented and will discuss all factors leading to the decision.

**ADDRESSES:** A compact disk or a copy of the Final EIS/EIR may be requested from Ms. Shauna McDonald, Bureau of Reclamation, 1243 'N' Street, Fresno, CA 93721-1831 by calling 559-487-5202, TDD 559-487-5933, or via e-mail at [SMcDonald@usbr.gov](mailto:SMcDonald@usbr.gov). The Final document is also available on the following Web site: at [http://www.usbr.gov/mp/nepa/nepa\\_projdetails.cfm?Project\\_ID=3513](http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=3513).

See **SUPPLEMENTARY INFORMATION** section for locations where copies of the Final EIS/EIR are available.

**FOR FURTHER INFORMATION CONTACT:** Ms. Shauna McDonald, Bureau of Reclamation at the phone number or e-mail address above.

**SUPPLEMENTARY INFORMATION:** The Project and the Grassland Drainage Area are located in Merced and Fresno Counties in the Central Valley of California. Prior to 1996 when the interim project was implemented, subsurface agricultural drainage water was conveyed through channels used to deliver water to wetland habitat areas which limited Reclamation's ability to deliver fresh water to the wetlands. The Project now consolidates subsurface drainage flows on a regional basis (from the 97,000 acre Grassland Drainage Area [GDA]) after source control measures, applies the drainage to salt tolerant crops to reduce the volume, utilizes a 4-mile channel to place it into the Federal San Luis Drain (Drain) at a point near Russell Avenue, (Milepost 105.72, Check 19) and then utilizes a 28-mile segment of the Drain to convey the remaining drainage flows around wetland habitat areas, after which it is discharged to Mud Slough and subsequently reaches the San Joaquin River. The Project has reduced the volume of agricultural drainage water discharged from the GDA, resulting in significant environmental improvements to wetlands water supply channels and the San Joaquin River.

The original Grassland Bypass Project was implemented in November 1995 through an "Agreement for Use of the San Luis Drain" (Agreement No. 6-07-20-w1319) between Reclamation and the Authority. A Finding of No Significant Impact (FONSI No. 96-1-MP) was adopted by Reclamation for the original project and environmental commitments set forth in the FONSI were made an integral component of the initial Use Agreement. The Use Agreement allowed use of the Drain for a 5-year period that concluded September 30, 2001. A new Use Agreement (Agreement No. 01-WC-20-2075) was completed on September 28, 2001, for the period through December 31, 2009. The Project also includes a monitoring program with biological, water quality, and sediment components. Results of the monitoring program are reviewed by an Oversight Committee quarterly, or as necessary, to implement the Use Agreement.

The Draft EIS/EIR considered the direct, indirect, and cumulative effects on the physical, natural, and human environment that may result from the continued use of the Grassland Bypass Channel and a 28-mile segment of the San Luis Drain; continued discharges to Mud Slough; sediment management options within that Drain segment; ongoing drainwater reuse and expansion of the San Joaquin River Water Quality Improvement Project reuse area to 6,900

acres, and programmatic consideration of future phases of the treatment and disposal program.

The Draft EIS/EIR addressed potentially significant environmental issues and recommends adequate and feasible mitigation measures to reduce or eliminate significant environmental impacts. The Draft EIS/EIR examined two other alternatives: No Action and the 2001 Requirements Alternative. This other action alternative would continue the selenium load reductions and incentive fees of the 2001 Use Agreement.

A public meeting was held on February 10, 2009, in Los Banos, CA. Copies of the Final EIS/EIR are available for public review at the following locations:

- Bureau of Reclamation, South-Central California Area Office, 1243 'N' Street, Fresno, CA 93721-1831.
- Bureau of Reclamation, Mid-Pacific Regional Office Library, 2800 Cottage Way, Sacramento, CA 95825.
- San Luis & Delta-Mendota Water Authority, 842 Sixth Street, Suite 7, Los Banos, CA 93635.
- Fresno County Public Library Government Publications, 2420 Mariposa Street, Fresno, CA 93721.
- San Francisco Public Library Government Documents, 100 Larkin Street, San Francisco, CA 94012.
- Stanislaus County Library, 1500 I Street, Modesto, CA 95354.
- Merced County Public Library, 1312 South 7th Street, Los Banos, CA 93635.
- University of California-Berkeley, Water Resources Archive, 410 O'Brien Hall, Berkeley, CA 94720.
- University of California Davis, Shields Library, Documents Department, 100 NW Quad, Davis, CA 95616.
- California State Library, 914 Capitol Mall, Suite E-29, Sacramento, CA 95814.

Before including your name, 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.

Dated: August 7, 2009.

**Brian Person,**  
*Acting Deputy Regional Director, Mid-Pacific Region.*

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**BILLING CODE 4310-MN-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLMT926000-09-L19100000-BJ0000-LRCM08RS3472]

#### Filing of Plat of Survey—Montana

**AGENCY:** Bureau of Land Management, Montana State Office, Interior.

**ACTION:** Notice of filing of plat of survey.

**SUMMARY:** The Bureau of Land Management (BLM) will file the plat of survey of the lands described below in the BLM Montana State Office, Billings, Montana, thirty (30) days from the date of publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Marvin Montoya, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101-4669, telephone (406) 896-5124 or (406) 896-5009.

**SUPPLEMENTARY INFORMATION:** This survey was executed at the request of the Bureau of Indian Affairs, Rocky Mountain Region, Billings, Montana, and was necessary to determine Individual and Tribal Trust lands.

The lands we surveyed are:

#### Principal Meridian, Montana

T. 26 N., R. 45 E.

The plat, in 6 sheets, representing the dependent resurvey of a portion of the east boundary, the corrective dependent resurvey of the lines between sections 2 and 11 and sections 8 and 17, the dependent resurvey of a portion of the subdivisional lines, a portion of the subdivision of sections 2, 3, 8, 10, 11, 13, and 16, the adjusted original meanders of the former left bank of the Missouri River, downstream, through sections 10, 11, 13, 15, 16, and 17, and the subdivision of sections 2, 3, 8, 10, 11, 13, and 16, and the survey of the meanders of the present left bank of the Missouri River, downstream, through sections 2, 3, 8, 10, 11, 13, 15, 16, and 17, the limits of erosion, downstream, through section 10, the meanders of the left bank of two relicted channels of the Missouri River, downstream, through sections 3, 8, 10, and 17, the medial lines of two relicted channels of the Missouri River, certain division of accretion and partition lines, and certain islands (Tracts 37 through 44), Township 26 North, Range 45 East, Principal Meridian, Montana, was accepted September 8, 2009. We will place a copy of the plat, in 6 sheets, and related field notes we described in the open files. They will be available to the public as a matter of information. If BLM receives a protest against this survey, as shown on this plat, in 6 sheets, prior to the date of the official filing, we will stay the filing pending our consideration of the protest. We will not officially file this plat, in 6 sheets, until the day after we have accepted or dismissed all protests and they have become final, including decisions or appeals.