

major advance in technology that would allow the extraction of UXOs without massive ground disturbance or impact to wildlife, then additional cleanup might warrant further consideration at that time.

3. We included language in our Habitat Management and Protection summary in Chapter 4 of the final CCP (page 4–14) and biological rationales [Objectives 1.1 (page 4–19) and 1.2 (page 4–24)] to work with the Massachusetts Natural Heritage and Endangered Species Program to evaluate the appropriateness of altering the frequency of prescription burns to incorporate rare plant management, and for tern restoration efforts.

4. We added language to several sections in Chapter 3 and Chapter 4 in the final CCP to incorporate more life history information and to refine our biological objectives and management actions for piping plover (pages 3–33, 3–35, 4–21, 4–23, and 4–24). This is due to the presence of a breeding pair on the island for the first time in 30 years.

5. We corrected typographical and grammatical errors identified by reviewers.

#### Selected Alternative

After considering the comments we received on our EA/draft CCP, we have selected Alternative C for implementation, for several reasons. Alternative C comprises the mix of actions that, in our professional judgment, works best toward achieving refuge purposes, our vision and goals, and the goals of other State and regional conservation plans, and it is most consistent with the principles of sound fish and wildlife management. We also believe it most effectively addresses the key issues raised during the planning process. The basis of our decision is detailed in Appendix K, Finding of No Significant Impact, in the final CCP.

#### Public Availability of Documents

You can view or obtain documents as indicated under **ADDRESSES**.

Dated: September 9, 2010.

**James G. Geiger,**

*Acting Regional Director, Northeast Region,  
U.S. Fish and Wildlife Service, Hadley, MA  
01035.*

[FR Doc. 2010–25393 Filed 10–7–10; 8:45 am]

**BILLING CODE 4310–55–P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Draft Environmental Impact Statement for the Proposed Manzanita Band of Kumeyaay Indians Fee-to-Trust Transfer and Casino Project, Calexico, CA

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** The Bureau of Indian Affairs (BIA), as lead agency, and the National Indian Gaming Commission, the City of Calexico, and the Manzanita Band of Kumeyaay Indians as cooperating agencies, intend to file a Draft Environmental Impact Statement (DEIS) with the Environmental Protection Agency (EPA) for the Tribe's proposed 60.8-acre fee-to-trust transfer and casino project to be located in Calexico, California, and that the DEIS is now available for public review and comment. This notice provides a 75-day public comment period, which adds a 30-day extension to the normal 45-day public comment period.

**DATES:** The DEIS will be available for public comment beginning October 8, 2010. Written comments on the DEIS must arrive by December 22, 2010. A public hearing will be held on Wednesday, November 10, 2010 from 6 p.m. to 9 p.m. or until the last public comment is received.

**ADDRESSES:** You may mail or hand carry written comments to Dale Risling, Acting Regional Director, Pacific Regional Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825. A public hearing will be held at: City of Calexico, 608 Heber Avenue, Calexico, California 92231. See the **SUPPLEMENTARY INFORMATION** section of this notice for directions on submitting comments and for locations where the DEIS will be available for review.

**FOR FURTHER INFORMATION CONTACT:** John Ryzdik (916) 978–6051.

**SUPPLEMENTARY INFORMATION:** The Tribe proposes that 60.8 acres of land be taken into trust for the purpose of developing a casino facility. The property is located at the northernmost gateway to the City of Calexico, a California/Mexico border city of growing importance in international trade. The project site is situated at the southwest quadrant of State Highway 111 and Jasper Road and is bounded on the south and west by the Central Main and Dogwood Canals. The 60.8-acre parcel is undeveloped former agricultural land and is located within

the City of Calexico's proposed 111 Calexico Place project site, a commercial highway development project that was approved by the City of Calexico City Council on May 5, 2010.

The proposed action consists of the fee-to-trust transfer of the project site, Federal review (by the National Indian Gaming Commission) of the development and management contract, and development of the proposed project. The proposed project includes a 459,621-square-foot casino facility on the 60.8-acre parcel. The casino facility would include an approximately 93,880-square-foot casino; 63,000 square feet of food/beverage and retail components; a 38,660-square-foot entertainment venue; and 218,081 square feet of other operational facilities (e.g., back of house area, central plant). In addition, there will be a 46,000-square-foot banquet/meeting hall and 200-room hotel. The casino will have 2,000 slot machines and 45 gaming tables. There will be three guest restaurants and one employee dining room. A swimming pool and 6,000-space parking facility will also be developed within the project area.

BIA, serving as the lead agency for compliance with the National Environmental Policy Act (NEPA), published a Notice of Intent to prepare the EIS for the proposed action in the **Federal Register** on March 6, 2008. In addition, BIA held a public scoping meeting on March 27, 2008, at the County of Imperial's Board of Supervisors Chamber Room in the City of El Centro, California. From that scoping meeting, a range of project alternatives were developed and subsequently analyzed in the DEIS, including: (1) Alternative A—Proposed Action, (2) Alternative B—Reduced Casino, and (3) Alternative C—No Action. Environmental issues addressed in the DEIS include land resources, water resources, air quality, biological resources, cultural and paleontological resources, socioeconomic conditions, transportation, land use and agriculture, public services, noise, hazardous materials, visual resources, environmental justice, growth inducing effects, indirect effects, cumulative effects, and mitigation measures.

#### Directions for Submitting Comments

Please include on the first page of your written comments your name, return address, and the phrase "DEIS Comments, Manzanita Band of Kumeyaay Indians, 60.8-Acre Fee-to-Trust Casino Project, Calexico, California."

### Availability of DEIS for Review

The DEIS will be available to view at Holtville Branch—Meyer Memorial Library, 101 E. 6th Street, Holtville, CA 92250 and at the City of Calexico—Camarena Memorial Library, 850 Encinas Avenue, Calexico, CA 92231. General information for the Holtville Branch—Meyer Memorial Library can be obtained by calling (760) 356-2385 and the City of Calexico—Camarena Memorial Library by calling (760) 768-2170. An electronic version of the DEIS can also be viewed at: <http://www.manazanita.com/eis.html>.

To obtain a compact disk copy of the DEIS, please provide your name and address in writing or by voicemail to John Rydzik, Chief of the Division of Environmental, Cultural Resources Management and Safety, at the telephone number provided in the **FOR FURTHER INFORMATION CONTACT** section of this notice. Individual paper copies of the DEIS will be provided upon payment of applicable printing expenses by the requestor for the number of copies requested.

### Public Comment Availability

Written comments, including the names and addresses of respondents, will be available for public review at the BIA address shown in the **ADDRESSES** section, during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. 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.

### Authority

This notice is published pursuant to section 1503.1 of the Council of Environmental Quality regulations (40 CFR parts 1500 through 1508) implementing the procedural requirements of NEPA of 1969, as amended (42 U.S.C. 4371 *et seq.*), the Department of the Interior Manual (516 DM 1-6) and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: September 28, 2010.

**Larry Echo Hawk,**

*Assistant Secretary-Indian Affairs.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Ocean Energy Management, Regulation and Enforcement

[Docket No. BOEM-2010-0036]

#### Notice of Intent To Conduct a Review of Categorical Exclusions for Outer Continental Shelf Decisions

**AGENCY:** Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE), Interior.

**ACTION:** Notice of Intent to Conduct a Review of BOEMRE Outer Continental Shelf (OCS) Categorical Exclusions under the National Environmental Policy Act (NEPA).

**SUMMARY:** The Department of the Interior (DOI), Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) is announcing its intent to conduct a broad review of its categorical exclusions (CEs) for Outer Continental Shelf (OCS) decisions. This review is being conducted in accordance with section 102 of the National Environmental Policy Act of 1969 (NEPA), as amended, 42 U.S.C. 4332; the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, 40 CFR parts 1500-1508 (Nov. 1978); the CEQ Draft Guidance on Establishing and Applying Categorical Exclusions under NEPA (February 18, 2010); and consistent with recommendations provided by CEQ in their "Report Regarding the Minerals Management Service's National Environmental Policy Act Policies, Practices, and Procedures as They Relate to Outer Continental Shelf Oil and Gas Exploration and Development" (August 16, 2010). Furthermore, this notice provides the public an opportunity to comment on the issues that should be addressed by BOEMRE during the review of its CEs and their application to OCS decisionmaking. The BOEMRE will use and coordinate a commenting process to ensure public involvement.

**Authority:** The National Environmental Policy Act (NEPA) of 1969, as amended, established a national policy to protect the environment and also established the President's Council on Environmental Quality (CEQ). CEQ regulations at 40 CFR 1507.3 require Federal agencies to adopt procedures to implement NEPA, to consult with CEQ during their development, to provide an opportunity for public review, and to revise procedures as necessary to ensure full compliance with the purposes and provisions of the Act. The CEQ

regulations are available at [http://ceq.hss.doe.gov/nepa/regs/ceq/toc\\_ceq.htm](http://ceq.hss.doe.gov/nepa/regs/ceq/toc_ceq.htm).

The Department of the Interior NEPA procedures were promulgated as regulations and published in the **Federal Register** on October 15, 2008 (73 FR 61292). They can be found at (<http://www.doi.gov/oepr/nepafr/docs/Federal%20Register%20October%202015,%202008%20NEPA.pdf>). These regulations identify categories of actions taken throughout the Department that under normal circumstances do not have, and are not expected to have, significant individual or cumulative environmental impacts; therefore, the Bureau is not required to prepare an environmental assessment or environmental impact statement. These regulations also identify the extraordinary circumstances which nullify the use of the CE in particular circumstances. The CEQ regulations define "categorical exclusion" at 40 CFR 1508.4:

"Categorical exclusion" means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency in implementation of these regulations (§ 1507.3) and for which, therefore, neither an environmental assessment nor an environmental impact statement is required. An agency may decide in its procedures or otherwise, to prepare environmental assessments for the reasons stated in Sec. 1508.9 even though it is not required to do so. Any procedures under this section shall provide for extraordinary circumstances in which a normally excluded action may have a significant environmental effect.

The Minerals Management Service (MMS, now BOEMRE) identified additional categories of actions designated as CEs, which include those related specifically to OCS activities. BOEMRE's CEs (Departmental Manual at 516 DM 15.4) can be found at [http://elips.doi.gov/app\\_dm/act\\_getfiles.cfm?relnum=3625](http://elips.doi.gov/app_dm/act_getfiles.cfm?relnum=3625) and are listed below:

#### A. General

(1) Inventory, data, and information collection, including the conduct of environmental monitoring and nondestructive research programs.

(2) Actions for which MMS has concurrence or co-approval with another Bureau if the action is a categorical exclusion for that Bureau.

#### B. Internal Program Initiatives

(1) All resource evaluation activities including surveying, mapping, and geophysical surveying which do not use solid or liquid explosives.