

the address above. Case file documents for case WYW161248 are available for inspection at the BLM Wyoming State Office.

**Donald A. Simpson,**

*State Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CACA 048810, LLCAD06000,  
L51010000.FX0000, LVRWB09B2600]

#### Notice of Availability of the Final Environmental Impact Statement for Palen Solar I, LLC's Palen Solar Power Plant (PSPP) and Proposed California Desert Conservation Area Plan Amendment

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) has prepared a Proposed California Desert Conservation Area (CDCA) Plan Amendment/Final Environmental Impact Statement (EIS) for the Palen Solar Power Plant project and by this notice is announcing its availability.

**DATES:** The publication of the Environmental Protection Agency's (EPA) Notice of Availability (NOA) of this Final EIS in the **Federal Register** initiates a 30-day public comment period. In addition, the BLM planning regulations state that any person who meets the conditions as described in the regulations at 43 CFR 1610.52 may protest the BLM's Proposed CDCA Plan Amendment. A person who meets the conditions and files a protest must file the protest within 30 days of the date that the EPA publishes its notice in the **Federal Register**. The protest procedures are described in the "Dear Reader" letter accompanying the Proposed Plan Amendment/Final EIS.

**ADDRESSES:** Copies of the Palen Proposed CDCA Plan Amendment/Final EIS have been sent to affected Federal, state, and local government agencies and to other stakeholders. You may send your comments to the Palm Springs South Coast Field Office, 1201 Bird Center Drive, Palm Springs, California 92262. Copies are also available for public inspection at this address. Interested persons may also

review the document at the following Web site: [http://www.blm.gov/ca/st/en/fo/palmsprings/Solar\\_Projects/Palen\\_Solar\\_Power\\_Project.html](http://www.blm.gov/ca/st/en/fo/palmsprings/Solar_Projects/Palen_Solar_Power_Project.html). All protests must be in writing and mailed to one of the following addresses:

Regular Mail: BLM Director (210),  
*Attention:* Brenda Williams, P.O. Box 71383, Washington, DC 20024-1383.  
Overnight Mail: BLM Director (210),  
*Attention:* Brenda Williams, 20 M Street, SE., Room 2134LM, Washington, DC 20003.

**FOR FURTHER INFORMATION CONTACT:** For further information contact Allison Shaffer, BLM Project Manager, telephone (760) 833-7100; 1201 Bird Center Drive, Palm Springs, California 92262 or e-mail [CAPSSolarPalen@blm.gov](mailto:CAPSSolarPalen@blm.gov). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** Palen Solar I, LLC (Palen), a wholly-owned subsidiary of Solar Millennium, Inc., has submitted a right-of-way (ROW) application to the BLM for development of the proposed Palen project, consisting of two parabolic-trough solar thermal power plants, each of which has a "solar field" comprised of rows of parabolic mirrors focusing solar energy on collector tubes. The tubes would carry heated oil to a boiler that sends live steam to a steam turbine. The project would be built in 2 phases which are designed to generate in total approximately 500 megawatts (MW) of electricity at full development. The proposed ROW would encompass approximately 5,200 acres; the disturbed area would encompass approximately 3,107 acres. The project is in Riverside County, California, 10 miles east of Desert Center along Interstate 10 halfway between the cities of Indio and Blythe.

The major components and features of the proposed Palen project include the two power plants, an access road, operations facilities (office, warehouse, etc.), a switchyard, an electrical transmission line (which will connect to Southern California Edison's planned Red Bluff substation, 10 miles west of the Palen project site), and two water wells. This dry-cooled power plant would use approximately 300 acre-feet of water per year for feed water makeup, dust control, domestic uses, and mirror

washing obtained from on-site water wells.

The BLM's purpose and need for the Final EIS is to respond to Palen's application for a ROW grant to construct, operate, and decommission a solar thermal facility on public lands in compliance with FLPMA, the BLM ROW regulations, and other applicable Federal laws. The BLM will decide whether to grant, grant with modification, or deny a ROW to Palen for the proposed project. The CDCA Plan (1980, as amended), while recognizing the potential compatibility of solar generation facilities with other uses on public lands, requires that all sites proposed for power generation or transmission not already identified in the plan be considered through the plan amendment process. If the BLM decides to grant a ROW for this project, the CDCA Plan would be amended as required. In response to the application received from Palen, the BLM's proposed action is to authorize the Palen project and amend the CDCA Plan to identify the project area as suitable for solar energy production.

In addition to the proposed action, the BLM is analyzing the following action alternatives: Two reconfigured 500-MW alternatives designed to reduce impacts to desert washes, dune habitat, and the Mojave fringe-toed lizard, and a smaller 375-MW alternative. The reconfigured 500-MW alternative that has as an option to use 240 acres of private land, if available, is the preferred alternative. The Final EIS also analyzes a no action alternative that would not approve a CDCA Plan amendment and two no project alternatives that reject the project, but amend the CDCA Plan to: (1) Designate the project area as available to future solar energy power generation projects; or (2) designate the project area as unavailable to future solar energy power generation projects. The BLM will take into consideration the provisions of the Energy Policy Act of 2005 and Secretarial Orders 3283—"Enhancing Renewable Energy Development on the Public Lands", and 3285A1—"Renewable Energy Development by the Department of the Interior" in responding to the PSPP application.

The Final EIS evaluates the potential impacts of the proposed PSPP and CDCA Plan Amendment on air quality, biological resources, cultural resources, water resources, geological resources and hazards, land use, noise, paleontological resources, public health, socioeconomics, soils, traffic and transportation, visual resources, wilderness characteristics, impacts to Joshua Tree National Park, and other resources.

A Notice of Availability for the Palen Draft CDCA Plan Amendment/Draft EIS was published by EPA in the **Federal Register** on April 7, 2010 (75 FR 17765). The formal 90-day comment period ended on July 1, 2010. Comments were considered and incorporated as appropriate into the Proposed CDCA Plan Amendment/Final EIS. Public comments resulted in the addition of clarifying text and development of a modified alternative but did not significantly change proposed land use plan decisions.

Instructions for filing a protest with the Director of the BLM regarding the Palen project may be found in the "Dear Reader Letter" of the Proposed CDCA Plan Amendment/Final EIS and at 43 CFR 1610.5-2. E-mailed and faxed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, the BLM will consider the e-mailed or faxed protest as an advance copy and it will receive full consideration. If you wish to provide the BLM with such advance notification, please direct faxed protests to the attention of the BLM protest coordinator at (202) 208-5010 and e-mails to [Brenda.Hudgens-Williams@blm.gov](mailto:Brenda.Hudgens-Williams@blm.gov). All protests, including the follow-up letter to e-mails or faxes, must be in writing and mailed to the appropriate address, as set forth in the **ADDRESSES** section above.

Before including your phone number, e-mail address, or other personal identifying information in your protest, you should be aware that your entire protest—including your personal identifying information—may be made publicly available at any time. While you can ask us in your protest to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authority:** 40 CFR 1506.6, 1506.10, 43 CFR 1610.2, and 1610.5.

**James W. Keeler,**

*Acting Deputy State Director, California.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

[2253-665]

#### Notice of Intent To Repatriate a Cultural Item: Montana Historical Society, Helena, MT

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

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 a cultural item in the possession of the Montana Historical Society, Helena, MT, that meets the definition of a sacred object 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 cultural item. The National Park Service is not responsible for the determinations in this notice.

The cultural item is a split horn bonnet headdress (X1892.01.38), which has a cap of animal skin and is covered with strips of ermine. The split horns are attached at either side and are wrapped with a woven wool sash of predominately red wool. Yellow or green twill weave tape is tied to the base of the horns along with a different pattern of red sash. The horn tips are joined by a strand of blue and white beads. The tips are decorated with blue and yellow horse hair, brass hawk bells, ermine strips with red feathers, and large blue beads. At the base of the horns are 16 inch strands of red wool yarn in a bundle. Ermine tubes around the lower edge of the cap are 10-12 inches long. The ermine strips and tubes are attached in a variety of ways. They are decorated with either large beads, red wool yarn, red and blue feathers, or porcupine quills. Running horizontally under the ermine on the outside of the cap are six brass buttons decorated in low relief with floral and leaf motifs. The buttons are inserted into the cap by means of a shank, and have been secured inside the cap with a strip of leather through the eyes. Below the buttons, at the base of the cap, is a piece of leather in upside down "V" pattern. A narrow strip of leather appears to lace across this area. A red stroud strip is just above the face.

According to museum records this bonnet was acquired by Major R. A. Allen "from the Blackfeet, Bloods, and

Piegian Indians," while serving as the United States Indian Agent for the Blackfeet Agency, Montana Territory, between 1884 and 1886. In 1892, Allen loaned it to the Montana Historical Society. Subsequently, it was purchased by William Andrus Clark, who donated it to the Society's collections in 1900.

Consultation with Blackfeet tribal and religious leaders confirmed that the bonnet originated from the Blackfeet, it is a ceremonial artifact associated with a religious society, and it is required for the practice of a traditional religion by contemporary adherents. The present-day Blackfoot Confederacy (Blackfeet Tribe, Blood Nation of Montana, Piegan Nation of Canada, and the Siksika Nation of Canada) is descended from the four tribes of the Blackfoot Confederacy as constituted during the 1880s, and is represented in the United States by the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

Officials of the Montana Historical Society have determined, pursuant to 25 U.S.C. 3001(3)(C), that the one cultural item is a specific ceremonial object needed by traditional Native American religious leaders for the practice of traditional Native American religions by present-day adherents. Officials of the Montana Historical Society also have determined, pursuant to 25 U.S.C. 3001(2), that there is a relationship of shared group identity that can be reasonably traced between the sacred object and the Blackfoot Confederacy, which is represented by the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the sacred object should contact Jennifer Bottomly-O'looney, Curator, Montana Historical Society, 225 North Roberts St., Helena, MT 59620, telephone (406) 444-4711, before June 13, 2011. Repatriation of the sacred object to the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana may proceed after that date if no additional claimants come forward.

The Montana Historical Society is responsible for notifying the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana that this notice has been published.

Dated: May 9, 2011.

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

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