

I, and other permitted activities considered after site specific analysis that considered values for which the ACEC is designated.

Alternative A proposes to maintain the nine existing ACECs for a total of 37,896 acres. Under Alternative A, 1,675 acres are recommended withdrawn from mineral entry and 32,158 acres are not available for fluid mineral leasing. Alternative B proposes to retain nine ACECs and establish three additional ACECs for a total of 181,175 acres (management listed above). Alternative B would continue to withdraw 1,675 acres from locatable mineral entry, recommend withdrawals from locatable mineral entry for 178,749 acres, and make 179,244 acres unavailable for fluid mineral leasing. Alternative C proposes to retain nine ACECs and establish two additional ACECs for a total of 67,079 acres. Alternative C would continue to withdraw 1,675 acres from locatable mineral entry, recommend withdrawals from locatable mineral entry for 1,914 acres, and make 34,558 acres unavailable for fluid mineral leasing. Alternative D proposes to retain nine ACECs and establish two additional ACECs for a total of 38,786 acres. Alternative D would continue to withdraw 1,675 acres from locatable mineral entry, recommend withdrawals from locatable mineral entry for 20,827 acres, and make 18,716 acres unavailable for fluid mineral leasing.

The preferred alternative (Alternative D) proposes retaining ACEC designation for the following ACECs that are the same acreages as designated in the 1996, 1998, and 2001 RMP amendments: Pompeys Pillar National Monument and ACEC (432 acres), Bridger Fossil Area ACEC (577 acres), Castle Butte ACEC (184 acres), Four Dances Natural Area ACEC (784 acres), Petroglyph Canyon ACEC (240 acres), and Stark Site ACEC (799 acres). The following ACECs were designated in the 1998 RMP amendment, but ACEC boundaries expanded or changed in the preferred alternative:

- East Pryor ACEC (11,122 acres): This acreage is smaller than the 29,550 acres originally designated in 1998 RMP amendment, as the preferred alternative removes overlapping/conflicting management layers. The East Pryor ACEC is located in the same area as three wilderness study areas (WSAs) and the Pryor Mountain Wild Horse Range. In the preferred alternative, the boundaries of the ACEC were changed to exclude the WSAs, as WSAs have the most restrictive management, and the management of the WSAs would provide special management needed for the resource values of concern

identified in the East Pryor ACEC. The 1998 boundary of the East Pryor ACEC included only a portion of the Demi-John Flat National Register District. The boundary has been expanded in the preferred alternative to include all of Demi-John Flat National Register District.

- Meeteetse Spires ACEC (956 acres plus 567 acres): The additional 576 acres were acquired from The Conservation Fund by the BLM in 2009 using money received from the Land and Water Conservation Fund. The private land was surrounded on three sides by the Meeteetse Spires ACEC and on one side by the U.S. Forest Service Custer National Forest (Line Creek Plateau RNA). The 567 acres of private land had been subdivided and further development would have threatened the adjoining ACEC.

- Weatherman Draw ACEC (4,365 acres plus 7,912 acres): The proposed 7,912 acre expansion of the ACEC includes the 2009 donation of 621 acres of private land to the BLM.

The preferred alternative (Alternative D) proposes two additional ACECs: Grove Creek ACEC (8,251 acres) and Pryor Foothills RNA ACEC (2,606 acres).

The BLM Billings Field Office conducted an inventory of certain waterways to determine eligibility and suitability for inclusion into the National Wild and Scenic Rivers System for designation by Congress and drafted interim management prescriptions for those waterway segments determined "suitable" in the planning process.

Following the close of the public review and comment period on this draft RMP/EIS, public comments will be used to revise the BLM Billings and Pompeys Pillar National Monument draft RMP/EIS in preparation for its release to the public as the BLM Billings and Pompeys Pillar Proposed RMP and Final EIS. While one combined RMP/EIS has been prepared, two separate Records of Decision (RODS) will be issued for the Billings Field Office and for Pompeys Pillar National Monument. The BLM will respond to each substantive comment by making appropriate revisions to the document or by explaining why a comment did not warrant a change. Notice of the availability of the Proposed RMP and Final EIS will be posted in the **Federal Register**.

Please note that public comments and information submitted including names, street addresses, and email addresses of persons who submit comments will be available for public review and disclosure at the above address during regular business hours (8 a.m. to 4 p.m.),

Monday through Friday, except holidays.

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: 40 CFR 1506.6, 40 CFR 1506.10, 43 CFR 1610.2.

Theresa M. Hanley,
Acting State Director.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[L1610000.PQ0000/LLCAC09000]

Notice of Availability of the Clear Creek Management Area Proposed Resource Management Plan and Final Environmental Impact Statement, California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Land Policy and Management Act of 1976, as amended, the Bureau of Land Management (BLM) has prepared a Proposed Resource Management Plan (RMP)/Final Environmental Impact Statement (EIS) for the Clear Creek Management Area (CCMA) and by this notice is announcing its availability.

DATES: BLM planning regulations (43 CFR 1610) state that any person who meets the conditions as described in the regulations may protest the BLM's Proposed RMP and Final EIS. A person who meets the conditions and files a protest, must file the protest within 30 days of the date that the Environmental Protection Agency (EPA) publishes its notice in the **Federal Register**.

ADDRESSES: Copies of the CCMA Proposed RMP and Final EIS have been sent to affected Federal, State, and local government agencies and to other stakeholders. Copies of the CCMA Proposed RMP and Final EIS are available for public inspection at the Hollister Field Office, 20 Hamilton Court, Hollister, California 95023. Interested persons may also review the

CCMA Proposed RMP and Final EIS at the following Web site: <http://www.blm.gov/ca/hollister>. 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: Sky Murphy, Planning and Environmental Coordinator, telephone (831) 630-5039; address Hollister Field Office, 20 Hamilton Court, Hollister, California 95023; email smurphy@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: The planning area covers about 75,000 acres, including about 63,000 surface acres and 64,000 acres of subsurface mineral estate in San Benito and Fresno counties, California. The CCMA RMP will provide a framework to guide management decisions for the use and protection of the resources managed by the Hollister Field Office. The CCMA is currently managed under the 1984 Hollister RMP and subsequent amendments. The purpose of the CCMA RMP is to establish goals, objectives, and management actions for BLM-administered lands in CCMA that address current issues, and conditions.

The need to develop the CCMA RMP arose from changes in circumstances since the current land use plan decisions were adopted. For example, the EPA's CCMA Asbestos Exposure and Human Health Risk Assessment (2008) provides significant new information that must be incorporated into the RMP to evaluate the public health risk associated with BLM land use authorizations.

A Notice of Availability of the CCMA Draft RMP/EIS was published in the **Federal Register** on December 4, 2009. The Draft RMP/EIS was available for public review for 135 days. Comments on the Draft RMP/EIS were considered, and incorporated as appropriate into the proposed plan. For example, the BLM made changes to the route and trail designations between the Draft and Final EIS. These changes did not significantly alter the proposed land use

decisions for transportation and travel management in the CCMA.

The Hollister Field Office, through a collaborative planning process, has worked extensively with interested and affected individuals, groups, and local, State, and Federal agencies in the development of the Proposed RMP and Final EIS. The primary issues include public health and safety, recreation, protection of sensitive natural and cultural resources, livestock grazing, guidance for energy and mineral development, and land tenure adjustments. The Proposed RMP maintains the designation of the 30,000-acre Serpentine Area of Critical Environmental Concern (ACEC) to protect public health and safety while also protecting special status species and cultural, historic, and scenic resources values. Restrictions on use of public lands within the Serpentine ACEC include limitations on motorized and non-motorized activities to minimize human health risks from exposure to asbestos by reducing airborne emissions of asbestos.

For example, the CCMA Proposed RMP designates the Serpentine ACEC as a "limited" vehicle use area based on the human health risks from exposure to asbestos; and use would be limited to highway-licensed vehicles by permit only. Under the Proposed RMP, the remaining lands in the CCMA management zones are also designated as "limited" vehicle use areas where motorized vehicle use would be limited to highway-licensed vehicles and all-terrain vehicles. In addition to the proposed action, the BLM considered six additional alternatives, ranging from a no action alternative, which would continue historic recreational use in the area, to complete closure of the area prohibiting all public access. Other action alternatives analyzed variations of limited annual visitor use days, seasonal use restrictions, limited OHV recreation opportunities in the Serpentine ACEC based on vehicle types, minimum age requirements, vehicle access for non-motorized recreation opportunities inside the Serpentine ACEC, and enhancing new OHV recreation opportunities outside of the ACEC.

Comments on the Draft RMP/EIS received from the public and through internal BLM review were considered and incorporated as appropriate into the Proposed RMP/Final EIS. Public comments resulted in the following changes to the preferred alternative in the Draft RMP/EIS: additional information added to the Hazardous Materials and Public Health and Safety section; increased miles of designated

routes to provide greater vehicle access with an emphasis on supporting non-motorized recreation opportunities in CCMA; retention of public lands surrounding Baker, Byles, and Cane Canyons; and pursuit of partnerships with local private landowners, non-profit organizations, and the California Department of Fish and Wildlife to develop public easements to BLM lands in the Tucker management zone. These changes do not significantly change proposed land use plan decisions set forth in the Draft RMP/EIS.

Instructions for filing a protest with the Director of the BLM regarding the CCMA Proposed RMP and Final EIS may be found in the "Dear Reader" letter of the CCMA Proposed RMP and Final EIS and at 43 CFR 1610.5-2. All protests must be in writing and mailed to the appropriate address, as set forth in the **ADDRESSES** section above. Emailed 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 emailed 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 emails to bhudgets@blm.gov and faxed protests to the attention of the BLM protest coordinator at 202-912-7212.

Before including your phone number, email 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 and 1506.10, 43 CFR 1610.2 and 1610.5.

Thomas Pogacnik,
Deputy State Director.

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