

III. Permit Applications

A. Endangered Species

Applicant: Duke University, Durham, NC; PRT-92458B

The applicant requests a permit to import biological samples from wild kakapo (*strigops habroptilus*) for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 2-year period.

Multiple Applicants

The following applicants each request a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

Applicant: Edwin Andrew, Frederica, DE; PRT-00500C

Applicant: Guy Maranga, Neponsit, NY; PRT-98444B

Applicant: Donald Bitz, West Palm Beach, FL; PRT-00209C

Applicant: Christopher Sibert, Midland, TX; PRT-98815B

B. Endangered Marine Mammals and Marine Mammals

Applicant: University of California, Santa Cruz, CA; PRT-83954B

The applicant requests a permit to import blood and tissue samples collected from wild polar bears in Manitoba, Canada, for purposes of scientific research. The goal of this study is to create an improved reference genome for polar bears (*Ursus maritimus*) and investigate the genetic diversity and unique adaptations of polar bears. Samples to be imported have been collected under Manitoba Wildlife Research permits for a study assessing the status of the wild population for conservation and ecological purposes. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Passion Planet, London, UK; PRT-01370C

The applicant requests a permit for Level B Harassment of northern sea otters (*Enhydra lutris kenyoni*) and southern sea otters (*Enhydra lutris nereis*) for purposes of photography for educational and commercial purposes. Filming will occur along the Washington State and California State coastlines. The filming is part of a documentary explaining the importance of sea otters to marine ecosystems. This notification covers activities to be conducted by the applicant over a 2-year period.

Concurrent with publishing this notice in the **Federal Register**, we are forwarding copies of the above applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Brenda Tapia,

Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.

[FR Doc. 2016-18587 Filed 8-4-16; 8:45 am]

BILLING CODE 4333-15-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[167A2100DD/AAKC001030/A0A501010.999900]

Rate Adjustments for Indian Irrigation Projects

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of proposed rate adjustments.

SUMMARY: The Bureau of Indian Affairs (BIA) owns or has an interest in irrigation projects located on or associated with various Indian reservations throughout the United States. We are required to establish irrigation assessment rates to recover the costs to administer, operate, maintain, and rehabilitate these projects. We request your comments on the proposed rate adjustments.

DATES: Interested parties may submit comments on the proposed rate adjustments on or before *October 4, 2016*.

ADDRESSES: All comments on the proposed rate adjustments must be in writing and addressed to: Yulan Jin, Chief, Division of Water and Power, Office of Trust Services, Mail Stop 4637-MIB, 1849 C Street NW., Washington, DC 20240, Telephone (202) 219-0941.

FOR FURTHER INFORMATION CONTACT: For details about a particular irrigation project, please use the tables in **SUPPLEMENTARY INFORMATION** section to contact the regional or local office where the project is located.

SUPPLEMENTARY INFORMATION: The first table in this notice provides contact information for individuals who can give further information about the irrigation projects covered by this notice. The second table provides the current 2015 irrigation assessment rates, the proposed rates for Calendar Year (CY) 2016, and proposed rates for subsequent years where these rates are available.

What is the meaning of the key terms used in this notice?

In this notice:

Administrative costs means all costs we incur to administer our irrigation projects at the local project level and is a cost factor included in calculating your operation and maintenance assessment. Costs incurred at the local project level do not normally include Agency, Region, or Central Office costs unless we state otherwise in writing.

Assessable acre means lands designated by us to be served by one of our irrigation projects, for which we collect assessments in order to recover costs for the provision of irrigation service. (See *total assessable acres*.)

BIA means the Bureau of Indian Affairs.

Bill means our statement to you of the assessment charges and/or fees you owe the United States for administration, operation, maintenance, and/or rehabilitation. The date we mail or hand-deliver your bill will be stated on it.

Costs means the costs we incur for administration, operation, maintenance, and rehabilitation to provide direct support or benefit to an irrigation facility. (See administrative costs, operation costs, maintenance costs, and rehabilitation costs).

Customer means any person or entity to whom or to which we provide irrigation service.

Due date is the date on which your bill is due and payable. This date will be stated on your bill.

I, me, my, you and your means all persons or entities that are affected by this notice.

Irrigation project means a facility or portion thereof for the delivery, diversion, and storage of irrigation water that we own or have an interest in, including all appurtenant works. The term "irrigation project" is used interchangeably with irrigation facility, irrigation system, and irrigation area.

Irrigation service means the full range of services we provide customers of our irrigation projects. This includes our activities to administer, operate, maintain, and rehabilitate our projects in order to deliver water.

Maintenance costs means costs we incur to maintain and repair our irrigation projects and associated equipment and is a cost factor included in calculating your operation and maintenance assessment.

Operation and maintenance (O&M) assessment means the periodic charge you must pay us to reimburse costs of administering, operating, maintaining, and rehabilitating irrigation projects

consistent with this notice and our supporting policies, manuals, and handbooks.

Operation or operating costs means costs we incur to operate our irrigation projects and equipment and is a cost factor included in calculating your O&M assessment.

Past due bill means a bill that has not been paid by the close of business on the 30th day after the due date as stated on the bill. Beginning on the 31st day after the due date, we begin assessing additional charges accruing from the due date.

Rehabilitation costs means costs we incur to restore our irrigation projects or features to original operating condition or to the nearest state which can be achieved using current technology and is a cost factor included in calculating your O&M assessment.

Responsible party means an individual or entity that owns or leases land within the assessable acreage of one of our irrigation projects and is responsible for providing accurate information to our billing office and paying a bill for an annual irrigation rate assessment.

Total assessable acres means the total acres served by one of our irrigation projects.

Water delivery is an activity that is part of the irrigation service we provide our customers when water is available.

We, us, and our means the United States Government, the Secretary of the Interior, the BIA, and all who are authorized to represent us in matters covered under this notice.

Does this notice affect me?

This notice affects you if you own or lease land within the assessable acreage of one of our irrigation projects or if you have a carriage agreement with one of our irrigation projects.

Where can I get information on the regulatory and legal citations in this notice?

You can contact the appropriate office(s) stated in the tables for the irrigation project that serves you, or you can use the Internet site for the Government Printing Office at <http://www.gpo.gov>.

Why are you publishing this notice?

We are publishing this notice to inform you that we propose to adjust our irrigation assessment rates. This notice is published in accordance with the BIA's regulations governing its operation and maintenance of irrigation projects, found at 25 CFR part 171. This regulation provides for the establishment and publication of the

proposed rates for annual irrigation assessments as well as related information about our irrigation projects.

What authorizes you to issue this notice?

Our authority to issue this notice is vested in the Secretary of the Interior by 5 U.S.C. 301 and the Act of August 14, 1914 (38 Stat. 583; 25 U.S.C. 385). The Secretary has in turn delegated this authority to the Assistant Secretary—Indian Affairs under Part 209, Chapter 8.1A, of the Department of the Interior's Departmental Manual.

When will you put the rate adjustments into effect?

We will put the rate adjustments into effect for the CY 2016 and subsequent years where applicable.

How do you calculate irrigation rates?

We calculate annual irrigation assessment rates in accordance with 25 CFR part 171.500 by estimating the annual costs of operation and maintenance at each of our irrigation projects and then dividing by the total assessable acres for that particular irrigation project. The result of this calculation for each project is stated in the rate table in this notice.

What kinds of expenses do you consider in determining the estimated annual costs of operation and maintenance?

Consistent with 25 CFR part 171.500, these expenses include the following:

- (a) Salary and benefits for the project engineer/manager and project employees under the project engineer/manager's management or control;
- (b) Materials and supplies;
- (c) Vehicle and equipment repairs;
- (d) Equipment costs, including lease fees;
- (e) Depreciation;
- (f) Acquisition costs;
- (g) Maintenance of a reserve fund available for contingencies or emergency costs needed for the reliable operation of the irrigation facility infrastructure;
- (h) Maintenance of a vehicle and heavy equipment replacement fund;
- (i) Systematic rehabilitation and replacement of project facilities;
- (j) Carriage Agreements for the transfer of project water through irrigation facilities owned by others.
- (k) Any water storage fees for non-BIA-owned reservoirs, as applicable,
- (l) Contingencies for unknown costs and omitted budget items; and
- (m) Other expenses we determine necessary to properly perform the

activities and functions characteristic of an irrigation project.

When should I pay my irrigation assessment?

We will mail or hand-deliver your bill notifying you (a) the amount you owe to the United States and (b) when such amount is due. If we mail your bill, we will consider it as being delivered no later than 5 business days after the day we mail it. You should pay your bill by the due date stated on the bill.

What information must I provide for billing purposes?

All responsible parties are required to provide the following information to the billing office associated with the irrigation project where you own or lease land within the project's assessable acreage or to the billing office associated with the irrigation project with which you have a carriage agreement:

- (1) The full legal name of person or entity responsible for paying the bill;
- (2) An adequate and correct address for mailing or hand delivering our bill; and
- (3) The taxpayer identification number or Social Security number of the person or entity responsible for paying the bill.

Why are you collecting my taxpayer identification number or Social Security number?

Public Law 104-134, the Debt Collection Improvement Act of 1996, requires that we collect the taxpayer identification number or Social Security number before billing a responsible party and as a condition to servicing the account.

What happens if I am a responsible party but I fail to furnish the information required to the billing office responsible for the irrigation project within which I own or lease assessable land or for which I have a carriage agreement?

If you are late paying your bill because of your failure to furnish the required information listed above, you will be assessed interest and penalties as provided below, and your failure to provide the required information will not provide grounds for you to appeal your bill or any penalties assessed.

What can happen if I do not provide the information required for billing purposes?

We can refuse to provide you irrigation service.

If I allow my bill to become past due, could this affect my water delivery?

Yes. 25 CFR 171.545(a) states: “We will not provide you irrigation service until: (1) Your bill is paid; or (2) You make arrangement for payment pursuant to § 171.550 of this part.” If we do not receive your payment before the close of business on the 30th day after the due date stated on your bill, we will send you a past due notice. This past due notice will have additional information concerning your rights. We will consider your past due notice as delivered no later than 5 business days after the day we mail it. We follow the procedures provided in 31 CFR 901.2, “Demand for Payment,” when demanding payment of your past due bill.

Are there any additional charges if I am late paying my bill?

Yes. We will assess you interest on the amount owed, using the rate of interest established annually by the Secretary of the United States Treasury (Treasury) to calculate what you will be assessed. You will not be assessed this charge until your bill is past due. However, if you allow your bill to become past due, interest will accrue from the original due date, not the past due date. Also, you will be charged an administrative fee of \$12.50 for each time we try to collect your past due bill. If your bill becomes more than 90 days past due, you will be assessed a penalty charge of 6 percent per year, which will accrue from the date your bill initially became past due. Pursuant to 31 CFR 901.9, “Interest, penalties and administrative costs,” as a Federal agency, we are required to charge

interest, penalties, and administrative costs in accordance with 31 U.S.C. 3717.

What else will happen to my past due bill?

If you do not pay your bill or make payment arrangements to which we agree, we are required to send your past due bill to the Treasury for further action. Under the provisions of 31 CFR 901.1, “Aggressive agency collection activity,” Federal agencies should consider referring debts that are less than 180 days delinquent, and we must send any unpaid annual irrigation assessment bill to Treasury no later than 180 days after the original due date of the bill.

Who can I contact for further information?

The following tables are the regional and project/agency contacts for our irrigation facilities.

Project name	Project/agency contacts
Northwest Region Contacts	
Stanley Speaks, Regional Director, Bureau of Indian Affairs, Northwest Regional Office, 911 NE. 11th Avenue, Portland, OR 97232-4169, Telephone: (503) 231-6702.	
Flathead Irrigation Project	Ernest Moran, Superintendent, Pete Plant, Irrigation Project Manager, P.O. Box 40, Pablo, MT 59855, Telephones: (406) 675-2700 ext. 1300, Superintendent; (406) 745-2661 ext. 2, Project Manager.
Fort Hall Irrigation Project	David Bollinger, Irrigation Project Manager, Building #2, Bannock Ave., Fort Hall, ID 83203-0220, Telephone: (208) 238-6264.
Wapato Irrigation Project	David Shaw, Superintendent, Larry Nelson, Acting Project Administrator, P.O. Box 220, Wapato, WA 98951-0220, Telephone: (509) 865-2421, Superintendent; (509) 877-3155, Acting Project Administrator.
Rocky Mountain Region Contacts	
Darryl LaCounte, Regional Director, Bureau of Indian Affairs, Rocky Mountain Regional Office, 316 North 26th Street, Billings, MT 59101, Telephone: (406) 247-7943.	
Blackfeet Irrigation Project	Thedis Crowe, Superintendent, Greg Tatsey, Irrigation Project Manager, Box 880, Browning, MT 59417, Telephones: (406) 338-7544, Superintendent; (406) 338-7519, Irrigation Project Manager.
Crow Irrigation Project	Vianna Stewart, Superintendent, Karl Helvik, Acting Irrigation Project Manager, P.O. Box 69, Crow Agency, MT 59022, Telephones: (406) 638-2672, Superintendent; (406) 247-7469, Acting Irrigation Project Manager.
Fort Belknap Irrigation Project	John St. Pierre, Superintendent, Vacant, Irrigation Project Manager, (Project operations & maintenance contracted to Tribes), R.R.1, Box 980, Harlem, MT 59526, Telephones: (406) 353-2901, Superintendent; (406) 353-8454, Irrigation Project Manager (Tribal Office).
Fort Peck Irrigation Project	Howard Beemer, Superintendent, Huber Wright, Acting Irrigation Project Manager, P.O. Box 637, Poplar, MT 59255, Telephones: (406) 768-5312, Superintendent; (406) 653-1752, Irrigation Project Manager.
Wind River Irrigation Project	Norma Gourneau, Superintendent, Karl Helvik, Acting Irrigation Project Manager, P.O. Box 158, Fort Washakie, WY 82514, Telephones: (307) 332-7810, Superintendent; (406) 247-7469, Acting Irrigation Project Manager.
Southwest Region Contacts	
William T. Walker, Regional Director, Bureau of Indian Affairs, Southwest Regional Office, 1001 Indian School Road, Albuquerque, NM 87104, Telephone: (505) 563-3100.	
Pine River Irrigation Project	Priscilla Bancroft, Superintendent, Vickie Begay, Irrigation Project Manager, P.O. Box 315, Ignacio, CO 81137-0315, Telephones: (970) 563-4511, Superintendent; (970) 563-9484, Irrigation Project Manager.
Western Region Contacts	
Bryan Bowker, Regional Director, Bureau of Indian Affairs, Western Regional Office, 2600 N. Central Ave., 4th Floor Mailroom, Phoenix, AZ 85004, Telephone: (602) 379-6600.	
Colorado River Irrigation Project	Kellie Youngbear Superintendent, Gary Colvin, Irrigation Project Manager, 12124 1st Avenue, Parker, AZ 85344, Telephone: (928) 669-7111.

Project name	Project/agency contacts
Duck Valley Irrigation Project	Joseph McDade, Superintendent, (Project operations & management compacted to Tribes), 2719 Argent Ave., Suite 4, Gateway Plaza, Elko, NV 89801, Telephone: (775) 738-5165; (208) 759-3100, (Tribal Office).
Yuma Project, Indian Unit	Irene Herder, Superintendent, 256 South Second Avenue, Suite D, Yuma, AZ 85364, Telephone: (928) 782-1202.
San Carlos Irrigation Project Indian Works and Joint Works.	Ferris Begay, Project Manager, Clarence Begay, Irrigation Manager, 13805 N. Arizona Boulevard, Coolidge, AZ 85128, Telephone: (520) 723-6225.
Uintah Irrigation Project	Bart Stevens Superintendent, Ken Asay, Irrigation System Manager, P.O. Box 130, Fort Duchesne, UT 84026, Telephone: (435) 722-4300, (435) 722-4344.
Walker River Irrigation Project	Robert Eben, Superintendent, 311 E. Washington Street, Carson City, NV 89701, Telephone: (775) 887-3500.

What irrigation assessments or charges are proposed for adjustment by this notice?

The rate table below contains the current rates for all irrigation projects

where we recover costs of administering, operating, maintaining, and rehabilitating them. The table also contains the proposed rates for the CY 2016 and subsequent years where

applicable. An asterisk immediately following the rate category notes the irrigation projects where rates are proposed for adjustment.

BILLING CODE 4337-15-P

Northwest Region Rate Table				
Project Name	Rate Category	Final 2015 Rate	Final 2016 Rate	Proposed 2017 Rate **
Flathead Irrigation Project (See Note #1)	Basic per acre – A *	\$26.00	\$26.00	\$33.50
	Basic per acre – B *	\$13.00	\$13.00	\$16.75
	Minimum Charge per tract	\$75.00	\$75.00	\$75.00

Project Name	Rate Category	Final 2015 Rate	Proposed 2016 Rate
Fort Hall Irrigation Project	Basic per acre *	\$49.00	\$52.00
	Minimum Charge per tract *	\$35.00	\$37.00
Fort Hall Irrigation Project - Minor Units	Basic per acre *	\$27.00	\$31.00
	Minimum Charge per tract *	\$35.00	\$37.00
Fort Hall Irrigation Project – Michaud	Basic per acre *	\$50.50	\$55.00
	Pressure per acre *	\$72.50	\$83.00
	Minimum Charge per tract *	\$35.00	\$37.00
Wapato Irrigation Project – Toppenish/Simcoe Units	Minimum Charge per bill *	\$24.00	\$25.00
	Basic per acre *	\$24.00	\$25.00
Wapato Irrigation Project - Ahtanum Units	Minimum Charge per bill *	\$25.00	\$30.00
	Basic per acre *	\$25.00	\$30.00
Wapato Irrigation Project - Satus Unit	Minimum Charge per bill	\$79.00	\$79.00
	“A” Basic per acre	\$79.00	\$79.00
	“B” Basic per acre	\$85.00	\$85.00
Wapato Irrigation Project -	Minimum Charge per bill *	\$75.00	\$78.00

Additional Works	Basic per acre *	\$75.00	\$78.00
Wapato Irrigation Project - Water Rental	Minimum Charge	\$86.00	\$86.00
	Basic per acre	\$86.00	\$86.00

Rocky Mountain Region Rate Table

Project Name	Rate Category	Final 2015 Rate	Proposed 2016 Rate
Blackfeet Irrigation Project	Basic-per acre	\$20.00	\$20.00
Crow Irrigation Project – Willow Creek O&M (includes Agency, Lodge Grass #1, Lodge Grass #2, Reno, Upper Little Horn, and Forty Mile Units)	Basic-per acre *	\$24.80	\$26.00
Crow Irrigation Project – All Others (includes Bighorn, Soap Creek, and Pryor Units)	Basic-per acre *	\$24.80	\$26.00
Crow Irrigation Project - Two Leggins Unit	Basic-per acre	\$14.00	\$14.00
Crow Irrigation Two Leggins Drainage District	Basic-per acre	\$2.00	\$2.00
Fort Belknap Irrigation Project	Basic-per acre *	\$15.00	\$16.00
Fort Peck Irrigation Project	Basic-per acre	\$26.00	\$26.00
Wind River Irrigation Project – Units 2, 3 and 4	Basic-per acre *	\$21.00	\$22.50
Wind River Irrigation Project – Unit 6	Basic-per acre	\$21.00	\$21.00
Wind River Irrigation Project – LeClair District (See Note #2)	Basic-per acre *	\$25.70	\$47.00
Wind River Irrigation Project – Crow Heart Unit	Basic-per acre *	\$14.00	\$15.50
Wind River Irrigation Project – A Canal Unit	Basic-per acre *	\$ 14.00	\$15.50

Wind River Irrigation Project – Riverton Valley Irrigation District	Basic-per acre *	\$21.00	\$26.00
--	------------------	---------	---------

Southwest Region Rate Table			
Project Name	Rate Category	Final 2015 Rate	Proposed 2016 Rate
Pine River Irrigation Project	Minimum Charge per tract	\$50.00	\$50.00
	Basic-per acre *	\$17.00	\$18.00

Western Region Rate Table			
Project Name	Rate Category	Final 2015 Rate	Proposed 2016 Rate
Colorado River Irrigation Project	Basic per acre up to 5.75 acre-feet	\$54.00	\$54.00
	Excess Water per acre-foot over 5.75 acre-feet	\$17.00	\$17.00
Duck Valley Irrigation Project	Basic per acre *	\$5.30	\$6.30
Yuma Project, Indian Unit (See Note #3)	Basic per acre up to 5.0 acre-feet *	\$108.50	\$113.00
	Excess Water per acre-foot over 5.0 acre-feet	\$24.50	\$24.50
	Basic per acre up to 5.0 acre-feet (Ranch 5) *	\$108.50	\$113.00

Project Name	Rate Category	Final 2015 Rate	Final 2016 Rate	Proposed 2017 Rate **
San Carlos Irrigation Project (Joint Works) (See Note #4)	Basic per acre *	\$35.00	\$30.00	\$25.00
	Proposed 2016 – 2017 Construction Water Rate Schedule:			
		Off Project Construction	On Project Construction – Gravity Water	On Project Construction – Pump Water
	Administrative Fee	\$300.00	\$300.00	\$300.00
	Usage Fee	\$250.00 per month	No Fee	\$100.00 per acre foot
	Excess Water Rate †	\$5.00 per 1,000 gal.	No Charge	No Charge
† The excess water rate applies to all water used in excess of 50,000 gallons in any one month.				

Project Name	Rate Category	Final 2015 Rate	Proposed 2016 Rate
San Carlos Irrigation Project (Indian Works) (See Note#5)	Basic per acre *	\$86.00	\$81.00
Uintah Irrigation Project	Basic per acre	\$18.00	\$18.00
	Minimum Bill	\$25.00	\$25.00
Walker River Irrigation Project	Basic per acre	\$31.00	\$31.00

*	Notes irrigation projects where rates are proposed for adjustment
**	The requirement for a proposed 2017 Rate is only applicable to the Flathead and San Carlos Irrigation Projects due to their specific billing requirements.
Note #1	Federal Register Notice published April 29, 2016 established the final 2016 rate for the Flathead Irrigation Project (81 FR 25691). This notice proposes the 2017 rate for the Flathead Irrigation Project.
Note #2	The O&M rate varies yearly based upon the budget submitted by the LeClair District.
Note #3	The O&M rate for the Yuma Project, Indian Unit has two components. The first component is the O&M rate established by the Bureau of Reclamation (BOR), the owner and operator of the Project. The BOR rate for 2016 is proposed to be \$110/acre. The second component is for the O&M rate established by BIA to cover administrative costs including billing and collections for the Project. The 2016 BIA rate is \$3.00/acre.
Note #4	The construction water rate schedule proposes the fees assessed for use of irrigation water for non-irrigation purposes. Federal Register Notice published April 29, 2016 established the final 2016 rate for the SCIP-JW (81 FR 25691). This notice proposes the 2017 rate for the SCIP-JW.
Note #5	The proposed 2016 O&M rate for the San Carlos Irrigation Project – Indian Works has three components. The first component is the O&M rate established by the San Carlos Irrigation Project – Indian Works, the owner and operator of the Project; this rate is proposed to be \$51 per acre. The second component is for the O&M rate established by the San Carlos Irrigation Project – Joint Works and is determined to be \$25.00 per acre. The third component is the O&M rate established by the San Carlos Irrigation Project Joint Control Board and is proposed to be \$5 per acre.

Consultation and Coordination With Tribal Governments (Executive Order 13175)

The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and Tribal sovereignty. We have evaluated this notice under the Department's consultation policy and under the criteria of Executive Order 13175 and have determined there to be substantial direct effects on federally recognized Tribes because the irrigation projects are located on or associated with Indian reservations. To fulfill its consultation responsibility to Tribes and Tribal organizations, BIA communicates, coordinates, and consults on a continuing basis with these entities on issues of water delivery, water availability, and costs of administration, operation, maintenance, and rehabilitation of projects that concern them. This is accomplished at the individual irrigation project by project, agency, and regional representatives, as appropriate, in accordance with local protocol and procedures. This notice is one component of our overall coordination and consultation process to provide notice to, and request comments from, these entities when we adjust irrigation assessment rates.

Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (Executive Order 13211)

The proposed rate adjustments are not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects is not required.

Regulatory Planning and Review (Executive Order 12866)

These proposed rate adjustments are not a significant regulatory action and do not need to be reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

These proposed rate adjustments are not a rule for the purposes of the Regulatory Flexibility Act because they establish "a rule of particular applicability relating to rates." 5 U.S.C. 601(2).

Unfunded Mandates Reform Act of 1995

These proposed rate adjustments do not impose an unfunded mandate on State, local, or tribal governments in the aggregate, or on the private sector, of more than \$100 million per year. The rule does not have a significant or unique effect on State, local, or Tribal governments or the private sector. A statement containing the information required by the Unfunded Mandates

Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

Takings (Executive Order 12630)

These proposed rate adjustments do not effect a taking of private property or otherwise have "takings" implications under Executive Order 12630. The proposed rate adjustments do not deprive the public, state, or local governments of rights or property.

Federalism (Executive Order 13132)

Under the criteria in section 1 of Executive Order 13132, these proposed rate adjustments do not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement because they will not affect the States, the relationship between the national government and the States, or the distribution of power and responsibilities among various levels of government. A federalism summary impact statement is not required.

Civil Justice Reform (Executive Order 12988)

This notice complies with the requirements of Executive Order 12988. Specifically, in issuing this notice, the Department has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988.

Paperwork Reduction Act of 1995

These proposed rate adjustments do not affect the collections of information which have been approved by the Office of Information and Regulatory Affairs, Office of Management and Budget, under the Paperwork Reduction Act of 1995. The OMB Control Number is 1076-0141 and expires June 30, 2019.

National Environmental Policy Act

The Department has determined that these proposed rate adjustments do not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4370(d)).

Dated: August 1, 2016.

Lawrence S. Roberts,

Principal Deputy Secretary—Indian Affairs.

[FR Doc. 2016-18642 Filed 8-4-16; 8:45 am]

BILLING CODE 4337-15-P

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[LLCON04000 L16100000.DP000]

Notice of Availability of the Final Environmental Impact Statement for Previously Issued Oil and Gas Leases in the White River National Forest, Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), the Bureau of Land Management (BLM) Colorado River Valley Field Office (CRVFO), located in Silt, Colorado, prepared a Final Environmental Impact Statement (EIS) that analyzes the environmental impacts of previous decisions to issue 65 leases on lands within the White River National Forest (WRNF) from 1995 to 2012.

DATES: The BLM will not issue a final decision on the proposal for a minimum of 30 days after the date that the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**.

ADDRESSES: Copies of the Previously Issued Oil and Gas Leases in the WRNF Final EIS are available for public inspection at the CRVFO, 2300 River Frontage Road, Silt, CO 81652. Interested persons may also review the Final EIS on the project Web site at <http://www.blm.gov/co/st/en/fo/crvfo.html>.

FOR FURTHER INFORMATION CONTACT: Greg Larson, Project Manager, at the address above, by telephone at 970-876-9000, or by email at glarson@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, seven 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 BLM developed this EIS to address a NEPA deficiency identified by the Interior Board of Land Appeals (IBLA) related to the issuance of oil and gas leases on WRNF lands from 1995 to 2004. In 2007, the IBLA ruled that before including WRNF parcels in an oil and gas lease sale, the BLM must either formally adopt the NEPA analysis completed by the U.S. Forest Service (USFS) or conduct a NEPA analysis of its own (*Board of Commissioners of Pitkin County*, 173 IBLA 173 (2007)). The BLM canceled the three leases at issue in that case and has identified 65 additional leases with effective dates ranging from 1995 to 2012, which the BLM leased without either: (i) Adopting applicable USFS NEPA, or (ii) Preparing its own NEPA analysis. For these 65 existing leases, the most recent USFS decision to make these lands available for oil and gas leasing was analyzed in the 1993 USFS WRNF Oil and Gas Leasing EIS, which was reaffirmed in the 2002 WRNF Plan.

While the BLM obtained USFS consent before offering and subsequently issuing these 65 leases, it did not adopt the USFS' NEPA analysis or prepare its own analysis. As a result, the BLM determined that the issuance of the leases in question was not in compliance with applicable NEPA requirements, rendering the leases voidable. The BLM therefore determined that additional actions were necessary to either reaffirm, modify, or cancel those leases. As part of its determination of what additional action needs to be taken, the BLM determined that the WRNF NEPA analysis relevant to the 65 previously issued leases was no longer adequate due to changes in laws, regulations, policies and conditions since the earlier EIS was finalized in 1993. As a result, the BLM prepared this EIS, which analyzes the previous decisions to lease WRNF lands for oil and gas development.

Based on the analysis in the EIS, the BLM will determine whether these 65 leases should be cancelled, reaffirmed,

or modified with additional or different terms. Distinct from this effort, the USFS has also been updating its 1993 Oil and Gas Leasing EIS to address future oil and gas leasing availability on the WRNF. The USFS released the Final EIS and Draft Record of Decision in December 2014. The Final USFS Record of Decision was signed in December 2015. The USFS EIS and ROD are forward-looking and do not directly affect the 65 previously issued leases; however, the information generated as part of that process was relevant to the BLM's analysis. As part of its process, the BLM has incorporated as much of the new USFS NEPA analysis of future oil and gas leasing on WRNF lands as possible into the BLM's analysis of the existing leases.

The BLM considered six alternatives in the Final EIS, including the *No Action Alternative*. The *No Action Alternative* would reaffirm the lease stipulations on the 65 leases as they were issued. Under this alternative, the BLM would take no action by continuing to administer the leases with their current stipulations. *Alternative 2* would address inconsistencies in some of the existing leases by adding stipulations identified in the 1993 WRNF EIS that should have been but were not attached to eight leases when they were issued. *Alternative 3* would modify the 65 leases to match the stipulations identified for future leasing in the 2014 USFS Final EIS Proposed Action. *Alternative 4* would modify or cancel the 65 leases to match the stipulations and availability decision for future leasing identified in the 2014 USFS Draft Record of Decision. In areas the USFS identified as open to future leasing, lease stipulations would be modified to track those found in the most recent decisions, and all or part of 25 existing leases in areas identified as closed to future leasing would be cancelled. *Alternative 5* would cancel all 65 leases.

For purposes of the Final EIS, the BLM identified a combination of Alternatives 2 and 4 as its Preferred Alternative. Under this alternative, the BLM would cancel in their entirety 25 leases that are not producing or committed to a unit or communitization agreement, and that overlap with the area identified as closed to future leasing by the USFS's Final Record of Decision (USFS 2015f). It would apply Alternative 4 stipulations (*i.e.*, those that were identified in the 2015 USFS Record of Decision) to the 13 undeveloped leases that are within parts of the WRNF identified as open to future leasing, and would apply *Alternative 2* stipulations (*i.e.*, those