

to commercial forest management activities within the grizzly security zones. The current HCP prohibits new permanent road construction on the original 19,400 acres of Class A lands. This measure would remain essentially the same under an amendment, but would be specifically applied to the seven grizzly security zones, including the additional 2,300 acres in the Coal Creek State Forest. Several other measures in the HCP for Class A lands would remain the same but be extended to the grizzly security zones with amendments. Other amendments would specifically spell out measures that DNRC had committed to implement in the original HCP but were previously incorporated by reference from DNRC's Forest Management Administrative Rules of Montana.

Since we issued the permit, DNRC has acquired an appreciable amount of forested lands within the original HCP area, and they are now requesting to amend the HCP and permit to cover an additional 81,416 acres. DNRC proposes to implement the HCP's existing conservation commitments on the additional lands. The six acquisition areas and their acreages are the Swan, which contains 16,446 acres; Chamberlain, which contains 14,537 acres; Potomac, which contains 32,266 acres; Lolo Land Exchange, which contains 11,066 acres; Upper Blackfoot, which contains 5,458 acres; and Southern Bitterroot, which contains 1,643 acres. The HCP would be amended to reflect inclusion of (1) the Swan acquisition lands in the Swan Transportation Plan, (2) the Swan acquisition area in the Swan Lynx Management Area (LMA), (3) a portion of the Chamberlain acquisition area in the Garnet LMA, and (4) increasing the acres of lynx critical habitat addressed in the HCP.

The original HCP requires the DNRC to complete corrective actions at sites identified with high risk of sediment delivery in bull trout watersheds in the HCP area by 2027. As directed by the settlement agreement, the HCP would be amended to prioritize and complete such corrective actions in federally designated bull trout critical habitat by 2024.

Lastly, over the past 5 years of HCP implementation, the Service and DNRC identified some commitment and procedural clarifications that would be incorporated into the HCP. These amendments would serve to help DNRC understand how to implement certain measures and would not entail any changes to the nature of the measures or how they affect the covered species.

### Statutory Requirements

Section 9 of the ESA (16 U.S.C. 1538) and implementing regulations in title 50 of the Code of Federal Regulations (CFR) prohibit the taking of animal species listed as endangered or threatened. The term "take" is defined under the ESA (16 U.S.C. 1532(19)) to mean "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." "Harm" is defined by the Service to include significant habitat modification or degradation where it actually kills or injures listed species by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering (50 CFR 17.3). "Harass" is defined by the Service as actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns, which include, but are not limited to, breeding, feeding, or sheltering (50 CFR 17.3).

Section 10 of the ESA and implementing regulations specify requirements for the issuance of incidental take permits to non-Federal landowners for the incidental take of endangered and threatened species. Such take must be incidental to otherwise lawful activities and not appreciably reduce the likelihood of the survival and recovery of the species in the wild, and the impacts of the take on the listed species must be minimized and mitigated by the permittee to the maximum extent practicable. An applicant for an incidental take permit must prepare an HCP describing the impacts that will likely result from such taking, the conservation program for minimizing and mitigating those take impacts, the funding available to implement the conservation program, the alternatives considered by the applicant to avoid such taking, and the reason(s) such alternatives are not being implemented.

NEPA requires that Federal agencies conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. The Service determined that the final DNRC HCP EIS (September 17, 2010) requires a supplement since the changes in the proposed action may materially or substantially affect the analysis of impacts (40 CFR 1502.9 and 516 DM 4.5).

### Public Comments

The DSEIS will be developed using the same process as the original DNRC HCP EIS. We are not soliciting comments at this time. The public will

have opportunity to comment on the published DSEIS, which will be announced in the **Federal Register** and local and regional news sources. For general inquiries or questions about the DSEIS process, see **FOR FURTHER INFORMATION CONTACT**.

### Authority

The environmental review of this proposed action will be conducted in accordance with the requirements of NEPA, the Council on Environmental Quality Regulations (40 CFR parts 1500–1508), the Department of the Interior NEPA regulations (43 CFR part 46), other applicable Federal laws and regulations, and policies and procedures of the Service. This notice is being furnished in accordance with 40 CFR 1501.7 to notify the public of the Service's intent to prepare a DSEIS.

### Michael Thabault,

*Assistant Regional Director, Mountain-Prairie Region.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

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### Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Redding Rancheria Fee-to-Trust and Casino Project, Shasta County, California

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

**ACTION:** Notice.

**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs (BIA), as lead agency, intends to gather information necessary for preparing an environmental impact statement (EIS) in connection with the Redding Rancheria's (Tribe) application requesting that the United States acquire approximately 232 acres of land in trust in Shasta County, California, for the construction and operation of a casino resort.

**DATES:** To ensure consideration during the development of the EIS, written comments on the scope of the EIS should be sent as soon as possible and no later than December 29, 2016. The date of the public scoping meeting will be announced at least 15 days in advance through a notice to be published in the local newspapers (Redding Record Searchlight and Sacramento Bee) and online at [www.reddingeis.com](http://www.reddingeis.com).

**ADDRESSES:** You may mail or hand-deliver written comments to Ms. Amy Dutschke, Regional Director, Bureau of Indian Affairs, Pacific Region, 2800 Cottage Way, Sacramento, California 95825. Please include your name, return address, and “NOI Comments, Redding Rancheria Project” on the first page of your written comments. You may also submit comments through email to John Rydzik, Chief, Division of Environmental, Cultural Resource Management and Safety, Bureau of Indian Affairs, at [john.rydzik@bia.gov](mailto:john.rydzik@bia.gov). If emailing comments, please use “NOI Comments, Redding Rancheria Project” as the subject of your email.

The location of the public scoping meeting will be announced at least 15 days in advance through a notice to be published in the local newspaper (Redding Record Searchlight and Sacramento Bee) and online at [www.reddingeis.com](http://www.reddingeis.com).

**FOR FURTHER INFORMATION CONTACT:** Mr. John Rydzik, Chief, Division of Environmental, Cultural Resource Management and Safety, Bureau of Indian Affairs, Pacific Regional Office, 2800 Cottage Way, Room W-2820, Sacramento, California 95825; telephone: (916) 978-6051; email: [john.rydzik@bia.gov](mailto:john.rydzik@bia.gov). Information is also available online at [www.reddingeis.com](http://www.reddingeis.com).

**SUPPLEMENTARY INFORMATION:** The Tribe submitted an application to the Department of the Interior (Department) requesting the placement of approximately 232 acres of fee land in trust by the United States upon which the Tribe would construct a casino resort. The facility would include an approximately 140,000 square foot casino, an approximately 250-room hotel, an event/convention center, a retail center, and associated parking and infrastructure. The new facility would replace the Tribe’s existing casino, and the existing casino buildings would be converted to a different use. Accordingly, the proposed action for the Department is the acquisition requested by the Tribe. The proposed fee-to-trust property is located in an unincorporated part of Shasta County, California, approximately 1.6 miles northeast of the existing Redding Rancheria, and about two miles southeast of downtown Redding. The proposed trust property includes seven parcels, bound by Bechelli Lane on the north, private properties to the south, the Sacramento River on the west, and Interstate 5 on the east. The Shasta County Assessor’s parcel numbers (APNs) for the property are 055-010-011, 055-010-012, 055-010-014, 055-010-015, 055-050-001, 055-020-004 and 055-020-005. The

purpose of the proposed action is to improve the economic status of the Tribal government so it can better provide housing, health care, education, cultural programs, and other services to its members.

The proposed action encompasses the various Federal approvals which may be required to implement the Tribe’s proposed economic development project, including approval of the Tribe’s fee-to-trust application. The EIS will identify and evaluate issues related to these approvals, and will also evaluate a range of reasonable alternatives. Possible alternatives currently under consideration are a reduced-intensity casino alternative, an alternate-use (non-casino) alternative, and one or more off-site alternatives. The range of issues and alternatives may be expanded based on comments received during the scoping process.

Areas of environmental concern identified for analysis in the EIS include land resources; water resources; air quality; noise; biological resources; cultural/historical/archaeological resources; resource use patterns; traffic and transportation; public health and safety; hazardous materials and hazardous wastes; public services and utilities; socioeconomic; environmental justice; visual resources/aesthetics; and cumulative, indirect, and growth-inducing effects. The range of issues and alternatives to be addressed in the EIS may be expanded or reduced based on comments received in response to this notice and at the public scoping meeting. Additional information, including a map of the project site, is available by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

**Public Comment Availability:** Comments, including names and addresses of respondents, will be available for public review at the BIA address shown in the **ADDRESSES** section, during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays. Before including your address, telephone 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 in your comment that your personal identifying information be withheld from public review, the BIA cannot guarantee that this will occur.

**Authority:** This notice is published in accordance with sections 1501.7 and 1506.6 of the Council on Environmental Quality Regulations (40 CFR parts 1500 through 1508) implementing the procedural

requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321-4345 *et seq.*), and the Department of the Interior National Environmental Policy Act Regulations (43 CFR part 46), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: November 18, 2016.

**Lawrence S. Roberts,**  
Principal Deputy Assistant Secretary—Indian Affairs.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

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### Pokagon Band of Potawatomi Indians, Michigan and Indiana

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

**ACTION:** Notice.

**SUMMARY:** This notice publishes the liquor control code of the Pokagon Band of Potawatomi Indians, Michigan and Indiana (the Band). The liquor control code regulates and controls the possession, sale, manufacture, and distribution of alcohol in conformity with the laws of the State of Indiana.

**DATES:** This code will only become effective if and when the Band’s pending trust applications for land in Indiana are approved and the transfer to trust status is complete.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rebecca J. Smith, Tribal Relations Specialist, Eastern Regional Office, Bureau of Indian Affairs, 545 Marriott Drive, Suite 700, Nashville, Tennessee 37214, Telephone: (615) 564-6711, Fax: (615) 564-6701; or the Eastern Regional Office, Bureau of Indian Affairs, Telephone: (615) 564-6500.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Act of August 15, 1953, Public Law 83-277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor control codes for the purpose of regulating liquor transactions in Indian country. The Tribal Council of the Pokagon Band of Potawatomi Indians, Michigan and Indiana duly adopted the Pokagon Band Liquor Control Code (Indiana) on November 2, 2015, and subsequently amended it by resolution on July 26, 2016.