

Department's leasing regulations apply equally to improvements, leaseholds, and activities on land leased pursuant to Tribal leasing regulations approved under the HEARTH Act. Congress's overarching intent was to "allow Tribes to exercise greater control over their own land, support self-determination, and eliminate bureaucratic delays that stand in the way of homeownership and economic development in Tribal communities." 158 Cong. Rec. H. 2682 (May 15, 2012). The HEARTH Act was intended to afford Tribes "flexibility to adapt lease terms to suit [their] business and cultural needs" and to "enable [Tribes] to approve leases quickly and efficiently." *Id.* at 5–6.

Assessment of State and local taxes would obstruct these express Federal policies supporting Tribal economic development and self-determination, and also threaten substantial Tribal interests in effective Tribal government, economic self-sufficiency, and territorial autonomy. *See Michigan v. Bay Mills Indian Community*, 134 S. Ct. 2024, 2043 (2014) (Sotomayor, J., concurring) (determining that "[a] key goal of the Federal Government is to render Tribes more self-sufficient, and better positioned to fund their own sovereign functions, rather than relying on Federal funding"). The additional costs of State and local taxation have a chilling effect on potential lessees, as well as on a Tribe that, as a result, might refrain from exercising its own sovereign right to impose a Tribal tax to support its infrastructure needs. *See id.* at 2043–44 (finding that State and local taxes greatly discourage Tribes from raising tax revenue from the same sources because the imposition of double taxation would impede Tribal economic growth).

Similar to BIA's surface leasing regulations, Tribal regulations under the HEARTH Act pervasively cover all aspects of leasing. *See* 25 U.S.C. 415(h)(3)(B)(i) (requiring Tribal regulations be consistent with BIA surface leasing regulations). Furthermore, the Federal government remains involved in the Tribal land leasing process by approving the Tribal leasing regulations in the first instance and providing technical assistance, upon request by a Tribe, for the development of an environmental review process. The Secretary also retains authority to take any necessary actions to remedy violations of a lease or of the Tribal regulations, including terminating the lease or rescinding approval of the Tribal regulations and reassuming lease approval responsibilities. Moreover, the Secretary continues to review, approve, and

monitor individual Indian land leases and other types of leases not covered under the Tribal regulations according to the part 162 regulations.

Accordingly, the Federal and Tribal interests weigh heavily in favor of preemption of State and local taxes on lease-related activities and interests, regardless of whether the lease is governed by Tribal leasing regulations or part 162. Improvements, activities, and leasehold or possessory interests may be subject to taxation by the Mississippi Band of Choctaw Indians.

Dated: March 5, 2019.

Tara Sweeney,
Assistant Secretary—Indian Affairs.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[192D0102DR/DS5A300000/
DR.5A311.IA000118]

Draft 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 of availability.

SUMMARY: This notice advises the public that the Bureau of Indian Affairs (BIA), as lead agency, intends to file a Draft Environmental Impact Statement (DEIS) with the U.S. Environmental Protection Agency (EPA) 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: Written comments on the DEIS must arrive within 45 days after EPA publishes its Notice of Availability in the **Federal Register**. The date and location of the public hearing on the DEIS will be announced at least 15 days in advance through a notice to be published in local newspapers (Redding Record Searchlight and Sacramento Bee) and online at <http://www.reddingeis.com>.

ADDRESSES: You may mail or hand-deliver written comments to Amy Dutschke, Regional Director, Bureau of Indian Affairs, Pacific Region, 2800 Cottage Way, Sacramento, California 95825. Please include your name, return address, and "DEIS Comments, Redding Rancheria Project" on the first page of your written comments. You may also

submit comments through email to Chad Broussard, Environmental Protection Specialist, Bureau of Indian Affairs, at chad.broussard@bia.gov. If emailing comments, please use "DEIS Comments, Redding Rancheria Project" as the subject of your email.

FOR FURTHER INFORMATION CONTACT: Chad Broussard, Environmental Protection Specialist, Bureau of Indian Affairs, Pacific Regional Office, 2800 Cottage Way, Room W-2820, Sacramento, California 95825; telephone: (916) 978-6165; email: chad.broussard@bia.gov. Information is also available online at <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 69,500 square foot casino, an approximately 250-room hotel, an event/convention center, an outdoor amphitheatre, 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 Tribal 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 following alternatives are considered in the DEIS: (1) Proposed Project; (2) Proposed Project with No Retail Alternative; (3) Reduce Intensity Alternative; (4) Non-Gaming Alternative; (5) Anderson Site Alternative; (6) Expansion of Existing Casino Alternative; and (7) No Action Alternative. Environmental issues addressed 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.

Locations Where the DEIS is Available for Review: The DEIS is available for review during regular business hours at the BIA Pacific Regional Office at the address noted above in the **ADDRESSES** section of this notice, and the Redding Public Library, 1100 Parkview Avenue, Redding, California. The DEIS is also available online at <http://www.reddingeis.com>. To obtain a compact disc copy of the DEIS, please provide your name and address in writing or by phone to Chad Broussard, Bureau of Indian Affairs, Pacific Regional Office. Contact information is listed 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: 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 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 1503.1 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: April 5, 2019.

Tara Sweeney,
Assistant Secretary—Indian Affairs.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[19X R4079V4 RX.12255301.3000000
AZA25613]

Public Land Order No. 7877; Extension of Public Land Order No. 7384; Arizona

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Public Land Order.

SUMMARY: This Public Land Order (PLO) extends the duration of the withdrawal created by PLO No. 7384 for an additional 20-year term. PLO No. 7384 would otherwise expire on April 19, 2019. This extension is necessary to continue to protect the value of the capital investments, water-oriented developments, and dispersed recreation in the Bureau of Reclamation's (BOR) Lake Pleasant expansion area. PLO No. 7384 withdrew 1,988.27 acres of public lands from settlement, sale, location, and entry under the general public land laws, including the United States mining laws, but not from leasing under the mineral leasing laws for a 20-year period. The lands have been and will remain open to mineral and geothermal leasing.

DATES: This PLO takes effect on April 20, 2019.

FOR FURTHER INFORMATION CONTACT: Sara Ferreira, Land Law Examiner, at telephone 602-417-9598 or by email at sferreir@blm.gov, Bureau of Land Management, Arizona State Office, One North Central Ave., Suite 800, Phoenix, AZ 85004. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact Ms. Ferreira. The FRS is available 24 hours a day, 7 days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: This Order extends the existing withdrawal to continue to protect the capital investments, water-oriented developments, and dispersed recreation resources in the Lake Pleasant Expansion area.

ORDER

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714, it is ordered as follows:

1. Subject to valid existing rights, PLO No. 7384, (64 FR 19386, (1999)), which withdrew public lands from settlement, sale, location, and entry under the

general public land laws, including the United States mining laws, but not from leasing under the mineral leasing laws is hereby extended for an additional 20-year period to protect the Bureau of Reclamation's Lake Pleasant expansion area.

2. The withdrawal extended by this Order will expire on April 19, 2039, unless as a result of review conducted prior to the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f), the Secretary determines the withdrawal shall be further extended.

Dated: April 3, 2019.

Joseph R. Balash,

Assistant Secretary—Land and Minerals Management.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[19X LLUTW01000 LXX0000.XX0000, UTU-78501]

Notice of Proposed Withdrawal Extension, Diamond Fork System, Bonneville Unit of the Central Utah Project, Public Land Order No. 7422, and Opportunity for Public Meeting, Utah

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Assistant Secretary—Land and Minerals Management (ASLM) on behalf of the Central Utah Project Completion Act Office (CUPCAO), proposes to extend the duration of Public Land Order (PLO) No. 7422 for an additional 20-year term. PLO No. 7422 withdrew approximately 2,795 acres of National Forest System lands from location and entry under the United States mining laws, but not from leasing under the mineral leasing laws, to protect the Diamond Fork System, Bonneville Unit of the Central Utah Project. This Notice advises the public of an opportunity to comment on the proposed withdrawal extension and to request a public meeting. This Notice also corrects the projects acreage figure for the lands and corrects the Bureau of Land Management's (BLM) serial register number assigned to the official case record of the withdrawal.

DATES: Comments and requests for a public meeting must be received by July 9, 2019.