

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs**

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**Indian Gaming; Tribal-State Class III Gaming Compact Taking Effect in the State of California**

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

**ACTION:** Notice.

**SUMMARY:** The State of California and the Pala Band of Mission Indians entered into a Tribal-State compact governing Class III gaming. This notice announces that the compact is taking effect.

**DATES:** The effective date of the compact is November 4, 2016.

**FOR FURTHER INFORMATION CONTACT:** Ms. Paula L. Hart, Director, Office of Indian Gaming, Office of the Assistant Secretary—Indian Affairs, Washington, DC 20240, (202) 219–4066.

**SUPPLEMENTARY INFORMATION:** Section 11 of the Indian Gaming Regulatory Act (IGRA) requires the Secretary of the Interior to publish in the **Federal Register** notice of approved Tribal-State compacts that are for the purpose of engaging in Class III gaming activities on Indian lands. *See* Public Law 100–497, 25 U.S.C. 2701 *et seq.* All Tribal-State Class III compacts are subject to review and approval by the Secretary under 25 CFR 293.4. The Secretary took no action on the compact within 45 days of its submission. Therefore, the compact is considered to have been approved, but only to the extent the compact is consistent with IGRA. *See* 25 U.S.C. 2710(d)(8)(C).

Dated: October 28, 2016.

**Lawrence S. Roberts,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

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**DEPARTMENT OF THE INTERIOR****National Park Service**

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**Notice of Availability of the Draft Archeological Resources Management Plan, Environmental Impact Statement, Knife River Indian Villages National Historic Site, North Dakota**

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

**ACTION:** Notice of availability.

**SUMMARY:** The National Park Service (NPS) announces the availability of the Draft Archeological Resources Management Plan/Environmental Impact Statement (EIS), Knife River Indian Village National Historic Site (Park), North Dakota.

**DATES:** All comments must be postmarked or transmitted not later than January 3, 2017.

**ADDRESSES:** A limited number of hard-copies of the Draft EIS may be picked up in-person or may be obtained by making a request in writing to Knife River Indian Villages National Historic Site, P.O. Box 9, Stanton, North Dakota 58571. The document is also available on the internet at the NPS Planning, Environment, and Public Comment Web site at: <https://Parkplanning.nps.gov/projectHome.cfm?projectID=34314>

**FOR FURTHER INFORMATION CONTACT:** Superintendent Craig Hansen can be reached at the address above, by telephone at (701) 745–3741 (ext. 209), or via email at [craig\\_hansen@nps.gov](mailto:craig_hansen@nps.gov).

**SUPPLEMENTARY INFORMATION:** This process has been conducted pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and the regulations of the Department of the Interior (43 CFR part 46). The purpose of the plan is to provide a management framework for proactive, sustainable archeological resource protection at the Park for the next 30 years. The NPS has identified four major threats to archeological resources. While riverbank erosion is the most visible and documented threat to archeological resources, additional impacts occur from pocket gopher activity, vegetation encroachment, and location of Park infrastructure.

Riverbank erosion has been an ongoing problem since the Park was created and this ongoing impact has the greatest adverse effect to archeological resources. Over the past few decades village remnants and archeological sites adjacent to the Knife River have experienced measurable erosion. In addition, Northern pocket gophers affect archeological sites by displacing soil and artifacts from chronologically stratified deposits. Also, the encroachment of woody and overgrown vegetation into archeological sites causes multiple issues for archeological sites. Root growth results in displacement of chronological layers, similar to that of pocket gophers.

The maintenance facility for the Park is a visual intrusion in the cultural landscape, particularly for the Big Hidatsa site, a designated National Historic Landmark. The North Dakota State Historic Preservation Office

(SHPO) and the Mandan, Hidatsa, and Arikara Nation (MHA Nation) Tribal Historic Preservation Office have recommended that the facility be relocated to remove this visual impact from the site. In addition, the maintenance facility is located near burial sites and areas considered sacred by the tribes traditionally associated with the resources present in the Park.

Finally, the location of the Museum Collection Storage Facility, in the basement of the Visitor's Center, has had water infiltration issues. A final goal of this plan is to develop a remedy for this problem, or the storage facility will need to be replaced.

*Range of Alternatives Considered:* The alternatives analyzed in the Draft EIS are summarized below.

*Alternative 1: No-Action Alternative:* Under the no-action alternative, management of archeological resources at the Park would continue as currently implemented.

Management would respond to archeological resource threats but without the benefit of site prioritization and a proactive adaptive management framework. Under the no-action alternative, existing Park infrastructure would remain in place. Repairs to the existing visitor center to address water infiltration issues would occur. Ongoing riverbank erosion, pocket gopher control, and vegetation encroachment management activities would continue.

*Elements Common to All Action Alternatives:* Under both action alternatives, archeological resources management at the Park would be executed within an adaptive management framework. This framework would be used to address riverbank erosion, gopher control, and woody vegetation encroachment. The project team developed a process to prioritize archeological sites based on the importance of the resource and the level of risk of loss of the resource to inform management decisions.

The NPS has developed indicators and standards for managing the archeological resources based on the Park's purpose, significance, objectives, and desired conditions. These indicators and standards will serve as a tool to monitor and evaluate the adaptive management actions.

*Alternative 2: Relocate Facilities in the Park:* Under alternative 2, archeological resources would be managed under the adaptive management framework described above. Under this alternative, the maintenance facility would be moved to another location in the Park and the existing maintenance buildings would be removed.

Additionally, the museum collection would be moved if the project to stop water infiltration in the visitor center building is unsuccessful or if the Park identifies funding or partnership opportunities to relocate the museum collection out of the basement of the Visitor's Center to a more suitable location.

**Alternative 3: Locate Facilities Off-Site:** Under alternative 3, archeological resources would be managed under the adaptive management framework described above. Under this alternative, the Park would relocate the maintenance facility outside the Park boundary and remove the existing maintenance buildings from the Park landscape. Similar to alternative 2, the museum collection would be moved if the project to stop water infiltration in the visitor center building is unsuccessful or if the Park identifies funding or partnership opportunities to relocate the museum collection out of the basement to a more suitable location.

**NPS Preferred Alternative:** The preferred alternative is likely to be a combination of alternatives 2 and 3. The NPS would prefer to remove the maintenance facility from Park property, and stop water infiltration at the visitor center so the museum collection can remain in place. While moving the maintenance facility off-site is preferred to best protect Park resources, the ability to relocate is dependent on the availability of suitable property at a reasonable price. If suitable sites are not available when the Park is ready to relocate, the Park will construct the facilities within the Park.

In order to comment on this plan, comments may be transmitted electronically through the project Web site (address above). If preferred, you may mail written comments directly to the Superintendent at the address above.

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.

Dated: September 9, 2016.

**Patricia S. Trap,**  
Deputy Regional Director, Midwest Region.  
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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Record of Decision for Non-Federal Oil and Gas Regulation Revision Environmental Impact Statement (EIS)

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

**ACTION:** Notice of availability; record of decision.

**SUMMARY:** The National Park Service (NPS) has prepared and approved a Record of Decision (ROD) for the Nonfederal Oil and Gas Regulations (36 CFR part 9, subpart B) Revisions. Approval of this Record of Decision completes the National Environmental Policy Act process.

**DATES:** November 4, 2016.

**ADDRESSES:** Copies of the ROD are available for public review at [http://parkplanning.nps.gov/ROD\\_9B](http://parkplanning.nps.gov/ROD_9B).

**FOR FURTHER INFORMATION CONTACT:**

David Steensen, Chief, Geologic Resources Division, National Park Service, PO Box 25287, Denver, CO 80225; phone (303) 969-2014. The responsible official for this ROD is Jonathan Jarvis, Director, National Park Service, 1849 C Street NW., Washington, DC 20240.

**SUPPLEMENTARY INFORMATION:** This process was conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 *et seq.*), its implementing regulations (40 CFR parts 1500-1508), the Department of the Interior NEPA regulations (43 CFR part 46), and NPS Director's Order 12, Conservation Planning, Environmental Impact Analysis and Decision-Making and accompanying handbook. The original Notice of Intent (NOI) initiating the NEPA process was published in the **Federal Register** on December 30, 2010 (75 FR 82362). The NOI specifically solicited public comment on draft purpose and need statements, objectives, and issues and concerns related to revisions of the NPS regulations governing non-federal oil and gas development on units of the national park system. The NOI also requested public comment on possible alternatives the NPS should consider in revising the regulations. On October 23, 2015, the NPS released for public review the draft EIS for the Proposed Revision of 9B Regulations Governing Nonfederal Oil and Gas Activities through the publication of a Notice of Availability in the **Federal Register** (80 FR 64445). The Environmental Protection Agency also issued a Notice of Availability for the draft EIS that was published in the **Federal Register** on

October 30, 2015 (80 FR 66898). On September 2, 2016, the Environmental Protection Agency issued a Notice of Availability for the plan/Final Environmental Impact Statement (FEIS) that was published in the **Federal Register** (81 FR 60697); NPS also released the FEIS for public review on September 2, 2016, and published its own NPS Notice of Availability in the **Federal Register** on September 7, 2016 (81 FR 61715).

The FEIS evaluated the environmental consequences of three alternatives, Alternative A (no action), Alternative B (preferred and environmentally preferable alternative), and Alternative C.

Alternative B includes the following alternative elements:

- Elimination of two regulatory provisions that exempt 60% of the oil and gas operations in System units. All operators in System units would be required to comply with the 9B regulations.
- Elimination of the financial assurance (bonding) cap. Financial assurance would be equal to the reasonable estimated cost of site reclamation.
- Improving enforcement authority by incorporating existing NPS penalty provisions. Law enforcement staff would have authority to write citations for noncompliance with the regulations.
- Authorizing compensation to the federal government for new access on federal lands and waters outside the boundary of an operator's mineral right.
- Reformatting the regulations to make it easier to identify an operator's information requirements and operating standards that apply to each type of operation.

Alternative C includes all the proposed changes in Alternative B, except:

- **Directional drilling operations:** Alternative C would expand the scope of the regulations to encompass surface and subsurface directional drilling operations outside the boundary of a System unit.
- **Proposed Operations Located Wholly on Non-Federally Owned Land Within the Boundary of a System Unit:** This provision would allow for an exemption to the operations permit requirement for those operations located wholly on non-federally owned land within a System unit, if the operator could demonstrate that the proposed operation would have no effect to NPS administered resources or values.
- **Joint and Several Liability:** This provision would hold mineral owners and their lessees jointly and severally liable for all obligations to comply with