

hazardous substances are present on the property.

As a political subdivision of the State of Idaho, Lincoln County is a qualified applicant under the R&PP Act. Lincoln County has not applied for more than the 6,400-acre limitation for recreation uses in a year, nor more than 640 acres for each of the programs involving public resources other than recreation.

Lincoln County has submitted a statement in compliance with the regulations at 43 CFR 2741.4(b). A patent would not be issued until at least July 19, 2019. Pursuant to the R&PP Act, the special pricing schedule for land that will be government-controlled, used for government purposes, and serve the public is \$10 per acre. The 13.78 acres to be used for the waste transfer station will be offered to Lincoln County for \$137.80.

All interested parties will receive a copy of this Notice once it is published in the **Federal Register**. The Notice will also be published in a newspaper of general circulation in the local area once a week for three consecutive weeks. The regulations at 43 CFR subpart 2741 addressing requirements and procedures for R&PP Act conveyances do not require a public meeting.

Upon publication of this Notice in the **Federal Register**, the lands will be segregated from all forms of appropriation under the public land laws, including locations under the mining laws, except for conveyance under the R&PP Act and leasing under the mineral leasing laws.

The United States patent to the land would be issued subject to valid existing rights, and would contain the following reservations, terms, and conditions, as well as any additional terms or conditions required by law, including any terms or conditions required by 43 CFR 2741.5.

1. Reserving to the United States a right-of-way thereon for ditches and canals constructed by the authority of the United States Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945).

2. Provisions of the R&PP Act and to all applicable regulations of the Secretary of the Interior.

3. All mineral deposits in the land so patented, and the right to prospect for, mine, and remove such deposits from the same under applicable law and regulations as established by the Secretary of the Interior are reserved to the United States, together with all necessary access and exit rights.

4. Valid existing rights for a public roadway granted to Shoshone Highway District #2, its successors or assigns, pursuant to the Federal Land Policy and

Management Act (FLPMA) of October 21, 1976 (43 U.S.C. 1761).

5. Valid existing rights for a power line granted to Idaho Power Company, its successors or assigns, pursuant to FLPMA.

6. Pursuant to the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9620(h) and CERCLA 120(h), as to the following lands: sec. 26; T. 5 N., R. 17 E; Boise Meridian, Idaho. A complete search of Agency files has revealed the following:

a. No storage of hazardous substances has occurred on the above lands for one year or more;

b. Hazardous Materials Use: Lincoln County is responsible for the transfer station on the subject property, as well as the above ground fuel storage tank. The above ground fuel storage tank has secondary containment and is in compliance with State and local regulations; and

c. No releases of hazardous substances have occurred on the above lands. Hazardous Materials Potential: Preliminary Assessment, phase 1 Environmental Site Assessment, and soil sampling of the area indicates no releases of metals, petroleum hydrocarbons, chlorofluorocarbons, and polychlorinated biphenyls.

7. Patentee, by accepting this patent, agrees to be the potentially responsible party if a release is identified in association with the County's operation of a solid waste transfer station residing on the subject property.

8. Patentee shall comply with State and local requirements pertaining to permitting, compliance, release reporting, and clean-up associated with past or present operations at their solid waste transfer station on the subject property.

9. An appropriate indemnification clause protecting the United States from claims arising out of the patentee's use, occupancy, or operations on the patented lands.

10. If, at any time, the patentee transfers to another party ownership of any portion of the land not used for the purpose(s) specified in the application and approved plan of development, the patentee shall pay the BLM the fair market value, as determined by the authorized officer, of the transferred portion as of the date of transfer, including the value of any improvements thereon.

11. No portion of the land shall under any circumstances revert to the United States if any such portion has been used for solid waste disposal/storage or any other purpose which may result in the

disposal, placement, or release of any hazardous substance.

**Classification Comments:** Interested persons may submit comments involving the suitability of the land for development of a municipal solid waste transfer station. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs.

**Application Comments:** Interested persons may submit comments regarding the specific use proposed in the application and plan of development and management, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the lands for a municipal solid waste transfer station.

Any adverse comments will be reviewed by the BLM State Director or other authorized official of the Department of the Interior, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the classification will take effect on July 19, 2019. The lands will not be offered for conveyance until after the classification becomes effective.

Before including your address, phone number, email address, or other personal identifying information in any comment, 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:** 43 CFR 2741.5.

**Codie Martin,**

*Shoshone Field Manager.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

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### Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Blackrock Land Exchange, Pocatello, Idaho

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of intent.

**SUMMARY:** In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended, the Bureau of Land Management (BLM) Pocatello Field Office, in Pocatello, Idaho, intends to prepare an Environmental Impact Statement (EIS) and by this notice is announcing the beginning of the scoping process to solicit public comments and identify issues.

**DATES:** This notice initiates the public scoping process for the proposed Blackrock Land Exchange EIS. Comments on issues may be submitted in writing until July 5, 2019. The BLM will hold two public meetings as part of the scoping process. The dates and locations of these scoping meeting will be announced at least 15 days in advance through local media, newspapers and the BLM website at: <https://go.usa.gov/xEUuc>. In order to be included in the Draft EIS, all comments must be received prior to the close of the 45-day scoping period or 15 days after the last public meeting, whichever is later. The BLM will provide additional opportunities for public participation upon publication of the Draft EIS.

**ADDRESSES:** You may submit comments related to the Blackrock Land Exchange by any of the following methods:

- *Website:* <https://go.usa.gov/xEUuc>
- *Fax:* 208.478.6376
- *Mail:* BLM, Pocatello Field Office,

Attention: Bryce Anderson/Blackrock Land Exchange Project, 4350 S Cliffs Dr., Pocatello, ID 83204.

Documents pertinent to this proposal may be examined at the Pocatello Field Office.

**FOR FURTHER INFORMATION CONTACT:** Bryce Anderson, Project Manager by telephone: 208-478-6353; address: 4350 S Cliffs Dr., Pocatello, ID 83204; or email: [bdanderson@blm.gov](mailto:bdanderson@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 Mr. Anderson. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with Mr. Anderson. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** In 1994, the J.R. Simplot Company (Simplot) submitted an application to acquire 719 acres of Federal land managed by the BLM in exchange for 667 acres of non-Federal land. The selected Federal land is adjacent to Simplot's Don Plant in Power and Bannock Counties, Idaho. The offered non-Federal lands are located in the Blackrock and Caddy

Canyon areas in Bannock County approximately five miles east-southeast of Pocatello, Idaho.

In 1998, pursuant to the Comprehensive Environmental Response Compensation and Liability Act, the Don Plant facilities and the surrounding area known as the Eastern Michaud Flats (EMF) were designated a Superfund Site, including a portion of the proposed Federal lands to be exchanged. The BLM prepared an Environmental Assessment (EA) to analyze the proposed land exchange, and issued a Decision Record/Finding of No Significant Impact (DR/FONSI) on December 21, 2007. The Shoshone-Bannock Tribes litigated the decision in District Court. In May 2011, the Court granted the Tribes' motion and remanded the DR/FONSI to the BLM, ordering the agency to prepare an EIS.

The BLM's purpose is to evaluate the land exchange proposal. If approved, the proposal would improve resource management in an area containing crucial mule deer winter range and secure permanent public access to a popular recreation area. Simplot's purpose for the proposed exchange is to implement legally enforceable controls as directed by the Environmental Protection Agency (EPA) Record of Decision (ROD) for the EMF Superfund Site and required by a Consent Order (CO) from the Idaho Department of Environmental Quality. The CO requires Simplot to reduce fluoride emissions by 2026. To meet this requirement, Simplot has proposed construction of cooling ponds adjacent to its Don Plant in Pocatello, Idaho, which would require the acquisition of adjacent Federal lands. Additionally, this acquisition would allow for future onsite expansion of phosphate processing operations.

The purpose of the public scoping process is to determine relevant issues that will influence the scope of the environmental analysis, including alternatives, and guide the process for developing the EIS. At present, the BLM has identified the following preliminary issues:

- Concerns with contamination of surface and groundwater resources;
- Acquiring crucial mule deer winter range;
- Economic impacts on the region if production at the Don Plant slows or ceases (if the exchange is not approved);
- Retaining contaminated lands in Federal ownership; and
- Securing permanent access to Federal lands.

The BLM will fulfill the public involvement requirements under the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR

800.2(d)(3) through the NEPA process. Information the BLM receives about historic and cultural resources within the area potentially affected by the proposed action will assist the BLM in identifying and evaluating impacts to such resources.

The BLM will consult with Native American Tribes on a government-to-government basis in accordance with Executive Order 13175 and other policies. The BLM will give Tribal concerns due consideration, including impacts on Native American trust assets and potential impacts to cultural resources.

The BLM invites Federal, State, and local agencies, along with Tribes and other stakeholders that may be interested in or affected by the proposed Blackrock Land Exchange to participate in the scoping process and environmental analysis, and if eligible, as a cooperating agency.

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 1501.7.

**John F. Ruhs,**

*BLM Idaho State Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

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### Notice of Availability of the Draft Environmental Impact Statement for the Proposed Marigold Mining Company—Marigold Mine—Mackay Optimization Project Humboldt County, Nevada

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended, the Bureau of Land Management (BLM) Humboldt River Field Office, Winnemucca,