

southeast, creating a single contiguous quarry that encompasses approximately 50 ac total. The Evo East Expansion Area would be mined in a sequential manner, with rejected material placed on depleted mining areas to avoid the need for separate reject material storage. The existing mine infrastructure would be used to complete mining operations. The remaining 60 ac within the plan area would not be disturbed and would be set aside as mitigation for the project. The proposed project is located at the southwest corner of Vasco Road and Camino Diablo Road in Byron, Contra Costa County, California.

#### *Covered Activities*

The proposed ESA section 10 ITP would allow take of four covered species from covered activities in the proposed HCP area. The applicant is requesting incidental take authorization for covered activities, including mining the approximately 15-ac site as well as utilizing an approximate 5-ac overburden pile that would occur in the project area. The applicant is proposing to implement a number of project design features, including best management practices, as well as general and species-specific avoidance and minimization measures to minimize the impacts of the take from the covered activities.

#### *Covered Species*

The federally listed as endangered San Joaquin kit fox, the threatened Central Valley DPS of the California tiger salamander, the threatened California red-legged frog, and the threatened vernal pool fairy shrimp are proposed to be included as covered species in the proposed HCP.

#### **Our Preliminary Determination**

The Service has made a preliminary determination that the proposed applicant's project, including the construction of the quarry expansion project, would individually and cumulatively have a minor, nonsignificant effect on the proposed covered species and the human environment. Therefore, we have preliminarily determined that the proposed ESA section 10(a)(1)(B) permit would be a "low-effect" ITP that individually or cumulatively would have a minor effect on the proposed covered species and may qualify for application of a categorical exclusion pursuant to the Council on Environmental Quality's NEPA regulations, DOI's NEPA regulations, and the DOI Departmental Manual. A "low-effect" incidental take permit is one that would result in (1) minor or negligible effects on species covered in

the HCP; (2) nonsignificant effects on the human environment; and (3) impacts that, when added together with the impacts of other past, present, and reasonable foreseeable actions, would not result in significant cumulative effects to the human environment.

#### **Public Comments**

We request data, comments, new information, or suggestions from the public, other concerned governmental agencies, the scientific community, Tribes, industry, or any other interested party on this notice and the documents we are making available for comment. We particularly seek comments on the following:

1. Biological information concerning the species;
2. Relevant data concerning the species;
3. Additional information concerning the ranges, distribution, population sizes, and population trends of the species;
4. Current or planned activities in the area and their possible impacts on the species;
5. The presence of archeological sites, buildings and structures, historic events, sacred and traditional areas, and other historic preservation concerns, which are required to be considered in project planning by the National Historic Preservation Act; and
6. Any other environmental issues that should be considered with regard to the proposed development and permit action.

#### **Public Availability of Comments**

Before including your address, phone number, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—might 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.

#### **Next Steps**

We will evaluate the application, associated documents, and any public comments we receive as part of our NEPA compliance process to determine whether the application meets the requirements of section 10(a) of the ESA. If we determine that those requirements are met, we will conduct an intra-Service consultation under section 7 of the ESA for the Federal action of potentially issuing an ITP. If the intra-Service consultation confirms that issuance of the ITP will not

jeopardize the continued existence of any endangered or threatened species, or destroy or adversely modify critical habitat, we will issue a permit to the applicant for the incidental take of the covered species.

#### **Authority**

We provide this notice under section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32) and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR parts 1500–1508 and 43 CFR part 46).

**Michael Fris,**

*Field Supervisor, Sacramento Fish and Wildlife Office, U.S. Fish and Wildlife Service, Sacramento, California.*

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**BILLING CODE 4333–15–P**

## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Indian Affairs**

**[234A2100DD/AAK001030/A0A501010.999900; OMB Control Number 1076–0186]**

### **Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Indian Child Welfare Act Proceedings in State**

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

**ACTION:** Notice of Information Collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Indian Affairs (BIA) are proposing to renew an information collection.

**DATES:** Interested persons are invited to submit comments on or before March 27, 2023.

**ADDRESSES:** Written comments and recommendations for the proposed information collection request (ICR) should be sent within 30 days of publication of this notice to the Office of Information and Regulatory Affairs (OIRA) through [https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref\\_nbr=202302-1076-005](https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202302-1076-005) or by visiting <https://www.reginfo.gov/public/do/PRAMain> and selecting "Currently under Review—Open for Public Comments" and then scrolling down to the "Department of the Interior."

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Evangeline M.

Campbell, *Evangeline.Campbell@bia.gov*, (202) 513-7621. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. You may also view the ICR at <https://www.reginfo.gov/public/Forward?SearchTarget=PRA&textfield=1076-0186>.

**SUPPLEMENTARY INFORMATION:** In accordance with the Paperwork Reduction Act of 1995 (PRA, 44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on July 22, 2022 (87 FR 43889). No comments were received.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again soliciting comments from the public and other Federal agencies on the proposed ICR that is described below. We are especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. 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.

**Abstract:** The Indian Child Welfare Act (ICWA or Act), 25 U.S.C. 1901 *et seq.*, imposes certain requirements for child custody proceedings that occur in State court when a child is an "Indian child." The regulations, primarily located in Subpart I of 25 CFR 23, provide procedural guidance for implementing ICWA, which necessarily involves information collections to determine whether the child is Indian, provide notice to the Tribe and parents or Indian custodians, and maintain records. The information collections are conducted during a civil action (*i.e.*, a child custody proceeding). While these civil actions occur in State court, and the U.S. is not a party to the civil action, the civil action is subject to the Federal statutory requirements of ICWA, which the Secretary of the Interior oversees under the Act and general authority to manage Indian affairs under 25 U.S.C. 2 and 9.

**Title of Collection:** Indian Child Welfare Act (ICWA) Proceedings in State.

**OMB Control Number:** 1076-0186.

**Form Number:** None.

**Type of Review:** Extension of a currently approved collection.

**Respondents/Affected Public:** Individuals/households and State/Tribal governments.

**Total Estimated Number of Annual Respondents:** 7,556.

**Total Estimated Number of Annual Responses:** 98,069.

**Estimated Completion Time per Response:** Varies from 15 minutes to 12 hours, depending on the activity.

**Total Estimated Number of Annual Burden Hours:** 301,811.

**Respondent's Obligation:** Required to obtain or retain a benefit.

**Frequency of Collection:** On occasion.

**Total Estimated Annual Nonhour Burden Cost:** \$364,972.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

**Steven Mullen,**

*Information Collection Clearance Officer,  
Office of Regulatory Affairs and Collaborative  
Action—Indian Affairs.*

[FR Doc. 2023-03791 Filed 2-22-23; 8:45 am]

**BILLING CODE 4337-15-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLMTL01000.L16100000.PN0000; MO # 4500165300; MTM-89170-02]

### Public Land Order No. 7919; Withdrawal of Public Land for the Zortman-Landusky Mine Reclamation Site; Montana

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

**ACTION:** Public Land Order.

**SUMMARY:** This Public Land Order (PLO) withdraws 912.33 acres of public lands in Phillips County, Montana, from location or entry under the United States mining laws, but not from the mineral leasing or mineral materials disposal laws, for a 20-year period, subject to valid existing rights, to protect the Zortman-Landusky Mine reclamation site.

**DATES:** This PLO takes effect on February 23, 2023.

**FOR FURTHER INFORMATION CONTACT:** Micah Lee, Realty Specialist, Bureau of Land Management, Havre Field Office, telephone (406) 262-2851, email at [mrlee@blm.gov](mailto:mrlee@blm.gov), during business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or Tele Braille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** The purpose of the withdrawal established by this PLO is to protect the Zortman-Landusky Mine area and facilitate reclamation and stabilization of the site.

### 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, the following described public lands are