

selling liquor within the Tribe's territorial jurisdiction.

6.5. Liquor distributors located outside the Tribe's territorial jurisdiction that are duly licensed by the State of Washington are not required to obtain a license under this Ordinance in order to distribute liquor to any Tribal liquor retailer authorized under this Ordinance.

### 7. Tribal Liquor Tax

7.1. The Tribal Taxing Authority, vested in the office of the Chief Financial Officer, has the authority and responsibility to collect, audit, and issue fees, licenses, taxes, and permits in accordance with this Ordinance.

7.2. In consultation with the Office of Tribal Attorney, the Tribal Taxing Authority may propose a Tribal liquor tax on all sales of liquor within the Tribe's territorial jurisdiction, and any rules and regulations governing matters under Section 6.1 above. All such proposed taxes, fees, and regulations must be approved by written resolution of the Business Committee.

7.3. Any Tribal liquor tax must be remitted to the Tribe on a quarterly basis.

7.4. The Tribe will use its liquor tax revenue for essential tribal government functions and services.

### 8. Prohibitions and Enforcement; License Revocation

8.1. The purchase, sale, and dealing in liquor within Tribe's territorial jurisdiction by any Tribal liquor retailer, or any other person, party, firm, corporation, or entity, except as provided in this Ordinance is hereby declared unlawful. Without limitation as to any other penalties and fines that may apply, any violation of this subsection is a civil infraction punishable by a fine of up to five hundred dollars (\$500.00).

8.2. Nothing in this Ordinance exempts a Tribal liquor retailer from compliance with the provisions of Section 9.12, Drug and Alcohol Violations, of the Elwha Justice Code.

8.3. The Elwha Tribal Police are authorized to enforce the provisions of this Ordinance. The Lower Elwha Tribal Court has exclusive jurisdiction to determine any and all cases or disputes arising under this Ordinance.

8.4. The Business Committee may revoke any license granted under this Ordinance for non-compliance, after providing written notice to the license holder and a fair and reasonable opportunity to appear in person to demonstrate why the license should not be revoked. The decision of the Business Committee to revoke a license

is final, with no opportunity for judicial review. Any search or seizure of property related to such a revocation will be done in accordance with Sections 6.7 and 6.8 of the Lower Elwha Judicial Code and Court Procedures.

### 9. Authority To Enter Into Inter-Governmental Agreements; Compliance with the Laws of the State of Washington

9.1. The Business Committee is authorized to approve and enter into agreements with the Washington State Liquor and Cannabis Board, the Washington State Department of Revenue, and any other cognizant agency of the State concerning the authorization, taxation, or other regulation of liquor sales within the Tribe's territorial jurisdiction. The Business Committee's approval must be memorialized in a Resolution, with a copy of the agreement attached thereto.

9.2. Tribal liquor retailers must comply with any applicable Washington State liquor law standards to the extent required by 18 U.S.C. 1161 or any agreement entered into under Section 8.1 above.

### 10. Severability

If any section, provision, phrase, addition, word, sentence, or amendment of this Ordinance or its application to any person is held invalid, that invalidity will not affect the other provisions or applications of this Ordinance that can be given effect without the invalid application.

### 11. Sovereign Immunity Preserved

Nothing in this Ordinance constitutes or may be construed as a waiver of the Tribe's sovereign immunity from unconsented suit. The Tribe will not enter into any inter-governmental agreement regarding the regulation of liquor within the Tribe's territorial jurisdiction that waives the Tribe's sovereign immunity for any purpose unless such waiver is expressly approved in a Resolution of the Business Committee. No Tribal liquor retailer may waive the sovereign immunity it possesses as an entity of the Tribe, or waive the Tribe's sovereign immunity, without clear, express, written approval of the Business Committee.

### 12. Effective Date

Except where a different effective date is required by Federal law, this Ordinance is effective immediately upon publication by the United States Department of the Interior in the **Federal Register**.

### 13. Authority To Amend

The Business Committee is authorized to amend this Ordinance as it may see fit in the exercise of its sound judgment on behalf of the Tribe and to take any steps necessary to ensure that such amendment is properly approved and effective in accordance with applicable Federal law.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[BLM\_AK\_FRN\_MO4500171905; F-14909-B, F-19148-38]

### Alaska Native Claims Selections

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

**ACTION:** Notice of decision approving lands for conveyance.

**SUMMARY:** The Bureau of Land Management (BLM) hereby provides constructive notice that it will issue an appealable decision approving conveyance of the surface estate in certain lands to Kuukpik Corporation for the Native village of Nuiqsut, pursuant to the Alaska Native Claims Settlement Act of 1971 (ANCSA). As provided by ANCSA, the BLM will convey the subsurface estate in the same lands to Arctic Slope Regional Corporation when the BLM conveys the surface estate to Kuukpik Corporation.

**DATES:** Any party claiming a property interest in the lands affected by the decision may appeal the decision in accordance with the requirements of 43 CFR part 4 within the time limits set out in the **SUPPLEMENTARY INFORMATION** section.

**ADDRESSES:** You may obtain a copy of the decision from the Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, AK 99513-7504.

**FOR FURTHER INFORMATION CONTACT:** Eileen Ford, Chief, Branch of Adjudication, BLM Alaska State Office, 907-271-5715, or [eford@blm.gov](mailto:eford@blm.gov). 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. 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:** As required by 43 CFR 2650.7(d), notice is

hereby given that the BLM will issue an appealable decision to Kuukpik Corporation. The decision approves conveyance of the surface estate in certain lands pursuant to ANCSA (43 U.S.C. 1601, *et seq.*). As provided by ANCSA, the subsurface estate in the same lands will be conveyed to Arctic Slope Regional Corporation when the surface estate is conveyed to Kuukpik Corporation. The lands are located in the vicinity of Nuiqsut, Alaska, and are described as:

**Umiat Meridian, Alaska**

T. 10 N., R. 2 E.,

Secs. 31 and 32.

Containing 1,262.68 acres.

The decision addresses public access easements, if any, to be reserved to the United States pursuant to Sec. 17(b) of ANCSA (43 U.S.C. 1616(b)), in the lands described above.

The BLM will also publish notice of the decision once a week for four consecutive weeks in the "Anchorage Daily News" newspaper.

Any party claiming a property interest in the lands affected by the decision may appeal the decision in accordance with the requirements of 43 CFR part 4 within the following time limits:

1. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who fail or refuse to sign their return receipt, and parties who receive a copy of the decision by regular mail which is not certified, return receipt requested, shall have until July 17, 2023 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4 shall be deemed to have waived their rights. Notices of appeal transmitted by facsimile will not be accepted as timely filed.

**Eileen Ford,**

*Chief, Branch of Adjudication.*

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**BILLING CODE 4331-10-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[BLM\_OR\_FRN\_MO4500169742]

**Notice of Availability of the Proposed Southeastern Oregon Resource Management Plan Amendment and Final Environmental Impact Statement**

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

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Land Policy and Management Act of 1976, as amended, the Bureau of Land Management (BLM) has prepared a Proposed Resource Management Plan (RMP) Amendment/Final Environmental Impact Statement (EIS) for the 2002 Southeastern Oregon RMP, and by this notice is announcing the start of a 30-day protest period of the Proposed RMP Amendment.

**DATES:** This notice announces the beginning of a 30-day protest period to the BLM on the Proposed RMP Amendment. Protests must be postmarked or electronically submitted on the BLM's ePlanning site within 30 days of the date that the Environmental Protection Agency (EPA) publishes its Notice of Availability (NOA) in the **Federal Register**. The EPA usually publishes its NOAs on Fridays.

**ADDRESSES:** The Proposed RMP Amendment/Final EIS is available on the BLM's ePlanning page at <https://eplanning.blm.gov/eplanning-ui/project/87435/510>. On the project summary page, click on "Documents" on the left side of the screen to find the electronic version of the Proposed RMP Amendment/Final EIS. Hard copies of the Proposed RMP Amendment/Final EIS are also available for public inspection at the BLM Vale District Office, 100 Oregon Street, Vale, Oregon 97918, telephone: (541) 473-3144.

Instructions for filing a protest with the BLM for the Proposed RMP Amendment/Final EIS for the 2002 Southeastern Oregon RMP can be found at: <https://www.blm.gov/programs/planning-and-nepa/public-participation/filing-a-plan-protest> and at 43 CFR 1610.5-2.

**FOR FURTHER INFORMATION CONTACT:**

Brent Grasty, Planning and Environmental Coordinator, Vale District Office; telephone: (541) 473-3144; email: [bgrasty@blm.gov](mailto:bgrasty@blm.gov). 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 for contacting Mr. Grasty. 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 RMP amendment would change the existing 2002 Southeastern Oregon RMP. The Southeastern Oregon planning area

covers approximately 4.6 million acres of public lands in Malheur, Grant, Harney, and Baker counties. The area is characterized by a basin and range topography with remote canyons, desert, and mountain systems. The Final EIS evaluates six alternatives that address lands with wilderness characteristics; determine open, limited, and closed off-highway vehicle area allocations; provide livestock grazing management practices related to areas that fail to meet the BLM's Standards for Rangeland Health; and address voluntary livestock grazing permit relinquishments. Resource uses not addressed by the alternatives in this focused amendment will continue to be managed under the direction of the 2002 Southeastern Oregon RMP and Record of Decision, as amended by the 2015 and 2019 Approved Oregon Greater Sage-Grouse RMP Amendments.

The Proposed RMP Amendment/Final EIS responds to comments the BLM received on the Draft EIS during the 90-day public comment period that began on May 29, 2019. During the public comment period, the BLM held open houses in Ontario and Jordan Valley, Oregon, and McDermitt, Nevada. A summary of the comments received during the public comment period and responses to those comments can be found in Appendix P of the Proposed RMP Amendment/Final EIS.

Under the Proposed RMP Amendment, the BLM would protect 33 of the 76 areas the BLM identified as having wilderness characteristics. These 33 areas, which total 417,190 acres, are the units that were prioritized for protection under Alternative D in the Draft RMP Amendment/Draft EIS. The 33 units were identified using criteria established by the BLM's Southeast Oregon Resource Advisory Council that emphasized vegetative conditions, hydrologic function, and the proximity to other protected areas. The Proposed RMP Amendment would also designate these 33 protected areas as: Visual Resource Management Class II public lands, which only allows for low levels of change to the landscapes' visual character; Land Tenure Zone 1, where the BLM would retain these lands in public ownership for the life of the RMP; exclusion areas for major rights-of-way and commercial renewable energy projects; and lands where no surface occupancy for the development and extraction of leasable and saleable minerals, including new mineral material sites, would be authorized. The Proposed RMP Amendment would establish a 250-foot setback area from the protected areas' boundaries to provide the BLM with management