

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Notice of Availability of a Draft Environmental Impact Statement and Draft Conformity Determination for the Tejon Indian Tribe's Proposed Fee-to-Trust Acquisition and Casino Resort Project, Kern 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, with the Tejon Indian Tribe (Tribe), Kern County (County), National Indian Gaming Commission (NIGC), and the United States Environmental Protection Agency (EPA) serving as cooperating agencies, has filed a Draft Environmental Impact Statement (DEIS) with the EPA in connection with the Tribe's application for acquisition in trust by the United States of approximately 306 acres for gaming and other purposes to be located west of the Town of Mettler, Kern County, California. At the request of the Tribe, this EIS has been prepared to comply with the expected requirements of a tribal environmental ordinance, which may require a Tribal Environmental Impact Report (TEIR). To reduce paperwork and eliminate redundancy, the EIS and the TEIR have been prepared in coordination, resulting in a joint EIS/TEIR, hereinafter referred to as an EIS. This notice also announces that the DEIS is now available for public review and that a public hearing will be held to receive comments on the DEIS. In accordance with Section 176 of the Clean Air Act 42 U.S.C. 7506, and the U.S. EPA's general conformity regulations 40 C.F.R. Part 93, Subpart B, a Draft Conformity Determination (DCD) has been prepared for the proposed project. The DCD is contained within Appendix N of the DEIS.

DATES: Comments on the DEIS or DCD must arrive no later than July 27, 2020, which is 45 days after publication of Notice of Availability by the USEPA in the *Federal Register* on June 12, 2020. A virtual public hearing will be held on July 8, 2020, starting at 6:00 p.m. and will run until the last public comment is received. Please go to <https://www.tejoneis.com/> for information on how to attend the virtual public hearing.

COMMENT SUBMITTAL: 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, Tejon Indian Tribe Casino 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, Tejon Indian Tribe Casino Project" as the subject of your email. Additionally, you may submit verbal comments (up to three minutes) by calling 916-755-0181 and following the prompts.

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; e-mail: chad.broussard@bia.gov. Information is also available online at <https://www.tejoneis.com/>.

SUPPLEMENTARY INFORMATION: Public review of the DEIS is part of the administrative process for the evaluation of the Tribe's application to the BIA for the placement of approximately 306 acres of fee land in trust in Kern County, California. The Tribe proposes to construct a casino resort on the trust property.

Background: The Tribe's proposed project consists of the following components: 1) the Department's transfer of the approximately 306-acre fee property into trust status; 2) issuance of a determination by the Secretary of the Interior pursuant to the Indian Gaming Regulatory Act 25 USC 2701 et seq.; 3) the

approval of a management contract by the Chairman of the National Indian Gaming Commission under 25 USC § 2711; and 4) the Tribe's proposed development of the trust parcel and the off-site improvement areas. The proposed casino-resort would include a hotel, convention center, multipurpose event space, several restaurant facilities, parking facilities, a recreational vehicle (RV) park, fire, and sheriff stations and associated facilities.

The following alternatives are considered in the DEIS: (1) Proposed Project; (2) Reduced Casino Resort; (3) Organic Farm; (4) Alternate Site for the Proposed Project; and (5) No Action Alternative.

Environmental issues addressed in the DEIS include geology and soils, water resources, air quality, biological resources, cultural and paleontological resources, socioeconomic conditions (including environmental justice), transportation and circulation, land use, public services, noise, hazardous materials, aesthetics, cumulative effects, and indirect and growth inducing effects. The Clean Air Act requires federal agencies to ensure that their actions conform to applicable implementation plans for achieving and maintaining the National Ambient Air Quality Standards for criteria air pollutants. The BIA has prepared a DCD for the proposed action/project described above. The DCD is included in Appendix N of the DEIS.

Locations where the DEIS is Available for Review: The DEIS is available for review at the BIA Pacific Regional Office by appointment by contacting Chad Broussard, Bureau of Indian Affairs, Pacific Regional Office (see contact information listed in the FOR FURTHER INFORMATION CONTACT section of this notice). Additionally, the DEIS can be reviewed by appointment at the Kern County Planning and Natural Resources Department, 2700 M Street Ste 100, Bakersfield, CA 93301, by emailing Dennis McNamara, Division Chief for Permitting at mcnamarad@kerncounty.com or calling 661-862-8624. The DEIS is also available online at <https://www.tejoneis.com/>. To obtain an electronic copy of the DEIS on compact disc (CD) or flash drive, please provide your name and address in writing or by phone to Chad Broussard, Bureau of Indian Affairs, Pacific Regional Office. 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, e-mail 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 pursuant to Sec. 1503.1 of the Council of Environmental Quality Regulations (40 CFR parts 1500 through 1508) and Sec. 46.305 of the Department of the Interior Regulations (43 CFR part 46), implementing the procedural requirements of the NEPA of 1969, as amended (42 USC 4371, et seq.), and is in the exercise of authority delegated to the Assistant Secretary – Indian Affairs by 209 DM 8. This notice is also published in accordance with 40 CFR 93.155, which provides reporting requirements for conformity determinations.