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[Weekly Report to the Secretary 12%2F14%2F17.docx](#)

Good Morning All,  
Please find attached the weekly report to the Secretary. I have attached both the word and Google Doc versions of the reports. If there are any issues, please let me know.

Thanks

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Gareth C. Rees

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Weekly Report to the Secretary 12/14/17

**WEEKLY REPORT TO THE SECRETARY  
DEPARTMENT OF THE INTERIOR**

**December 14, 2017**

**Office of the Deputy Secretary**

**Week Ahead Schedule of Meetings, Hearings, and Travel**

Deputy Secretary Bernhardt, Associate Deputy Secretary Cason and Assistant Deputy Secretary Willens will all be in Washington, DC and attending regularly scheduled meetings.

## Office of the Solicitor

### Week Ahead Schedule of Meetings, Hearings, and Travel

Nothing to report.

### Week Ahead Announcements and Actions

#### NEW CASES:

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## NON-LITIGATION MATTERS:

## Bureau of Safety and Environmental Enforcement (BSEE) and Bureau of Ocean Energy Management (BOEM) Civil Monetary Penalty Inflation Adjustments Rules

BOEM and BSEE have sought the Division of Mineral Resources' (DMR's) support in clearing their 2018 civil penalty inflation adjustment rules. Pursuant to the Federal Civil Penalties Inflation Adjustment Improvements Act of 2015, the rules have to be published in the Federal Register by January 15, 2018.

## BLM's Hydraulic Fracturing Rescission Rule

BLM has received some but not all expected inter-agency comments on the draft final rule and supporting documents. DMR is helping BLM address the comments that have been received.

## Scoping Notice for Programmatic Environmental Impact Statement (EIS) on Four ESA Incidental Take Permits in Hawaii

On December 5, this office surmised a Federal Register scoping notice for a Programmatic EIS covering four currently-operating wind projects which, combined, are seeking incidental take of over 500 endangered Hawaiian hoary bats. FWS has determined that an EIS is necessary due to significant cumulative effects to the species and substantial scientific uncertainty over effectiveness of minimization and mitigation measures, and that it will reduce duplication and simplify public review.

# WildEarth Guardian's and Sierra Club's Citizen Complaint and Request for Cessation Order Under the Surface Mining Control and Reclamation Act Over Right of Entry Violation at North Antelope-Rochelle Mine in Campbell County, Wyoming

On November 21, the Office of Surface Mining Reclamation and Enforcement (OSMRE) received a citizen complaint letter from WildEarth Guardians and the Sierra Club concerning Peabody's North Antelope Rochelle Mine (NARM) located in Campbell County, Wyoming. The complainants claim that, on December 3, 2013, the Wyoming Department of Environmental Quality (DEQ) improperly approved a permit revision under the Wyoming equivalent of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) for NARM because (1)

Peabody did not accurately disclose its legal right to enter coal within two federal coal leases (North Porcupine Lease No. WYW173408 and South Porcupine Lease No. WYW176095) and (2) that Wyoming DEQ failed to properly scrutinize Peabody's permit revision application with regard to the validity of the federal coal leases. As a result of these purported violations, the complainants request that OSMRE order federal inspection and issue a cessation order under 30 C.F.R. § 843.11 for failure to mine without a valid permit.

**WildEarth Guardians', Western Environmental Law Center and Montana Environmental Information Center's Citizen Complaint and Request for Cessation Order Under the Surface Mining Control and Reclamation Act Over Right of Entry Violation at Spring Creek Mine, Montana Permit No. C1979012**

On December 7, environmental groups submitted a SMCRA citizen complaint letter to OSMRE concerning Cloud Peak LLC's Spring Creek Mine located in Big Horn County, Montana. The complainants claim that, on October 23, 2009, the Montana DEQ improperly approved a permit revision under the Montana equivalent of the SMCRA for Spring Creek because (1) Cloud Peak did not accurately disclose its legal right to enter coal within federal coal lease MTM-94378 and (2) that DEQ failed to properly scrutinize Cloud Peak's permit revision application with regard to the validity of the federal coal lease. As a result of these purported violations, the complainants request that OSMRE order federal inspection and issue a cessation order under 30 C.F.R. § 843.11 for failure to mine without a valid permit.

**Mountain Valley Pipeline (MVP)**

The Knoxville Field Office (KFO) and the Division of Land Resources (DLR) are advising BLM on MVP's application for a right-of-way under the Mineral Leasing Act, 30 U.S.C. § 185, to cross federal lands. On federal lands, the pipeline would cross 3.5 miles of land managed by the U.S. Forest Service (USFS) and 60 feet of land managed by the U.S. Army Corps of Engineers (Corps). These lands include a crossing of the Appalachian National Scenic Trail and the Weston Gauley Bridge Turnpike National Recreation Trail. ASLM is expected to issue a decision on the application as soon as the week of December 18.

**Appeal Regarding the Nomination of the Trestles Historic District for Listing on the National Register**

The National Parks Branch is advising the Office of the Keeper of the National Register of Historic Places in responding to an 36 C.F.R. § 60.12 appeal regarding the Department of the Navy's failure to nominate the Trestles Historic District, partially located within Camp Pendleton, for listing in the National Register. On May 19, the Navy provided a letter explaining its position that Trestles is not eligible for a National Register listing and describing what it believes are incurable defects with California's nomination of the site. The Keeper has extended its time to decide the appeal multiple times. The current extension expires January 2, 2018.

**Headwaters Wind Farm Habitat Conservation Plan (Indiana)**

The Service submitted for our review and comment a draft HCP for the Headwaters Wind Farm in Randolph County, Indiana. The applicant seeks an incidental take permit for two listed bat species – the Indiana bat and the northern long-eared bat – under section 10 of the ESA. The wind farm consists of 100 wind turbines with a total generating capacity of approximately 200

megawatts (MW).

#### **Torts Practice Branch Attends Indian-Country Seminar at NAC**

Attorneys from DGL's new Torts Practice Branch recently attended a three-day seminar at DOJ's National Advocacy Center in Columbia, South Carolina devoted to criminal jurisdiction in Indian Country. Although the content primarily centered on criminal law and jurisdiction, the seminar was relevant and valuable to SOL tort lawyers because a substantial number of tort claims and litigation arise every year in the context of tribal law enforcement. A keen understanding of Indian-country jurisdiction and law enforcement activity aids in the processing and defense of Indian-country law enforcement tort claims.

#### **Expected Department of Defense (DOD) Office of Inspector General (OIG) Investigation of a Potential Conflict of Interest related to Large Interior Business Center (IBC) Contract Action**

For the past decade, IBC has been administering contracts for DOD that provide military family life counselors (MFLCs) to military personnel worldwide. The current re-compete of the effort—currently, in the evaluation stage—will result in IDIQ contracts with a ceiling of \$4.3B over the next 10 years. Recently, IBC received an anonymous letter stating that a recently-retired high ranking DOD official with oversight of the MFLC program may have shared non-public information with an incumbent contractor now participating in the re-compete. The DOD OIG was copied on the letter and we have learned that the matter has been referred to the Defense Criminal Investigative Service (DCIS), which serves as the criminal investigative arm of the DOD OIG. If DCIS determines that an investigation is necessary, the projected award date of the new contracts may need to be significantly extended. DGL will continue to support the DOD OIG and DCIS as needed and also working with IBC to develop contingency plans to ensure that there is no break in counseling services.



## **Assistant Secretary for Fish and Wildlife and Parks**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

Principal Deputy Assistant Secretary Jason Larrabee will be in the office.

Deputy Assistant Secretary Aurelia Skipwith will be in the office.

### **Week Ahead Announcements and Actions**

Nothing additional to report.

## **U.S. Fish and Wildlife Service**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

On December 13, Greg Sheehan will attend the Endangered Species Act (ESA) Retreat at the National Conservation Training Center (NCTC) in Shepherdstown, WV. On December 18, he will be on leave.

### **Week Ahead Announcements and Actions**

On December 18 or 19, FWS and U.S. Forest Service representatives are scheduled to meet in Cloudcroft, New Mexico, with a private rancher and staff from Representative Pearce's (R-NM) office. The rancher's cattle graze Forest Service-managed lands that are inhabited by the ESA-listed New Mexico meadow jumping mouse. Discussions will include development of a framework to address long-term land management practices that will benefit the mouse while meeting the needs of the rancher.

On December 19, FWS, NOAA and New York State Department of Environmental Conservation (the Hudson River Natural Resource Trustees) will release an injury determination report that concludes PCBs released by General Electric have caused repeated and prolonged exceedances of state and federal water quality standards and contaminated surface water resources of the Hudson River for decades. The report is the latest demonstration of the Trustees' measurement of natural resource injuries from General Electric's release of PCBs to the Hudson River from its manufacturing facilities in Hudson Falls and Fort Edward, New York. The Trustees are planning coordinated outreach through a joint news release and Congressional notifications.

Within the next week, the National Fish and Wildlife Foundation (NFWF) will announce \$724,200 in grants to support six on-the-ground sagebrush conservation projects in Colorado, Idaho, Montana and Wyoming. These grants will leverage an additional \$1 million in matching funds from partners, representing a \$1.7 million investment in locally-led partnerships to restore important sagebrush habitat and increase capacity and coordination throughout sagebrush country. The funds were made available through the new Sagebrush Landscapes Program, a partnership between NFWF, FWS, BLM, U.S. Forest Service and the Natural Resources Conservation Service in Montana. FWS actively participated in the Request for Proposal process

for this program and will be directly involved with implementation of several of the projects. FWS Mountain-Prairie Regional Director Noreen Walsh will be quoted in NFWF's press release, and FWS will pursue storytelling opportunities through the lifecycle of several of the grants.

Pending approval by the Department, in December, FWS plans to publish in the *Federal Register* a draft 10-year General Conservation Plan (GCP) for Utah prairie dogs. Conservation plans such as the Utah prairie dog GCP are developed to allow for incidental take permit authorization for species listed under the ESA. The overall goal of the Utah prairie dog GCP is to reconcile prairie dog conservation with the development needs of local communities in southwest and southcentral Utah, and compensate for impacts to Utah prairie dogs. The GCP also includes a program to allow translocations of prairie dogs from already developed (or adjacent) properties to sites on federal or other protected lands, mirroring portions of the previous state prairie dog management plan. FWS developed the GCP in partnership with the state of Utah, USFS, BLM, and Iron, Garfield and Beaver counties.

In December, the Southeast Land Trust of New Hampshire will acquire 1,500 acres in Barrington, New Hampshire, which will be conserved and open for outdoor recreation under a conservation easement with the New Hampshire Fish and Game Department and town. The \$2.8 million acquisition is supported by \$1.75 million in federal funding from FWS through a National Coastal Wetland Conservation grant and Wildlife and Sport Fish Restoration Program. In addition to excellent wetland habitats for trust bird species, the property will offer access for fishing, hunting, trapping and other public uses. No controversy is expected and FWS will participate in local media and Congressional outreach.

FWS and NOAA have completed a public scoping process to evaluate ways to protect seabirds from predation by invasive house mice at Midway Atoll National Wildlife Refuge and Battle of Midway National Memorial, located in the Northwest Hawaiian Islands. Midway is the largest Laysan albatross colony in the world and more than 3 million birds from 29 species nest on Midway's three islands. All of them are potentially vulnerable to mouse predation. The mice have been documented eating seabirds while they are nesting, resulting in injury and death. Due to their extreme dedication to raising their young, the birds won't leave the nest if attacked. FWS is preparing a draft environmental assessment that will evaluate alternatives to protect seabirds from mouse predation. The draft Environmental Assessment (EA) should be ready for public comment in mid-December. Outreach is planned to include local public notifications through the web and social media, when the draft EA is published, and notifications to members of Congress in Hawaii, with targeted stakeholder outreach.

### **Hot Topics**

A private landowner with an in-holding (lands within Kofa NWR in Arizona) has gated the Castle Dome/McPherson Pass Road where the main access road crosses his property. The private landowner has indicated intent to install locked gates on two additional roads. All three roads have been used for decades for refuge access. FWS is in the process of reviewing alternative routes outside of the in-holdings to accommodate hunters and other visitors to the refuge. The new locked gates block all visitors from using the main road. They now must take a longer, more remote, less accessible route (4-wheel drive required in some areas). Congressional briefings are proposed to occur following meetings with the county and private landowners. Congressional

interest is anticipated (Senators McCain (R-AZ) and Flake (R-AZ) and Representative Gosar (R-AZ)).

## **National Park Service**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

There are no meeting, hearings, or events scheduled for executive management for the week ahead.

### **Week Ahead Announcements and Actions**

On December 2, Wind Cave National Park reopened its gates to the backcountry after a temporary emergency closure that took place on November 17 to protect sensitive natural and cultural resources. The announcement of the lifting closure order was made on December 4 by way of press release. The park, through coordination with the Midwest Regional Solicitor's Office, has sent a letter to the group wishing to camp for 3 months in the backcountry and is awaiting a response in order to have final resolution on this issue. In the interim, the park has implemented a monitoring system and has installed motion detectors that will alert the local staff to traffic on the road, thereby allowing for protective measures that are less restrictive than closing the entire area.

On December 5, the superintendent of Indiana Dunes National Lakeshore requested a meeting with Northern Indiana Commuter Transportation District (NICTD), South Shore Freight Railroad, and Northern Indiana Public Service Company (NIPSCO) to discuss the potential easement or land exchange sought by NICTD to accommodate the South Shore Line (SSL) expansion in the coming weeks. The SSL is a commuter line that provides train service between Northwest Indiana and Chicago, and borders and services Indiana Dunes National Lakeshore. The superintendent spoke to the President of NICTD to coordinate the meeting but was informed that the meeting would be delayed for a week or more so that the transportation companies can assess other options for achieving their goals without the use of NPS lands. The NPS is waiting to hear back from them.

On December 12, a draft air tour management agreement for Glen Canyon National Recreation Area and Rainbow Bridge National Monument was released for a 45-day public review. The agreement and Frequently Asked Questions will be available through the park's Planning, Environment and Public Comment page. The park will also send letters to congressional offices and the air tour operators and will issue a press release. The NPS, the Federal Aviation Administration, and seven commercial air tour operators intend to sign the agreement, once complete, to manage air tours over Glen Canyon National Recreation Area and Rainbow Bridge National Monument to ensure protection of resources and visitor use and enjoyment without compromising aviation safety.

In mid-December, the Federal Highway Administration expects to award a contract for repair, repaving, and rehabilitation of several major road projects at Grand Canyon National Park. The work will be completed in 2018 and 2019 and will include work on Desert View Drive, Yaki

Point and South Kaibab Trailhead Roads, South Entrance Road, and Village Loop. The park plans on holding a community meeting in January 2018 to discuss the projects.

On December 14, the U.S. Park Police San Francisco Field Office will hold a press conference seeking information about the August 6, 2016, shooting of Calvin Riley at San Francisco Maritime National Historical Park. The media event is being held at San Joaquin Delta Community College in Stockton, California, where Calvin Riley was a student, and is being publicized by the San Joaquin Delta College District police and the Stockton police to reach a new audience in the Sacramento-Stockton media market.

On December 14, Everglades National Park will release the Old Tamiami Trail Modifications Environmental Assessment (EA) for a 30-day public review. The EA evaluates options for modifying an original 5.7-mile segment of the trail located along the northern boundary of the park as proposed in the U.S. Army Corps of Engineers' Central Everglades Planning Project (CEPP) Environmental Impact Statement (EIS) in 2014 to facilitate hydrologic and ecologic restoration of the park.

On December 15, the California Department of General Services will release a state Environmental Impact Report for the relocation of a communication site, which includes as one of several alternatives placement on Rodgers Peak in Redwood National Park. This would require NPS issuance of a right-of-way permit to the Governor's Office of Emergency Services (Cal OES). Cal OES will hold public meetings in Arcata on January 10 and in Klamath on January 2018. The 45-day public comment period will end January 29, 2018.

By December 15, the Blue Ridge Parkway expects to transmit final executed right-of-way and construction permits for the proposed Atlantic Coast Pipeline to the applicant, Dominion Energy. The park has received signed copies of both permits from the applicant, and pending the Southeast Regional Director signature of the right-of way permit, both will be completed. All environmental and historic preservation compliance associated with the Blue Ridge Parkway permits is complete. This pipeline would traverse the Blue Ridge Parkway and the Appalachian National Scenic Trail, and has been approved by the Federal Energy Regulatory Commission (FERC) with final decisions by a number of other state and federal agencies still pending.

On or about December 15, depending on Departmental clearance, Golden Gate National Recreation Area will complete the Record of Decision for the Alcatraz Ferry Embarkation Plan/Environmental Impact Statement. The selected alternative will rehabilitate historic structures for visitor use and ferry operations at Pier 31½ in San Francisco, supporting a commercial services concession that will begin in 2019. Final approval of a general agreement and associated draft leases for a long-term ferry embarkation site at Pier 31½ is expected in January 2018.

From December 12-18, Yosemite National Park will host a visit from the Director and Deputy Director of Nepal's national park system. The visiting park professionals will meet with several members of the park's staff to discuss resource management techniques, visitor management issues, search and rescue operations and other issues relevant to national parks and protected areas in Nepal. Yosemite has sister park arrangements with three national parks in Nepal.

December 18 is the new extended deadline to submit comments on the Arches National Park Traffic Congestion Management Plan Environmental Assessment (EA). The park released the EA for public comments on November 1, and announced the extension on November 30. The plan proposes a reservation system for entrance during peak visitation season and peak visitation hours, and would take effect spring 2019. This system would give visitors certainty of entry, reduce or eliminate long entrance lines, spread visitation more evenly across the day, and improve the visitor experience by ensuring available parking space.

On December 19, Rep. John Faso (R-NY-19) will host a New York Veterans Committee meeting at the Home of Franklin D. Roosevelt National Historic Site. It is anticipated that 20 to 30 Veterans Committee members will participate in the meeting.

On December 19, the NPS is slated to acquire approximately 2,494 acres within the boundaries of Black Canyon of the Gunnison National Park. The tracts (01-147A, 01-148A and 01-151A) were acquired by The Conservation Fund in March 2016 on behalf of the NPS in anticipation of funding through the Land and Water Conservation Fund. The tracts include a much-needed water source for the park along with other water rights and well permits.

In late December, the NPS will publish a Federal Register notice announcing that the Department of the Interior (DOI) has authorized the preparation of a World Heritage nomination for the Hopewell Ceremonial Earthworks in Ohio. With nine component properties including those that form Hopewell Culture National Historical Park, and others managed by the State of Ohio, this series of geometric mounds is approximately 2,000 years old. The nomination file, which will take more than a year to draft, will be developed by local proponents in Ohio with guidance from the NPS. Upon completion and review, the Assistant Secretary for Fish and Wildlife and Parks will determine whether or not to submit the nomination to the World Heritage Committee.

On December 25, a 45-day comment period concerning a proposed land exchange between Indiana Dunes National Lakeshore and the local public utility company will close. The proposed land exchange would enable the Northern Indiana Public Service Company to install a 24" diameter natural gas line through Federal land. Congressional offices have been notified of the proposed exchange. The Federal government will grant an easement interest to allow for the natural gas line. Under this proposal, the Northern Indiana Public Service Company would convey to the Federal government a parcel of land, a segment of 11 acres that would match the value of the easement.

In December, Fire Island National Seashore (FISS) will release the Final Breach Plan/EIS for a 30-day no action period. The Final Breach Plan/EIS responds to public comments received on the Draft Environmental Impact Statement which was circulated in October - December 2016. Comments ranged from supporting immediate mechanical closure of the breach to leaving the process completely up to nature. The plan identifies Alternative 3 as the preferred alternative because it allows the breach to be managed to NPS resource management policies and wilderness directives while allowing closure if necessary to prevent "loss of life, flooding, and other severe economic and physical damage to the Great South Bay and surrounding area." A Record of Decision may be signed by the Northeast Regional director no sooner than 30 days after the

Environmental Protection Agency publishes a Federal Register Notice of Availability of the Final Breach Plan/EIS.

In or after December, the NPS expects to release the final plan/Environmental Impact Statement (EIS) to address the presence of wolves at Isle Royale National Park. The publication of the U.S. Environmental Protection Agency NOA of this final plan/EIS in the Federal Register will initiate a 30-day wait period before the Regional Director of the Midwest Region will sign the Record of Decision. The NPS preferred alternative would introduce between 20-30 wolves to the island over a 3-year time period. A decision is needed because the potential absence of wolves raises concerns about possible effects to the current Isle Royale ecosystem, including effects to both the moose population and forest/vegetation communities. Over the past five years, the wolf population has declined steeply and at this time, natural recovery of the population is unlikely.

In or after December, pending DOI approval, the NPS anticipates publishing an NOA in the Federal Register for the Draft Management Plan and Draft EIS for Saline Valley Warm Springs (plan/DEIS) in Death Valley National Park. The NOA will initiate a 60-day public comment period on the document during which public meetings will be held in the vicinity of the park. The plan/DEIS analyzes five alternatives for the management of the Saline Valley Warm Springs area. The plan/DEIS analyzes five alternatives for the management of the Saline Valley Warm Springs area, and is intended to provide a framework for natural and cultural resource management, administration and operations, and managing visitor access.

In December 2017 or January 2018, the Blue Ridge Parkway anticipates completing environmental compliance and signing required right-of-way and construction permits for the Mountain Valley Pipeline. The NPS and the applicant are currently reviewing draft permits. The Virginia State Historic Preservation Office (SHPO) has alerted the NPS of a likely finding of Adverse Effect under Section 106 of the National Historic Preservation Act. This finding is directly related to a new historic district identified by the SHPO, and may require an additional agreement between Federal Energy Regulatory Commission (FERC), SHPO and the NPS. The NPS cannot issue permits for the project until the Section 106 process is complete. This pipeline would traverse the Blue Ridge Parkway and the Appalachian National Scenic Trail, and has been approved by FERC with final decisions by a number of other state and federal agencies still pending.

## **Assistant Secretary - Indian Affairs and the Bureaus of Indian Affairs and Indian Education**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

On December 13, 2017 at 10:00 a.m. the House Natural Resources Committee will hold a full committee markup on 16 bills, continuing from its December 12 hearing. Two bills of interest to Indian Affairs are:

- S. 825 “Southeast Alaska Regional Health Consortium Land Transfer Act of 2017” (Sen. Lisa Murkowski), To provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes. S. 825 is largely an IHS bill.
- S. 1285 “Oregon Tribal Economic Development Act” (Sen. Jeff Merkley), To allow the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, the Cow Creek Band of Umpqua Tribe of Indians, the Klamath Tribes, and the Burns Paiute Tribes to lease or transfer certain lands. On July 12, 2017 BIE Director Tony Dearman testified on S. 1285 before the Senate Committee on Indian Affairs. The Department's position at that time was "supports."

On December 13-14, Principal Deputy Assistant Secretary – Indian Affairs (PDAS-IA) Tahsuda and Bureau of Indian Affairs (BIA) Director Rice will be in Pawhuska, Oklahoma to attend a meeting of the Osage Minerals Council and meet with Regional BIA staff in Muskogee, Oklahoma.

On December 13-14, BIE Director Dearman will meet with BIE senior managers and others to present and gather input on the strategic plan at the Southwestern Indian Polytechnic Institute (SIPI) located in Albuquerque, NM..

On December 13-14, BIE will lead a strategic planning session at the SIPI campus in Albuquerque, New Mexico.

On December 13-15, Office of Justice Services Command Staff will attend the Indian Country Leadership Summit with DOJ counterparts (USA, FBI, DEA) at the National Advocacy Center (NAC) in Columbia, South Carolina.

On December 14, Deputy BIA Director – Field Operations James will travel to Portland, Oregon, to meet with Northwest Regional Staff and present a retirement award to the Regional Director, Stanley Speaks, who is retiring from Federal service on December 31, 2017, after serving 59 years with DOI.

On December 14, the US Department of Transportation (USDOT), Federal Highway Administration (FHWA) has requested to meet with the BIA’s Division of Transportation (DOT), Office of Indian Services, to discuss the “Single Audit findings for tribal governments receiving Tribal Transportation Program (TTP).” The OIG-DOI and OIG-USDOT have some

differences in addressing the law when it comes to the Indian Self-Determination and Education Assistance Act (ISDEAA), which results in different expectations for resolution and trust.

On December 18, 2017, the Office of Self Governance will be meeting with representatives of the Office of the Special Trustee for American Indians to discuss the progress in updating the Single Entity Appraisals process for Tribes.

### **Week Ahead Announcements and Actions**

The week of December 18, PDAS-IA expects to have a Dear Tribal Leader letter announcing two sets of Tribal consultations scheduled for February and March 2018 to be ready for distribution. One letter announces consultation on draft guidelines for background checks for foster care placements under the Native American Children's Safety Act (NACSA). The other letter announces consultation on a draft approach to the forestry demonstration project authorized by the Indian Trust Asset Reform Act (ITARA).

The Associate Deputy Director for Navajo Schools and her staff will support the students, staff, parents, and community members of Aztec, New Mexico, following last week's lockdown situation when a shooter entered a campus where the BIE's Kinteel residential dormitory is located. BIE students were safe. Special thanks to the Central Communication Responder, the Indian Health Service Emergency Responder, and the Principal at Kinteel Residential dormitory.

On December 12-14, the Division Chief for BIA's Forestry Program will attend the Intertribal Timber Council in Portland, Oregon.

On December 14, BIE will host the last of five consultations on its Strategic Plan, by teleconference.

On December 20, SIPI's Fall trimester ends.

On December 15, Principal Deputy Assistant Secretary – Policy and Economic Development Clarkson will be reviewing loan guarantee and insurance commitments issued between May 5 and 30, 2017, together with claim for loss payment decisions made during that same period, to determine whether they should be ratified. The ratification review is in accordance with a procedures developed by the Office of Indian Energy and Economic Development and reviewed by the Office of the Solicitor.



## **Assistant Secretary for Insular Affairs**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

**Support for Hurricane Recovery in the USVI** - Mr. Basil Ottley (OIA Director of Policy) remains on location in V.I., through December 19<sup>th</sup>, and will have provided two weeks of support for the overall FEMA recovery effort in the U.S. Virgin Islands.

**Economic Development in the CNMI** – On Thursday, December 21, meet with Philip Mendiola Long, a successful CNMI businessman and others on economic development plans and goals for the CNMI.

**Allowing Bikinians to Decide Own Budgets and Spending** – Finalize response to Senate Energy and Natural Resources Committee Chairwoman Lisa Murkowski who is opposed to Interior's recent decision to confer decision-making powers to Bikini Atoll Mayor and Council Members on spending of Bikini Resettlement Trust Fund.

**CNMI Delegation to Advocate for Extension of CW Program Beyond 2019** - Meet with Members of the CNMI Delegation who will be in Washington next week to seek support from the U.S. Congress in extending the CW program beyond 2019.

### **Week Ahead Announcements and Actions**

**Compact Infrastructure** – ASIN announces \$6.3 million in funding to the Federated States of Micronesia to extend potable water distribution infrastructure to new communities on Pohnpei.

### **Grant Funding**

**CNMI Upgrade of Northern Islands Telecoms and Environment Feedback Program** CNMI Government continues work on updating telecommunication units for residents and community workers living on the northern remote islands of the Marianas Archipelago. Units will be powered by solar energy and used to provide data back to officials on Saipan regarding weather activities, military exercises, border issues and other environmental occurrences in the Northern Archipelago.

## **Assistant Secretary for Land and Minerals Management**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

ASLM Deputy Assistant Secretary Kate MacGregor (exercising the authority of the ASLM) will travel to Florence, SC on December 18 to speak at a town hall meeting hosted by the Consumer Energy Alliance, and will be in Washington, DC attending regularly scheduled meetings during the remainder of the week.

ASLM Deputy Assistant Secretary Casey Hammond will be in Washington, DC attending regularly scheduled meetings.

### **Week Ahead Announcements and Actions**

On December 18, ASLM Deputy Assistant Secretary Kate MacGregor will give remarks and participate in a question and answer session in an offshore energy forum hosted by the Consumer Energy Alliance (CEA) in Florence, SC. Anticipated attendees include local elected officials, chamber of commerce representatives, business leaders, and other interested parties. The Department will participate in a series of offshore energy forums that will be hosted by CEA between November 2017 and April 2018 in the Gulf and Atlantic states.

On or about December 18, OSMRE Western Region plans to submit the Cordero Rojo Mine's Mining Plan decision documents to OSMRE Headquarters for review and approval by ASLM. Cloud Peak Energy's Cordero Rojo Mine is a surface mine located in Campbell County, WY. The mine employs 383 people and produces approximately 20 million tons of coal per year.

On December 18, Colorado State Senator Lucia Guzman (D-Denver) is scheduled to tour the BLM-CO Sand Wash Basin Wild Horse Herd Management Area in northwestern Colorado. Guzman seeks additional information about wild horse management issues and the successful partnerships BLM-CO has formed with the Great Escape Mustang Sanctuary and the Sand Wash Basin Advocacy Team. She will be accompanied by BLM-CO Associate District Manager Alicia Austin Johnson and Wild Horse and Burro Specialist Ben Smith.

On December 18, the BLM-NV Ely District Caliente Field Office will offer to the public, through a competitive sale, three parcels of public land totaling 165.92 acres located adjacent to Hiko and Alamo, in Lincoln County, NV. Bidding on the sale parcels will begin at appraised fair market value. The proposed sale is in accordance with the Lincoln County Conservation, Recreation, and Development Act of 2004.

On December 21, BOEM plans to publish an RFF in the Federal Register seeking input on a proposed path forward for renewable energy leasing offshore of the Atlantic Coast. The RFF describes the process and factors used by BOEM to identify and forecast areas along the Atlantic Coast where future leasing should be focused and development is most likely

On December 22, ASLM Deputy Assistant Secretary Kate MacGregor, BOEM Acting Director Walter Cruickshank, and representatives of BOEM will meet with DoD representatives to establish a working group to develop and implement a coordination and consultation plan

focused on finding mutually beneficial resolutions to minimize spatial conflicts between oil and gas activities and military operations on the OCS.

On December 22, the BLM-CA Central Coast Field Office intends to sign the Decision Record for the Trio Jacalitos Canyon APD in Fresno County, CA. This APD has been on hold since 2013 when the BLM identified the need for additional wildlife, botanical, and cultural inventories. The BLM review was reinitiated in 2017 when the proponents provided notice that the inventories were being completed. This APD is likely to draw the attention of environmental organizations. Public notification for the proposed APD was posted on the BLM's National NEPA Register on October 2, 2017.

## **Assistant Secretary Policy, Management and Budget**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

On December 18-22, 2017, Acting Assistant Secretary for Policy, Management and Budget, Scott Cameron will be in Washington, DC, and participating in routine internal briefings.

### **Week Ahead Announcements and Actions**

For FY 2018 Appropriations, the short-term extension of the Continuing Resolution (CR) expires on December 22 and Congress will consider options to continue funding for Federal programs.

The Office of Human Resources collaborated with the Office of the Solicitor to jointly issue brand new Department-wide guidance (DOI Investigator Guide to Conducting Administrative Investigations) on conducting misconduct investigations this week. The guide provides directions to investigators on the general expectations that the Agency has for the scope, content and depth of non-Equal Employment Opportunities (EEO) inquiries conducted by investigators, the manner in which the investigation is conducted, and the reports that investigators complete.

On December 6, 2017, representatives from the Office of Acquisition and Property Management, Office of Facilities and Administrative Services (OFAS), and the National Park Service's National Capital Region (NPS NCR) met with representatives from the General Services Administration (GSA) to discuss DC Water and Sewer Authority billing issues and cost increases. Both OFAS and NPS NCR annual water costs have nearly tripled since last year, in spite of significant water use reductions as a result of their recent energy savings performance contracts. GSA has had similar complaints from other Federal agencies in the DC area and is establishing a Federal working group to help address and resolve account and billing discrepancies. A kickoff meeting is being planned for late January/early February 2018.

For Hurricane's Harvey and Irma, the Office of Environmental Policy and Compliance (OEPC) is coordinating DOI efforts for the Natural and Cultural Recovery Support Function (NCR RSF). For Hurricane Harvey, the OEPC's Field Coordinator continues to develop the Recovery Support Strategy, with support from subject matter experts deployed by, the National Park Service. For Hurricane Irma, two OEPC staff members continue to serve as part of FEMA's interagency recovery team at the Joint Field Office in Orlando. Current efforts are focused on developing the Recovery Support Strategy to identify actions and resources recover impacted natural and cultural resources. For Hurricane Maria, OEPC is coordinating DOI efforts related with Emergency Support Function #10 (Oil and Hazardous Materials) and #11 (Protection of Natural and Cultural Resources), and the Natural and Cultural Resources Recovery Support Function. Missions Assignments have been received and DOI staff have been deployed to Puerto Rico to support the State Historic Preservation Office of Puerto Rico and the Institute of Puerto Rican Culture and to support and coordinate the long-term recovery of natural and cultural resources. NPS and USFWS staff are serving as Field Coordinators, leading the NCR RSF, in U.S. Virgin Islands and Puerto Rico, respectively.

For the California Wildfires, the Office of Environmental Policy and Compliance (OEPC) headquarters and San Francisco are coordinating with Emergency Support Function #11 and DOI bureaus to monitor the wildfires in California. The OEPC San Francisco Office is working closely with her partners to ensure natural and cultural resource concerns are addressed.

A Government Accountability Office (GAO) “Entrance Conference is “Federal Employment and Training Programs (Job Code 102320)” – December 14, 2017, with the National Park Service and the Bureau of Indian Affairs. Per request from the Chair and Ranking Member of the Senate Committee on Homeland Security and Governmental Affairs, Permanent Subcommittee on Investigations, GAO will update its 2011 report on *Multiple Employment and Training Programs: Providing Information on Co-locating Services and Consolidating Administrative Structures Could Promote Efficiencies* (GAO-11-92). GAO will review the following changes on the 2011 report: (1) the number, focus, and/or funding of Federal employment and training programs; (2) outcome measures for Federal employment and training programs; and (3) actions agencies have taken to improve coordination among programs.

A Government Accountability Office (GAO) Exit Conference/Pending Report is “Data Center Optimization Initiative Progress (Job Code 102177)” – December 12, 2017, with the Office of the Chief Information Officer. Per response to a congressional mandate within the Federal Information Technology Acquisition Reform provisions (commonly referred to as FITARA) as a part of the Carl Levin and Howard P. McKeon National Defense Authorization Act for Fiscal Year 2015, GAO will update agencies’ progress in implementing the Office and Management and Budget’s (OMB) Data Center Optimization Initiative and report to Congress. GAO obtained 24 agencies’ data center inventories and: (1) analyzed the completed and planned closures through FY 2018; (2) evaluated agencies’ progress in achieving data center consolidation savings and plans for future savings; and (3) assessed agencies’ progress against OMB’s data center optimization targets.

A New Office of Inspector General (OIG) Audit is “U.S. Fish and Wildlife Service (FWS) Cooperative Agreement with Agence Nationale Des Pares Nationau (2018-FIN-007).” The Office of Inspector General (OIG) is initiating an inspection of the Fish and Wildlife Service (FWS) cooperative agreement (No. F13AP00659) with Agence Nationale Des Pares Nationau, which is the authority in Gabon charged with overseeing the national park system and protecting their resources and wildlife. The inspection will focus on whether FWS properly awarded and effectively is overseeing the cooperative agreement.

## **Assistant Secretary for Water and Science**

### **Week Ahead Schedule of Meetings, Hearings, and Travel**

The week of December 18, Deputy Assistant Secretary Andrea Travnicek will be in Washington, DC. On December 21-22, Andrea will be on annual leave.

### **Week Ahead Announcements and Actions**

#### **California Wildfire Response Activities:**

In response to the recent California wildfires, the USGS is collecting and distributing imagery, including from Landsat and Sentinel satellites, at the request of State and Federal partners. The USGS is also partnering with FEMA, State and local partners to develop increased monitoring for potential debris flows following wildfires that occurred earlier this year in Northern California and Orange County. There is currently no USGS field work underway in the areas affected by the fires, but, fires in the Los Angeles area have affected some field projects. At this time no USGS assets or resources have been adversely impacted from the recent wildfires. We will know more about impacts to field sites and instrumentation after the fires are contained and sites safely accessible.

The Bureau of Reclamation is preparing to deploy staff to Northern California to assist the U.S. Army Corps of Engineers through Emergency Support Function 3 of the Stafford Act. Reclamation will provide staffing for QC/QA missions for debris removal. Staff will be deployed for 29 days.

The Thomas Fire is getting very close to Reclamation land within and around Lake Casitas. The Thomas Fire started on Dec. 4 in Santa Paula and due to Santa Ana wind in the area, spread rapidly burning roughly 230,000 acres and is currently 15% contained. The recreation area is evacuated. Reclamation is in contact with the U.S. Forest Service and Casitas Municipal Water District for updates. Reclamation staff will participate in coordination meetings with the Incident Command Team via phone conference and in person, as necessary. For the week of December 18-24, if the fire is reasonably contained, Reclamation staff might perform a site visit of Lake Casitas.

On December 11, NBC Nightly News was expected to air a segment relating to ongoing efforts to find an economically-viable solution to continuing operations of the Navajo Generating Station, near Page, Arizona. The segment did not air on December 11th and it is not yet known when the segment will air.

From December 13-15, Reclamation staff attended the Colorado River Water Users Association (CRUA) Annual Conference in Las Vegas, Nevada. Deputy Assistant Secretary Andrea Travnicek is also in attendance and meeting with stakeholders on December 13th. Federal Friday, to which the Interior Leadership Team are invited to serve on a panel presentation, is scheduled for December 15. Commissioner Brenda Burman will speak. CRUA is a non-profit, non partisan organization that provides a forum for exchanging ideas and perspectives with the

intent of developing common solutions to shared challenges. Approximately 1,000 water leaders, policy makers and consultants attend the conference each year.

The USGS currently is making pre-assessment public presentations in preparation for conducting resource assessments in response to Secretarial Order 3352, which directs the USGS to update assessments of the Alaska North Slope with emphasis on National Petroleum Reserve in Alaska (NPRA), the coastal plain of the Arctic National Wildlife Refuge (ANWR), and State lands and waters. The content of the presentations will include descriptions of why the assessment is being done, what methods are being used, and specific documentation of the geological interpretations that form the foundation of the assessment. Meetings currently in progress focus on two geological formations in which significant oil discoveries have been announced in the past two years: the Nanushuk and Torok Formations. The Nanushuk Formation hosts two new discoveries, Pikka–Horseshoe and Willow. The assessment is tentatively scheduled for completion in December 2017.

During the week of December 18, Congressman Jim Costa (D-CA) is tentatively planning to visit Shasta Dam, Red Bluff Fish Passage Improvement Project, the Sites Reservoir location and the State of California's Oroville Dam.

On December 20 or 21, the USGS and BOEM will release a new assessment of undiscovered, technically recoverable oil and natural gas resources for the National Petroleum Reserve-Alaska and adjacent offshore waters. The updated assessment was completed under Secretarial Order 3352, "National Petroleum Reserve - Alaska" which directs the USGS to lead a multi-agency effort between USGS, BOEM and BLM to update current energy assessments for undiscovered, technically recoverable oil and natural gas resources of Alaska's North Slope, focusing on Federal lands including the NPRA and Section 1002 Area. USGS, BOEM and the Department are coordinating on plans to announce this new assessment.

On December 21, Reclamation will issue an Environmental Assessment for the Snow Lake Water Control Structure. Public comment was taken for the draft EA October 2-17, 2017, and due to the amount of interest, additional analysis is being completed. A new comment period will run from December 21, 2017 to January 11, 2018.

Puerto Rico Electric Power Authority (PREPA) requested Reclamation be the owner's representative during efforts to rehabilitate the spillway at Guajataca Dam. This would include reviewing final designs for permanent repairs that the U.S. Corps of Engineers will be preparing once the temporary repairs are constructed. The Bureau of Reclamation intends to work directly with the U.S. Corps of Engineers as a reviewer of their designs for the permanent repairs. Reclamation will also likely be involved with the risk analysis of the entire project.

A new online Story Map, [Measuring the Restoration Economy](#), is now available that highlights selected case studies quantifying jobs and business activity supported by investments in ecosystem restoration. The story map was created by the University of Missouri School of Journalism (MU) in collaboration with the USGS, the DOI Natural Resource Damage Assessment Restoration Program (NRDAR), DOI Office of Policy Analysis, and the BLM Socioeconomics Program. The data used by UM journalists to write the Story Map content was

taken from work done by USGS economists who analyzed the economic impact of NRDAR cases. The Story Map links back to the USGS website project pages for the case studies. DOI's Office of Resource and Damage Assessment (ORDA) and the NRDAR Program intend to post the link on the Restoration Program website. No media announcements are planned.



## **30-60 DAY LOOK-AHEAD**

### **Office of the Solicitor**

#### **SIGNIFICANT LITIGATION DEADLINES FOR NEXT THREE WEEKS SEPARATELY REPORTED**

### **Assistant Secretary for Fish and Wildlife and Parks**

Nothing additional to report

### **U.S. Fish And Wildlife Service**

On or around January 8, 2018, FWS plans to send to the *Federal Register* a notice of availability of the draft revised stock assessment report for the northern sea otter stock in Washington State and open a 90-day public comment period. This action is not expected to be opposed. FWS will notify the state and outer coast tribes, and post the document on the Washington Fish and Wildlife Office website.

On or around January 12, FWS plans to send to the *Federal Register* a notice announcing the availability of comprehensively revised boundaries for the first batch of Coastal Barrier Resources System (CBRS) units included in the Hurricane Sandy Remapping Project, affecting 112 existing and 36 proposed new units in Delaware, Massachusetts, New Hampshire and New Jersey. The notice will announce a 120-day public comment period and also advise of upcoming public meetings to be held via webcast. Landowners, state and local officials (and their representatives in Congress) will likely support the removal of certain areas from the CBRS and similarly oppose the addition of such areas to the CBRS. Taxpayer groups, recreational interest groups and conservation groups will likely support the additions to the CBRS. Outreach will include a news release and FAQs, as well as stakeholder and congressional outreach.

On January 17-18, FWS plans a meeting with representatives from the five range state fish and game agencies, the Western Association of Fish and Wildlife Agencies, and other partners to discuss coordination on lesser prairie-chicken issues. The meeting is in Arcadia, Oklahoma.

FWS is in discussions with the Oklahoma Department of Wildlife Conservation regarding increased hunting opportunities on national wildlife refuges in Oklahoma. A follow-up meeting is planned for January.

In January and February, several border projects involving FWS are anticipated to begin. Customs and Border Protection (CBP) will need access to water from a FWS-owned well on Buenos Aires NWR in Arizona for a road repair project. The Border Patrol & Air and Marine Program Management Office (BPAM PMO) plans a road construction project for a 66-mile portion of the Presumido Canyon Road through the Baboquivari Mountains in Arizona. CBP will update existing communications and surveillance towers on and adjacent to the Buenos Aires NWR.

Early in 2018, FWS expects to receive a biological assessment on the Hecla Montanore Mines that the U.S. Forest Service (USFS), Hecla, and an environmental consultant are drafting; the EA will include an update of the baseline and new data on grizzly bears for the area. Energy and Resource Group Consulting plans to host weekly or bi-monthly calls among the consultants, USFS and FWS to keep project on track and information flowing. FWS is providing technical assistance on this project.

### **Endangered Species Act Listing/Delisting Actions**

Pending approval by the Department, FWS plans to send to the *Federal Register* 90-day petition findings for five species: the oblong rocksnail, sicklefin chub, sturgeon chub, tricolored bat and Venus flytrap. As part of this batched finding, FWS is publishing a correction to the 90-day finding for leopards that clarifies the range and the entity FWS is evaluating in the status review. 90-day findings are just the first step in a lengthy process and tend not to get significant media coverage except for the most high-profile species; however, for substantial 90-day findings, this action might be the first time stakeholders become aware that we are assessing the status of a species. All stakeholders will have ample opportunity to provide input into FWS' eventual 12-month findings. A national news bulletin and congressional notifications are planned.

Pending approval by the Department, FWS plans to send to the *Federal Register* a proposed listing determination for the Yangtze sturgeon, located in China. While there is no expected opposition to this determination, aquacultural businesses and countries including China may be concerned that the potential listing of this species will have an impact on other species that are traded internationally, such as the Amur sturgeon. Planned outreach includes a news release.

On or around December 14, FWS plans to send to the *Federal Register* a proposal to delist the Fosssett speckled dace, an endemic fish species in Oregon, from the Federal List of Endangered and Threatened Wildlife due to recovery. FWS will also make available the draft post-delisting monitoring plan. This action will likely only receive local and regional interest. Oregon Desert Fishes Working Group (Oregon Department of Fish and Wildlife, Bureau of Land Management, The Nature Conservancy, FWS) has been engaged and is supportive of this action. FWS will conduct outreach to local and regional media, Congressional staff, and stakeholders. FWS does not expect opposition to this proposal. The Department has prioritized this action to be published by December 31; therefore, FWS plans to submit it to the *Federal Register* by December 14.

On or around December 14, FWS plans to send to the *Federal Register* 12-month findings on a petition to list the beaverpond marstonia and a petition to delist the southwestern willow flycatcher. For the beaverpond marstonia finding, FWS does not anticipate opposition by stakeholders except for the petitioners; however, it is likely the petitioners will pursue media attention due to our conclusion that the species is extinct. For the southwestern willow flycatcher finding, FWS anticipates interest from the petitioners. Planned outreach includes separate news releases for each species, with supporting FAQs, and notifications to stakeholders and members of Congress. FWS is required by settlement agreement to submit the finding for the beaverpond marstonia to the *Federal Register* by December 31; therefore FWS plans to submit it by December 14.

On or around December 14, FWS plans to send to the *Federal Register* a final listing determination and designation of critical habitat for the Black Warrior waterdog, an amphibian in Alabama. FWS is designating 659 river miles as critical habitat. Much of this critical habitat has already been designated for other listed species. The costs of critical habitat are expected to be low. Stakeholders include Bankhead National Forest, the state of Alabama, Alabama Forestry Commission, National Alliance of Forest Owners, National Council for Air and Streams, Tennessee Valley Authority, Warrior-Tombigbee Waterways Association, Weyerhaeuser, Sierra Club, Black Warrior Riverkeeper, and the Center for Biological Diversity. FWS received several substantive comments expressing concern about the inclusion of unoccupied critical habitat. After reevaluating whether each proposed critical habitat unit was essential for the conservation of the species, FWS determined the unoccupied units did not meet that criterion. Removal of the unoccupied units in the final rule will reduce the level of concern among the interested parties. Planned outreach will include a news release and notifications to stakeholders and members of Congress. FWS is required by settlement agreement to publish the determination in the *Federal Register* by January 4, 2018; therefore, FWS plans to submit it by December 14.

On or around December 14, FWS plans to send to the *Federal Register* a proposed listing determination for the Panama City crayfish, found in Bay County, Florida. Interested stakeholders include local governments (Bay County Commissioners, City of Panama City, City of Callaway, City of Lynn Haven and City of Springfield), the St. Joe Development Company and the Center for Biological Diversity. There may be some opposition from developers concerned that listing this species could have a negative impact on the development of new residential and commercial properties in the area. Planned outreach will include notifications to local stakeholders, a news release to local media, and social media posts. FWS is required by settlement agreement to submit the determination to the *Federal Register* by December 29; therefore, FWS plans to submit it by December 14.

On or around December 14, FWS plans to send to the *Federal Register* a proposed listing determination on the Barrens topminnow, found in Tennessee. This action is not expected to be opposed and media coverage is expected to be neutral. Interested stakeholders include Center for Biological Diversity (petitioner), Tennessee Wildlife Resources Agency, and local landowners. Planned outreach includes a news release to all interested parties and the media. FWS is required by settlement agreement to submit the determination to the *Federal Register* by December 31, and therefore plans to submit it by December 14.

On or around January 8, FWS plans to send to the *Federal Register* a final rule to remove the eastern puma (cougar) (historically known to exist in southeastern Ontario, southern Quebec, and New Brunswick in Canada, and a region bounded from Maine to Michigan, Illinois, Kentucky, and South Carolina in the eastern United States) from the list of endangered and threatened species due to extinction. Although FWS does not anticipate major public resistance to the final rule, opposition to the conclusion of extinction may be expressed by advocates for puma and large predator conservation. There may be some concern due to “puma” sightings reported by the public. The best available information indicates that these are cases of mistaken identity and escaped captive animals, and, rarely, dispersers from western puma populations. This rule will also acknowledge the current state of the North American puma taxonomy. Interested parties include the states within the eastern United States, the Humane Society of the United States, the

Animal Legal Defense Fund, and the Cougar Network. A national news bulletin and congressional emails are planned.

On or around January 8, FWS plans to send to the *Federal Register* a proposal to remove the Monito gecko, a reptile in Puerto Rico, from the List of Endangered and Threatened Wildlife due to recovery. It is protected in a natural reserve managed by the Puerto Rico Department of Environmental and Natural Resources that has no public access. As a result, species' protections will remain in place after delisting. This action is a conservation success story and is not expected to be opposed. The primary stakeholder is the territory of Puerto Rico. Planned outreach will include a news release and web postings.

On or around January 12, FWS plans to send to the *Federal Register* a proposed listing determination and proposed critical habitat designation for the Island marble butterfly, found in Washington. The proposed critical habitat designation includes approximately 812 acres. This action is not expected to be opposed and media coverage is expected to be neutral. Interested stakeholders include Xerces (the petitioner), federal partners including National Park Service and Bureau of Land Management, and state partners including Washington Department of Fish and Wildlife and Washington Department of Natural Resources, San Juan County Land Bank, the San Juan Preservation Trust and local landowners. A news release to all interested parties and the media is planned.

On or around January 15, FWS plans to send to the *Federal Register* final listing delisting determinations for Eureka Valley evening-primrose and Eureka dune grass, two plants species that occur in Death Valley National Park, California. FWS will delist Eureka Valley evening-primrose, and will reclassify Eureka dunegrass from an endangered to a threatened species. The primary partner and stakeholder is the National Park Service who supports the actions. Some environmental groups opposed delisting the two species. However, in response to new information, we are no longer delisting Eureka dunegrass and are instead reclassifying it to a threatened species which may reduce the level of concern among the interested parties. Planned outreach will include a news release and notifications to stakeholders and members of Congress.

On or around January 15, FWS plans to send to the *Federal Register* a revised proposed listing determination with a 4(d) rule on the Louisiana pinesnake, found in Louisiana and Texas. Interested stakeholders include the forestry industry, state wildlife agencies and Center for Biological Diversity. This action is not expected to be opposed and media coverage is expected to be neutral. The 4(d) rule will allow exemptions from the take provision. Planned outreach includes a news release to all interested parties and the media. FWS would like to finalize the 4(d) with the final listing rule, which is required by settlement agreement to publish by April 4, 2018; therefore FWS plans to submit the proposed 4(d) rule to the *Federal Register* by January 15.

On or around January 17, FWS plans to send to the *Federal Register* a final downlisting of the Tobusch fishhook cactus from endangered to threatened. This plant species has shown significant recovery due in part to collaborative conservation efforts with partners. Supporters of this action include the Texas Parks and Wildlife Department, the Texas Department of Transportation, the Lady Bird Johnson Wildflower Center, The Nature Conservancy. FWS has

gained significant positive coverage on downlisting proposals, and anticipates more interest when this final determination is announced. Outreach planned includes a news release and social media postings.

On or around January 19, FWS plans to send to the *Federal Register* a taxonomic change for the orangutan. The original listed entity included all orangutans in the genus *Pongo*. However, the orangutan has recently been reclassified as belonging to two distinct species: *P. pygmaeus* and *P. abelii*. Therefore, we are revising the List of Endangered and Threatened Wildlife to reflect the current scientifically accepted taxonomy and nomenclature of the orangutan. This change does not alter regulatory protections afforded to the orangutan and is not expected to be opposed. Since this is a technical correction, minimal outreach is planned.

On or around January 24, FWS plans to send to the *Federal Register* a proposal to downlist the Hawaiian goose (nene) from endangered to threatened. FWS will also propose to establish special regulations for the conservation of the species under section 4(d) of the ESA to allow for flexibility in managing lands. Landowners of resort, golf course, agricultural, residential, and recreational properties are likely to support the reclassification and associated 4(d) rule while conservation groups may be opposed. Interested stakeholders include the State of Hawaii, federal agencies, conservation and bird groups, various private landowners, and the public. Outreach includes a news release, social media, emails and phone calls to Congressional offices and stakeholders.

On or around January 24, FWS plans to send to the *Federal Register* a notice of availability of a draft post-delisting monitoring plan for the black-capped vireo. While this action is not expected to be controversial, stakeholder who oppose the delisting of the species, may express use this notice to express their concerns about the delisting. Stakeholders include the petitioners, Pacific Legal Foundation, Jim Chilton, New Mexico Cattle Growers' Association, New Mexico Farm & Livestock Bureau, New Mexico Federal Lands Council, and Texas Farm Bureau, and the Office of Travis Co. Judge and Big Bend National Park. Planned outreach will include notifications to local stakeholders, a news release to local media and social media posts.

On or around January 31, FWS plans to send to the *Federal Register* a proposal to downlist the Borax Lake chub, in Oregon, from endangered to threatened. This action will likely receive the most interest at the local and regional level. The Oregon Desert Fishes Working Group (Oregon Department of Fish and Wildlife, Bureau of Land Management, The Nature Conservancy, FWS) has been engaged and is supportive of this action. FWS will conduct outreach to local and regional media, Congressional staff, and stakeholders.

#### **National Wildlife Refuge Actions**

In January, FWS will award nearly \$19 million in grants to coastal states to conserve and restore coastal wetlands and their fish and wildlife habitat. Each year, the Service supports coastal wetland conservation through the National Coastal Wetlands Conservation Grant Program and the Sport Fish Restoration and Boating Trust Fund. The grant funds are derived from excise taxes on fishing tackle and motorboat and small engine fuels. The grants will support 22 projects in 13 coastal states to protect, restore or enhance more than 30,000 acres of coastal wetlands and adjacent upland habitats, including 287 miles of shoreline. Over \$21 million in additional

matching funds will be provided by partner contributions from state and local governments, private landowners and conservation groups. Conservation of this habitat will help recover coastal-dependent federal trust species, enhance flood protection and water quality, provide economic benefits to coastal communities and increase recreational opportunities for hunters and anglers. The grant recipients (states) have not yet been informed that they will be receiving funds. Planned outreach includes congressional and stakeholder notifications and a news release.

Bosque del Apache and Valle de Oro NWRs along with other federal and non-federal partners were recently awarded a \$1 million North American Wetlands Conservation Act (NAWCA) grant for restoration and enhancement of nearly 1,100 acres in the Middle Rio Grande Valley in New Mexico. NAWCA grants increase bird populations and wetland habitat, while supporting local economies and American traditions such as hunting, fishing, wildlife observation, family farming, and cattle ranching. In recognition of this grant, Ducks Unlimited is arranging for a field visit to Bosque del Apache NWR and has invited Senator Udall (D-NM) and Representative Pearce (R-NM) to attend. The field visit is tentatively set for January 15, 2018.

#### **Migratory Bird Management Actions**

In January, FWS plans to publish in the *Federal Register* the proposed 2018-19 hunting regulations for certain migratory game birds. FWS annually prescribes frameworks, or outer limits, for dates and times when hunting may occur and the number of birds that may be taken and possessed in hunting seasons. These frameworks are necessary to allow state selections of seasons and limits and to allow recreational harvest at levels compatible with population and habitat conditions. Planned outreach includes congressional and stakeholder notifications and a news release.

In January, FWS plans to publish a final rule removing regulations setting forth the provisions for two depredation orders for double-crested cormorants. The Service had used these standing orders to allow for lethal control of cormorants where they impact aquaculture and public resources; however, on May 25, 2016, the District Court for the District of Columbia ordered that both the Aquaculture Depredation Order and the Public Resources Depredation Order be vacated until FWS performs a new and legally adequate environmental assessment (EA) or environmental impact statement for national cormorant management orders in compliance with the requirements of the National Environmental Policy Act (NEPA). This final rule administratively implements the court's decision. While the depredation orders no longer exist, on November 15, 2017, FWS provided some measure of relief to aquaculture facilities. It issued a final EA under NEPA, which allows aquaculture facility managers and property owners across 37 central and eastern states and the District of Columbia to apply for individual permits for lethal take of cormorants where they are impacting resources. This latest action is not controversial. If-asked talking points will be planned for outreach.

In January, FWS will publish a final rule in the *Federal Register* on special methods of hunting migratory game birds by tribal members on ceded lands in Wisconsin, Michigan, and Minnesota for the 2017-18 season. This rule prescribes special migratory bird hunting regulations for certain tribes on Indian reservations, off-reservation trust lands and ceded lands. This rule responds to tribal requests for FWS recognition of their authority to regulate hunting under established guidelines. This rule allows the establishment of season bag limits and, thus, harvest at levels

compatible with populations and habitat conditions. This new final rule replaces the August 31, 2017, interim final rule. Outreach will include talking points, emails and phone calls to tribes, states, Congressional offices and stakeholders.

In January FWS, will publish a proposed rule in the *Federal Register* for migratory bird subsistence harvest regulations in Alaska for the 2018 season. These regulations allow for the continuation of customary and traditional subsistence uses of migratory birds in Alaska and prescribe regional information on when and where the harvesting of birds may occur. These regulations were developed under a co-management process involving FWS, the Alaska Department of Fish and Game and Alaska Native representatives. The rulemaking is necessary because the regulations governing the subsistence harvest of migratory birds in Alaska are subject to annual review. This rulemaking proposes region-specific regulations that go into effect on April 2, 2018. Planned outreach includes congressional and stakeholder notifications and a news release.

## **National Park Service**

In early January 2018, Phase 2 will begin on the waterline project to upgrade and replace the aging system in and around the National Mall and Memorial Parks. This phase is expected to take approximately one year. Work area will include West Potomac Park, the Washington Monument grounds, Lincoln Memorial, Ash Woods Road, the area between Constitution Gardens and the Vietnam Veterans Memorial, and the recreation fields near the Martin Luther King, Jr. Memorial. A majority of the work will be horizontal drilling, with pits every 500 feet to pull the line; however, there will be open trenching around Washington Monument.

On January 1, San Francisco Maritime National Historical Park plans to implement a \$10 permit fee to anchor vessels overnight in Aquatic Park Cove using an online reservation through Recreation.gov. This system will provide boaters a convenient way to reserve a mooring in advance of visiting the park. The online registration system and overnight anchoring fee for boats in the Aquatic Park Cove will provide boaters a convenient way to reserve a mooring in advance of visiting the park. It also will allow the park to inform visitors entering the Cove about security issues, swimmer safety requirements, and environmental regulations. Through a comparability study conducted by the park of three different Bay Area sites that offer similar experiences, accessibility and amenities, the analysis showed that the park's present fee anchoring permits are below similar operations, and that even with the fee of \$10, the Aquatic Park Cove will remain one of the most affordable anchoring experiences in the Bay Area. Recreation.gov does not have an app, but its site is mobile responsive.

On or about January 2, the NPS will distribute to parks approved FY 2018 financial support under the Helium Stewardship Act of 2013, which provides federal support to public-private partnership cost sharing projects for deferred maintenance and to correct deficiencies in the NPS infrastructure. Twenty-nine park projects will benefit from \$20 million in Helium Stewardship Act funding, matched by partners by approximately \$29 million. Projects will rehabilitate and make accessibility upgrades to trails, historic facilities, and exhibits. These projects will result in reducing the maintenance backlog by approximately \$63 million as well as improving the visitor

experience at these parks. The NPS anticipates local media coverage about the individual awards and projects.

January 5 is the new deadline for public comments on alternatives for the Chesapeake and Canal Plan/EA. The NPS and Georgetown Heritage, the Business Improvement District (BID) for Georgetown, extended the comment deadline to ensure the public has ample opportunity to provide feedback. Early design concepts for Alternatives were presented at a public meeting on November 2.

January 5 is the new, extended deadline to submit comments on the Glen Canyon National Recreation Area and Grand Canyon National Park Expanded Non-native Aquatic Species Management Plan and Environmental Assessment. In addition to the open houses scheduled on December 6 and 7, the NPS is also conducting an additional open house in Phoenix on December 12. The park released the EA for public comments on November 15, and announced the extension on November 30. The purpose of the plan is to provide additional tools to prevent, control, minimize, or eradicate potentially harmful, non-native aquatic species in the Colorado River and its tributaries from the Glen Canyon Dam downstream and through Grand Canyon National Park.

On January 8, Springfield Armory National Historic Site will hold a ceremony to formally recognize the NPS ownership as sole custodian of the Colonel J.B. Benton Small Arms Collection (BSAC). Benton was the founder of the Springfield Armory in 1871, and subsequently became Commanding Officer. The NPS and the U.S. Army Center for Military History (CMH) have a long, intricate history related to the BSAC. The NPS has cared for these objects for more than four decades in a world-class curation storage facility in compliance with the latest DOI standards and this ownership status has been questioned periodically by the CMH. Rep. Richard Neal (D-MA-1) will attend the ceremony as well numerous members from the CMH.

On January 10, a public meeting will be held to begin the NPS development process of a foundation document to guide planning and management of Stonewall National Monument. The meeting will include a formal presentation on the foundation document process, an update on planning efforts to date, and an opportunity for the public to ask questions and submit comments. Anticipated meeting participants include members of the general public, neighbors, LGBTQ activists, local, state and federal elected officials and/or members of their staffs. A public comment period for the foundation document will be open from January 11 through February 11, 2018.

In January, roof repair of the Lincoln Memorial begins. On September 19, a \$2.8 million contract for the work was awarded to Arrow DJB JV II, LLC of Upper Marlboro, and Maryland. Funded by the FY17 NPS appropriation, the work is expected to be completed in August 2018. The contract also includes repair of cracks in the white marble at the memorial's penthouse level, caused by the 2011 earthquake. This is the first phase of a \$25 million dollar restoration of the Lincoln Memorial that will include expanded exhibit and public use areas, funded in part by an \$18.5 million donation from businessman and philanthropist David M. Rubenstein.



In mid-January, Devils Postpile National Monument will initiate a National Environmental Policy Act public scoping process, as an initial step to update the park's 2005 Fire Management Plan to better address current ecological conditions at the park. Issues to be included in a forthcoming Fire Management Plan Environmental Assessment include: 1) increased fuel loading, and 2) changed forest composition in the monument as a result of the combination of the severe wind event in late 2011 that uprooted thousands of trees, and the 1992 Rainbow Fire which affected 82 percent of the park.

On January 16, Golden Gate National Recreation Area will launch a required-reservation system for privately owned vehicles and concessioners at Muir Woods National Monument to improve visitor experience and enhance the protection of park resources. The contract requires the concessioner to make the reservation system accessible on mobile devices.

On January 17, a public hearing will be held by the North Dakota Department of Health (NDDOH) concerning Meridian Energy Group, Inc.'s proposal to locate a petroleum refinery approximately 2.5 miles outside Theodore Roosevelt National Park in Billings County, North Dakota. Meridian Energy has received a zoning change and conditional use permit from Billings County, a water appropriation permit from the State Engineer, and NDDOH has issued them a preliminary construction permit for the Davis Refinery. The NPS has worked closely with the NDDOH and Environmental Protection Agency during the air permitting process. The NPS is undertaking its own impact modeling to inform any official comment. The public comment period to NDDOH on issuing the final permit to construct began December 8, 2017, and ends January 26, 2018.

In January, the final rule to allow bicycle use on a portion of the East Shore Trail at Rocky Mountain National Park is expected to be published in the *Federal Register*. The East Shore Trail is an existing hiking and equestrian trail that runs north/south along the east shore of Shadow Mountain Lake near the town of Grand Lake, Colorado. A Finding of No Significant Impact (FONSI) was signed in February, 2015, that approved bicycle use on a two-mile segment of the trail. Rerouting trails along the East Shore to safely accommodate bike use triggered the rulemaking process per the NPS Bicycle Rule policy. The proposed rule was published in the *Federal Register* in December 2015. Substantive comments received during the proposed rule public comment period were addressed.

On January 26, the Federal Energy Regulatory Commission (FERC) will be issuing an Environmental Assessment (EA) for the Columbia Gas Eastern Panhandle Expansion Project. The proposed project being analyzed includes building an 8-inch gas transmission pipeline that would, in part, cross under Chesapeake and Ohio Canal National Historical Park and the Potomac River near Hancock, Maryland. To streamline the review process, the NPS is participating in the EA as a Cooperating Agency. The park has received a draft for internal review. The pipeline has attracted much public attention, and the superintendent has received over 550 emails requesting the park deny any right-of-way permit requests for a gas line crossing. No decision will be made until the EA process is complete. The 90-day Federal Authorization Deadline is April 26, 2018.

Through January 31, Gates of the Arctic National Park and Preserve is accepting public input for an Environmental and Economic Impact Analysis (EEA) in response to a right-of-way application received from the Alaska Industrial Development and Export Authority as part of the proposed *Ambler Mining District Industrial Access Project*. Approximately 20 miles of the proposed road crosses NPS lands in the Kobuk River unit of Gates of the Arctic National Preserve. Additional project information is available on the park website: <https://www.nps.gov/gaar/learn/management/ambler-row.htm>.

Santa Monica Mountains National Recreation Area will be the subject of an eight-page spread in the January/February 2018 issue of *Westways Magazine*, the official publication of the Southern California Automobile Association of America. The article is timed to coincide with the park's 40th anniversary.

Through March 2018, the NPS will conduct annual deer management actions at Catoctin Mountain Park, Antietam National Battlefield, Monocacy National Battlefield, and Rock Creek Park. This will be Catoctin's ninth season of deer management operations, Rock Creek Park's fifth season, and the second season for Antietam and Monocacy National Battlefields. Park staff members are conducted deer population density surveys in October and November 2017 to determine the number of animals to remove, as determined through their deer management plans. Sharpshooters from the U.S. Department of Agriculture's Animal and Plant Health Inspection Service will remove deer from closed park areas during the daytime in some parks and from park roads after dusk in all parks. Venison will be donated to local food banks.

On February 1 and 2, Rep. Mike Quigley (D-IL-5) and possibly additional members of the House Sustainable Energy and Environment Coalition (SEEC) are planning to visit coastal areas of Everglades National Park and sites in Northeastern and Central Florida Bay. Topics during the visit will include Hurricane Irma effects, and Everglades Restoration and Ecosystem Sustainability programs.

On February 7, 2018, Pictured Rocks National Lakeshore will host a Quarter Launch & Coin Exchange at Mather Elementary School in Munising, Michigan, commemorating the release of the park's quarter, the 41st coin to be released in the United States Mint America the Beautiful Quarter Program. The NPS Office of Communications and the United States Mint are drafting a press release and coordinating with DOI.

On February 19, President and Mrs. Jimmy Carter will speak at the Plains High School, a part of Jimmy Carter National Historic Site, during the annual Presidents Day celebration. The Congressional delegation, state and local officials will be invited to attend.

In the spring of 2018, Mojave National Preserve expects to begin the public comment period on a Management Plan for Developed Water Sources and Environmental Assessment (PDWS/EA). The plan will provide a comprehensive strategy and water management techniques to ensure the preservation of wildlife, historic, wilderness, and recreation values in the management of developed and undeveloped water resources in the park (wildlife guzzlers and developed springs). The process is being closely watched by local hunting and conservation groups.

concerned about how the park will manage wildlife guzzlers, which are viewed by some as necessary for maintaining a healthy bighorn sheep population.

### **Assistant Secretary - Indian Affairs and the Bureaus of Indian Affairs and Indian Education**

On January 11-12, the Advisory Board for Exceptional Children will be meeting in Albuquerque, New Mexico. The Advisory Board was established under the Individuals with Disabilities Education Act of 2004 (IDEA) to advise AS-IA on the needs of Indian children with disabilities.

On January 12, Dr. Sherry Allison, SIPI President, will serve as a keynote speaker at the Fielding Graduate University in Santa Barbara, California.

January 13 is the deadline for comments on BIE's Strategic Plan.

On January 16, PDAS-IA will lead the first Tribal consultation session on potential revisions to fee-to-trust regulations at 25 CFR 151 in Sacramento, California.

January 16-19, BIE will be hosting a Strategic Plan planning session in Washington, DC.

On January 18, PDAS-IA will lead the second Tribal consultation session on potential revisions to fee-to-trust regulations at 25 CFR 151 in Prior Lake, Minnesota.

January 23-24, the Self-Governance Advisory Committee (SGAC) January quarterly meeting will take place in Washington, DC. Representatives of the Office of the Assistant Secretary – Indian Affairs are invited to attend on January 24.

On January 23, PDAS-IA will lead the third Tribal consultation session on potential revisions to fee-to-trust regulations at 25 CFR 151 in Mashantucket, Connecticut.

On January 25, PDAS-IA will lead the fourth Tribal consultation session on potential revisions to fee-to-trust regulations at 25 CFR 151 in Portland, Oregon, following the Affiliated Tribes of Northwest conference.

On February 20, PDAS-IA will lead the fifth Tribal consultation session on potential revisions to fee-to-trust regulations at 25 CFR 151 in Phoenix, Arizona.

On February 22, PDAS-IA will lead the sixth (and last scheduled) Tribal consultation session on potential revisions to fee-to-trust regulations at 25 CFR 151 in Miami, Florida.

February 26 - March 1, the IA Safety Manager/Division Chief will travel to Washington, DC, to attend the quarterly DOI, Occupational Safety and Health Council Meeting at the USGS Headquarters Office in Reston, Virginia.

### **Items of Note/Expected Legislative, Legal, Policy Issues**

The Department of Housing and Urban Development (HUD) is in the process of reviewing the final Streamlining Memorandum of Understanding (MOU) draft, which will be sent to Interior after HUD's final review. A 60-day public comment period has concluded on the HUD National Environmental Policy Act (NEPA) Process Improvement Implementation Plan with 12 recommendations determined.

A Federal Register notice requesting input on BIA's Categorical Exclusions (CatXs) under the National Environmental Policy Act (NEPA) is currently in surname. BECRM is working with the Department's Office of Environmental Policy and Compliance (OEPC) on this effort. .

There are currently leasing regulations from ten Tribes awaiting the Department's approval under the Helping Expedite and Advance Responsible Tribal Homeownership (HEARTH) Act: Cheyenne & Arapaho Tribes, Lummi Nation, Kootenai Tribe of Idaho, Coquille Indian Tribe, Torres Martinez Desert Cahuilla Band, Little Traverse Bay Band, Ramona Band of Cahuilla, Apache Tribe of Oklahoma, Pechanga Band of Luiseno Mission Indians, and the Oneida Tribe of Wisconsin. Leasing regulations from a few additional Tribes are also in various stages of review, including some under statutory authority that is similar to the HEARTH Act but specific to the Tribe. These additional leasing regulations will be presented for Departmental approval as soon as possible.

### ***Regulations Ready for OS Review***

- The proposed rule Indian Electric Power Utilities (25 CFR 175) has been signed and has been surnamed by the Counselor to the Secretary for Energy Issues. The regulations affect only a limited number of Tribes because there are only three BIA electric power utilities. BIA is awaiting final Office of the Secretary approval to publish.
- The final rule confirming the prior effective date of the CFR court's operation on the Wind River reservation is with the Office of the Executive Secretariat awaiting Office of the Secretary approval to publish.

### **Assistant Secretary for Insular Affairs**

**Care for Insular Area Veterans** – Health and Human Services and OIA staff are convening on January 9 to discuss current status of health services and benefits for veterans of U.S. Insular Areas. Similar discussions to be held with Veteran's Affairs officials.

**Travel to the USVI and Puerto Rico (PR)** – In January or February 2018, ASIN Domenech will travel to the VI and PR for Hurricane Recovery Support meetings. He will also attend Conservation Trust meetings in PR.

**Travel to the RMI** – In January 2018, ASIN Domenech and OIA Director Nikolao Pula will travel to the Republic of the Marshall Islands for discussions with RMI President Hilda Heine, U.S. Ambassador to the RMI Karen Stewart and travel to Majuro, and Ronald Reagan Ballistic Missile Defense Test Site at Kwajalein Atoll.

**Interagency Group on Insular Areas (IGIA)** – Expected to be held on Monday, February 26, 2018, the IGIA is co-chaired by the Secretary and the White House Director of the Office of Intergovernmental Affairs. This is the largest annual convening of high-level federal officials discussing issues of concern to the U.S. territories. It is also attended by the Governors and the Delegates.

**Coral Reef Task Force Meetings** - The winter meetings of the Coral Reef Task Force are likely to be held February 20 – 22, 2018 here in Washington, D.C.

### **Assistant Secretary for Land and Minerals Management**

By December 27, the BLM-CA El Centro Field Office anticipates signing a Notice to Proceed for commercial operation of the Tule Wind Project. Avangrid Renewables has a power purchase agreement with Southern California Edison to supply up to 132 megawatts of energy for a 15-year contract period. The Tule Wind Project is located in the eastern portion of the County of San Diego and consists of 57 turbines, 52 of which are on BLM public lands and 5 on private property.

By late December, BLM-AK anticipates completing the first Alaska Native Claims Settlement Act Section 17(d) (1) withdrawal revocation recommendation package. The package will be submitted this month to the BLM WO and then to the Secretary for action. The revocation Public Land Order will open approximately 229,715 acres to surface entry, mining, and mineral leasing in the Goodnews Bay area of Alaska. These lands were recommended for revocation in the 2008 Bay Resource Management Plan.

In late December, the BLM-UT Moab Field Office intends to initiate scoping for a programmatic EA analyzing potential impacts of issuing Special Recreation Permits (SRPs) for non-mechanized commercial and organized group activities. The proposed action would include use of designated roads and trails, interpretive sites, and established viewpoints in the Moab Field Office.

In late-December, as required under the Oil Pollution Act of 1990, BOEM plans to publish a final rule to adjust the offshore facility limit of liability for damages to reflect the increase in the Consumer Price Index since 2013. The rule will increase the limit of liability under OPA from \$133.65 million to \$137.56 million.

In December and January, the GAO is conducting phone interviews with the BLM-CA Bakersfield Field Office oil and gas staff regarding an audit it has been conducting on the office's oil and gas well inspection and enforcement procedures. This audit is a continuation of the 2015 audit, and includes reviews of records analyses and verification, as well as the following types of inspections: production; drilling; abandonment; work-over; environmental; and idle/orphan wells.

In early-January, pending final approval, BOEM plans to host a webinar to solicit input from the public on draft guidance for the submission of Construction and Operations Plans that contain a design envelop, which would allow lessees the flexibility to defer final design decisions in order to take advantage of rapid technological advances.

On or about January 2, OSMRE Western Region plans to submit the Bridger Mine Mining Plan decision document to OSMRE Headquarters for review and approval by the ASLM. Bridger Coal Company's Bridger Mine is an underground mine located in Sweetwater County, WY that employs 540 people. If the modification is approved, production is estimated to be 2.24 million tons per year.

On January 6 - 8, BLM will host a meeting at its Colorado River District/Lake Havasu Field Office in Lake Havasu, AZ to develop an interagency strategy to contain the spread of quagga mussels from the Lower Colorado River. In its June report to the Western Governors Association Development, the Department identified this strategy as one of its top priorities.

On January 8, BLM-CO will attend the Western States Land Commissioners Association (WSLCA) Winter Meeting in Denver. The WSLCA is an organization representing 23 state land management agencies that together manage more than 440 million acres of surface and subsurface state lands throughout the central and western U.S. The BLM has an MOU with the WSLCA to advance the long-term goals of both the BLM and member states by resolving state-Federal land exchanges and other appropriate realty actions.

On January 11, BSEE Director Angelle will meet with officials from the U.S. Coast Guard to receive a briefing on USCG programs of interest to BSEE at USCG Headquarters in DC.

In mid-to-late January, BOEM tentatively plans to publish a Notice of Unsolicited Request for a Submarine Transmission Cable ROW and a Request for Competitive Interest and Public Comment. This follows a request for a ROW grant from Clean Power Northeast Development, Inc. for its Atlantic Link Submarine Transmission Cable Project, which would consist of two high-voltage direct current cables and one fiber optic cable that stretches approximately 230 miles in length, from Colson Cove, New Brunswick, Canada to Plymouth Massachusetts.

On January 18, BSEE Director Angelle will attend a meeting of the Committee on Marine Transportation Systems (CMTS) at the Department of Transportation in Washington, D.C.

On January 21, BOEM plans to publish a Proposed Sale Notice proposing a multi-factor auction for two unleased areas within the Massachusetts Wind Energy Area.

January 22 - 23, ASLM Deputy Assistant Secretary Kate MacGregor, Acting BOEM Director Walter Cruickshank, and other representatives of BOEM are scheduled to attend a meeting in Sacramento with DoD and offshore wind developers to discuss wind exclusion areas proposed by DoD off the State's Central Coast.

On January 23, BSEE Director Angelle is scheduled to speak at a meeting of the Texas Oil and Gas Association in New Orleans, LA.

On January 24, the BLM-NV Southern Nevada District Office proposes to sell 40 parcels totaling 754.88 acres of public land in Clark County. The competitive sale would be by sealed and oral bidding in accordance with the Southern Nevada Public Land Management Act (SNPLMA).

From January 28 through February 2, the Society for Range Management will hold its 71st annual meeting in Sparks, NV. On January 30, BLM-NV State Director John Ruhs will provide a presentation on wild horses and burros symposium, "Moving Beyond Ecological Effects of Wild Horses." On January 31, there will be a tour of the Northern Nevada Correctional Center's wild horse inmate training program.

On January 31, BLM-CA staff will participate in an oil and gas operator seminar that focuses on surface and environmental requirements associated with new oil and gas projects, including APDs and Sundry Notices. The BLM will provide seminar participants a refresher on the items the BLM needs regarding biological, cultural, and paleontological reviews to ensure a quick turn around when new permits are submitted.

On January 31, Mike Celata, BOEM-GoM Regional Director will speak at the Outer Continental Shelf Advisory Board's 2018 Workshop. The purpose of the workshop is to promote continuing education of land, legal, and other exploration and production professionals with regard to laws, policies, regulations and practices on the OCS.

In February, the BLM-CA Bakersfield Field Office staff will participate in a USFS-led public meeting in Fillmore about four Applications for Permit to Drill in the Sespe Oil field, which is adjacent to. USFS is the lead agency on the NEPA analysis. This meeting will generate public interest. Previously, BLM-CA had received inquiries from Congresswoman Julia Brownley's (CA-26-D) office.

In February, BLM-CA's Bakersfield Field Office will participate in a USFS public meeting in Fillmore, CA regarding four APDs in the Sespe Oilfield, which is adjacent to a USFWS refuge and a California condor sanctuary. The USFS is the lead Federal agency for the preparation of the NEPA analysis. The BLM anticipates a negative reaction to the proposed wells from local residents who in the past opposed oil and gas development and because of the presence of several active anti-oil and gas organizations in the surrounding counties.

On February 6, BSEE Director Angelle will attend the BSEE/USCG Quarterly Meeting at USCT Headquarters.

### **Assistant Secretary Policy, Management and Budget**

PMB is working with the Office of Congressional Liaison, Office of Intergovernmental and External Affairs, and Office of Communications on an integrated rollout strategy and timeline for the FY 2018 reprogramming on the common regional boundaries and the January 10-11 Leadership Summit with DOI executives from around the country.

On August 23, 2013, the Office of Natural Resources Revenue (ONRR) published in the *Federal Register* a direct final rule (78 FR 52431) amending its regulation on the service of official correspondence. ONRR indicated that, if ONRR received significant adverse comments, we would withdraw the rule and publish a Direct Final Rule repealing the regulatory amendment and restoring the former regulatory language governing Service of Official Correspondence. During the public comment period, we received significant comments opposing the rule. More recently, we received a letter dated October 6, 2016, from API Energy requesting that we immediately

publish a notice withdrawing the previously published direct final rule. In an effort to respond to API's concern, we are publishing this rule to repeal the previous amendment and to restore the former regulatory language governing service of official correspondence. This rule is currently with ONRR for surname, and ONRR plans to publish this rule by December 29, 2017.

The Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, requires Federal agencies to adjust their civil monetary penalty rates for inflation every year. In response to the Office of Management and Budget's guidance for the inflation adjustment to our civil monetary penalty rates, the Office of Natural Resources Revenue (ONRR) is publishing this direct final rule to increase our maximum civil monetary penalty rates for inflation occurring between October 2016 and October 2017. This rule is currently with ONRR for surname, and ONRR plans to publish it by January 15, 2018.

In early/mid-January 2018, the progress report from DOI for the invasive mussels initiative in the Columbia River Basin and across western waters, will be announced. The Office of Policy Analysis (PPA) is working with the bureaus on the report which addresses action items which were announced by the Secretary in June to address invasive mussels in the Columbia River Basin, and across western waters.

On February 18, 2018 the Equal Employment Opportunity Commission (EEOC) Management Directive 715 Report is due to the EEOC.

On March 31, 2018, the No FEAR Act Report is due to Congress.

### **Assistant Secretary for Water and Science**

In December/January, the Department will release a new USGS report on critical minerals for the United States. This publication presents resource and geologic information for 23 mineral commodities currently viewed as important to our national economy and national security, many of which are sourced entirely outside of the United States. The report provides an in-depth look at each commodity's use, distribution of deposit types, and current status of production, resources, and reserves. The individual commodity chapters serve as an update to the 1973 commodity chapters of USGS Professional Paper 820, United States Mineral Resources. A DOI news release is planned.

In December/January, the USGS will announce a new paper that finds salinity levels have decreased within the Colorado River Basin from 1986-2011. The study, conducted in cooperation with the Colorado Basin Salinity Control Program, examined salinity trends from 1986-2011 to better understand where salinity originates and how it is transported through the watershed. USGS scientists developed models and incorporated long-term data from sites throughout the Upper Colorado River basin to provide the first ever estimate on how salinity moves from groundwater to streams. 89-percent of the salinity in the Colorado River comes from groundwater that discharges into streams, also known as baseflow. The paper will be published in *Hydrological Processes* and a technical announcement is planned.



In December, Reclamation will announce the selected ideas for the Arsenic Sensor Challenge. The challenge sought ideas for a rapid, low-cost monitoring of arsenic that would benefit water treatment plant operations, wastewater monitoring, contaminated site remediation, private well owners, scientific research and other interested parties.

In December, Reclamation intends to publish a Notice of Availability for a Draft Environmental Impact Report/Environmental Impact Statement for the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project. The document addresses methods to improve fish passage and increase floodplain fisheries rearing habitat in the Yolo Bypass to benefit Sacramento winter-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead and the Southern Distinct Population Segment North American green sturgeon. The NOA will be published in the Federal Register once the decision memo is signed by the Deputy Secretary. The Federal Register Notice is pending Bureau approvals. Two public meetings have been rescheduled for public comment on January 17 in Woodland and January 18 in West Sacramento.

Westlands Settlement legislation (H.R. 1769) is pending before the House of Representatives that would settle more than 20 years of litigation against the United States and reduce the threat of continued adverse legal action. Reclamation has a statutory obligation to provide drainage service within the San Luis Unit, and is subject to injunction orders entered by the U.S. district court in 2000 in the Firebaugh case to provide drainage without delay. Reclamation adopted a plan for drainage service in a 2007 Record of Decision. The estimated cost of implementing that plan is \$3.8 billion. Currently, approximately \$3.1 billion of this drainage service work remains to be implemented. H.R. 1769 (Valadao) would affirm an agreement between the United States and Westlands Water District (Westlands) in central California (Settlement). The Settlement, authorized by H.R. 1769, would relieve the United States of all drainage obligations within Westlands. Westlands would assume this obligation including indemnifying the United States of any past, present, or future claims, while agreeing to permanently retire a minimum of 100,000 acres of lands within Westlands. The Settlement would also relieve Westlands of certain financial obligations, authorize the conversion of Westlands' current 9(e) water service contract to a 9(d) repayment contract, and transfer title to certain CVP facilities that lie within Westlands boundaries to Westlands. The present value of the debt forgiven as part of the Settlement is estimated to be \$331.1 million in 2015 dollars. The legislation would eliminate a statutory obligation for construction estimated to cost more than three billion dollars. The district court has stated it will not grant further stays of the current injunction past January 15, 2018. If legislation is not enacted prior to that deadline, Reclamation will be required to expend significant funds to implement the Control Schedule of drainage measures for Westlands approved by the court and will likely face additional litigation. Interior is in the process of finalizing for clearance an administration position letter to Congress that supports H.R. 1769 and encourages its passage by the House.

*North Coast Rivers Alliance et al. vs Reclamation* (Case No. 16-cv-307-LJO-MJS) regarding San Luis Unit Interim Renewal Contract(s) (IRC) litigation, whereby the environmental documentation surrounding Westlands Water District (Westlands) IRCs is at the center of attention. Litigation on each of Westlands IRCs has been ongoing in one form or another for many years. In July 2016, the 9th Circuit affirmed in part, reversed in part, and remanded the

District Court's rulings on the adequacy of Reclamation's Environmental Assessment (EA) for the San Luis Unit IRCs that covered 2012-2014 time period. In response to the 9th Circuit ruling, its timing, subsequent motions, and the fact that the 2014-2016 IRCs had expired, Reclamation prepared a Revised EA for the current IRCs covering the period 2016-2018. On August 9, 2017, Plaintiffs filed a response to Reclamation's status report notifying the Court of the revised EA once again questioning its adequacy. The report is a preview of what Plaintiffs will argue in the case going forward.

Reclamation, with co-lead Washington State Department of Ecology in cooperation with the Yakama tribe; U.S. Forest Service and Bonneville Power Administration have prepared a Supplemental Draft Environmental Impact Statement (SDEIS) for the Kachess Drought Relief Pumping Plant and Keechelus Reservoir-to- Kachess Reservoir Conveyance Projects. The anticipated Notice of Availability publication date is December 29, followed by a 60-day public comment period.

In December/January, the USGS plans to announce a new paper that finds desert tortoises may be unable to survive in their current habitat by 2070 due to projected increasing temperatures in the Southwest, according to an upcoming collaborative study done by the University of California, Santa Cruz, and 40 scientists from across the globe, including the USGS. Federally threatened Agassiz's desert tortoises have been experiencing population declines in the Southwest since they were listed under the Endangered Species Act in 1990. Using models that analyze the effects of climate on ecological/physiological and life history characteristics of desert tortoises, scientists developed predictions of the suitability of future desert tortoise habitat in North America. The paper has been submitted for publication to Science and a news release is planned.

On January 8, oral arguments in the *Texas v. New Mexico* case over Rio Grande water have been scheduled before the U.S. Supreme Court. Although the litigation was filed by Texas against New Mexico, the United States was allowed to intervene as it involves Reclamation's Rio Grande Project and the associated water. New Mexico legislators met last week and the New Mexico Attorney General's Office presented the latest on the litigation. On January 12, 2018, Reclamation is scheduled to make the FEIS available to the public.

On January 12, Reclamation is scheduled to make the Final Environmental Impact Statement (FEIS) for the Pojoaque Basin Water Supply Project available to the public via publication of a Notice of Availability in the Federal Register. The package is set to be e-filed with the Environmental Protection Agency on that same day. The FEIS has been surnamed by the Commissioner's staff and is now being reviewed by the Indian Water Rights Office, Bureau of Indian Affairs, and the Solicitor's Office.

On January 25, the city of Atlanta will host a Celebration of Success luncheon event focusing on the Urban Waters Federal Partnership in the Proctor Creek Watershed showcasing the multiple projects accomplished over the last few years. Invitees include representatives from the NGO, local community, corporate, and local, state, and federal governments. EPA has asked for representation from headquarters and regional director levels.

In January, the Bureau of Reclamation is planning to release the FY 2018 Desalination and Water Purification funding opportunity. The DWPR Program is helping Reclamation and its partners confront widening imbalances between supply and demand in basins throughout the Western United States through testing and development of new advanced water treatment technologies.

In January, The Bureau of Reclamation is planning to launch the Detecting Leaks and Flaws in Water Pipelines – Stage 1 Prize Competition. Reclamation and its collaborators are seeking methods and technologies that can reliably and easily detect leaks and flaws in operating, pressurized water pipeline infrastructure regardless of size, depth of burial, pipe material or interior lining.

In January, The Bureau of Reclamation is planning to launch the Pathogen Monitoring for Potable Reuse – State 1 Prize Competition. Reclamation and Xylem, Inc., in collaboration with the Water Environment & Reuse Foundation, the State of California and the Environmental Protection Agency are seeking the development of improved monitoring techniques to protect public health and optimize operations at water treatment facilities. Success could facilitate public and regulatory acceptance of direct potable reuse systems.

From January 31 to February 1, The USGS will be holding a Whooping Crane Breeding Workshop at the Patuxent Wildlife Research Center in Maryland. The Whooping Crane Recovery Team has identified new institutions to join the Whooping Crane breeding group and reassigned birds housed at Patuxent. This workshop will begin the transfer of USGS knowledge and experience handling Whooping Cranes at Patuxent to the new breeding institutions. The focus will be on transferring experience on best practices for husbandry and breeding operations, ideas on pen design, planning and operating under the Species Survival Plan set up for Whooping Cranes, and other related matters. International Recovery Team participation is expected. Representatives from all current and newly commissioned Whooping Crane breeding institutions and representatives from the Association of Zoos and Aquariums are invited to attend the workshop.