

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****Big Valley Rancheria Liquor Control Ordinance**

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

**ACTION:** Notice.

**SUMMARY:** This notice publishes the Big Valley Rancheria Liquor Control Ordinance. The ordinance regulates the control of, the possession of, and the sale of liquor on the Big Valley Rancheria trust lands, and is in conformity with the laws of the States of California, where applicable and necessary. Although the Ordinance was adopted on July 22, 2000, it does not become effective until published in the **Federal Register** because the failure to comply with the ordinance may result in criminal charges.

**DATES:** This ordinance is effective on January 25, 2001.

**FOR FURTHER INFORMATION CONTACT:** Kaye Armstrong, Office of Tribal Services, 1849 C Street, NW., MS 4631—MIB, Washington, DC 20240—4001; telephone (202) 208—4400.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Act of August 15, 1953, Public Law 83—277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor ordinances for the purpose of regulating liquor transaction in Indian country. The Big Valley Rancheria Liquor Control Ordinance, Resolution No. 07—22—00—08, was duly adopted by the General Community Council of the Big Valley Band of Pomo Indians on July 22, 2000. The Big Valley Rancheria, in furtherance of its economic and social goals, has taken positive steps to regulate retail sales of alcohol and use revenues to combat alcohol abuse and its debilitating effects among individuals and family members within the Big Valley Rancheria community.

This notice is being published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 Departmental Manual 8.

I certify that by Resolution No. 07—22—00—08, the Big Valley Rancheria Liquor Control Ordinance was duly adopted by the General Community Council of the Big Valley Band of Pomo Indians on July 22, 2000.

Dated: January 16, 2001.

**Michael J. Anderson,**

*Acting Assistant Secretary—Indian Affairs.*

The Big Valley Rancheria Liquor Control Ordinance, Resolution No. 07—22—00—08, reads as follows:

**General Community Council Resolution No. 07—22—00—08**

Whereas, pursuant to applicable Federal law (the Act of August 15, 1953, Pub. L. 83—277, 67 Stat. 588, 18 U.S.C. § 1161) in order for sales, possession and introduction of liquor within Indian Country to be lawful, the Tribe must enact a liquor control ordinance, and said ordinance must be approved by the Secretary of the Interior and published in the **Federal Register**; and

Whereas, the General Community Council of the Big Valley Tribe wishes to permit tribally owned and operated enterprises within the Big Valley Rancheria to sell alcohol in order to preserve the economic viability of said enterprises and to provide additional income to support provision of tribal government services to tribal members; and

Whereas, the Big Valley Liquor Control Ordinance provides for sales, introduction and possession of alcohol in conformity with the laws of the State of California.

It is therefore resolved, That the Big Valley Liquor Control Ordinance is hereby enacted as a law of the Big Valley Rancheria.

**Ordinance # 07—22—00—08****Liquor Control Ordinance**

Be it enacted by the General Community Council of the Big Valley Band of Pomo Indians, as follows:

**Article 1. Name.** This ordinance shall be known as the Big Valley Liquor Control Ordinance.

**Article 2. Authority.** This ordinance is enacted pursuant to the Act of August 15, 1953, (Pub. L. 83—277, 67 Stat. 588, 18 U.S.C. § 1161) and Article IV of the Constitution and Bylaws of the Big Valley Tribe.

**Article 3. Purpose.** The purpose of this ordinance is to regulate and control the possession and sale of liquor on the Big Valley Rancheria, and to permit alcohol sales by tribally owned and operated enterprises, and at tribally approved special events, for the purpose of the economic development of the Big Valley Tribe. The enactment of a tribal ordinance governing liquor possession and sales on the Big Valley Rancheria will increase the ability of tribal government to control Rancheria liquor distribution and possession, and will provide an important source of revenue

for the continued operation and strengthening of the tribal government, the economic viability of tribal enterprises, and the delivery of tribal government services. This Liquor Control Ordinance is in conformity with the laws of the State of California as required by 18 U.S.C. 1161, and with all applicable federal laws.

**Article 4. Effective Date.** This ordinance shall be effective as of the date of its publication in the **Federal Register**.

**Article 5. Possession of Alcohol.** The introduction or possession of alcoholic beverages shall be lawful within the exterior boundaries of the Big Valley Rancheria; Provided, That such introduction or possession is in conformity with the laws of the State of California.

**Article 6. Sales of Alcohol.**

(a) The sale of alcoholic beverages by business enterprises owned by and subject to the control of the Big Valley Tribe shall be lawful within the exterior boundaries of the Big Valley Rancheria; Provided, That such sales are in conformity with the laws of the State of California.

(b) The sale of alcoholic beverages by the drink at special events authorized by the Big Valley Tribe shall be lawful within the exterior boundaries of the Big Valley Rancheria; Provided, That such sales are in conformity with the laws of the State of California and with prior approval by the Big Valley Tribe.

**Article 7. Age Limits.** The drinking age within the Big Valley Rancheria shall be the same as that of the State of California, which is currently 21 years. No person under the age of 21 years shall purchase, possess or consume any alcoholic beverage. At such time, if any, as California Business and Profession Code § 25658, which sets the drinking age for the State of California, is repealed or amended to raise or lower the drinking age within California, this Article shall automatically become null and void, and the Business Committee shall be empowered to amend this Article to match the age limit imposed by state law, such amendment to become effective upon publication in the **Federal Register** by the Secretary of the Interior.

**Article 8. Civil Penalties.** The Big Valley Tribe, through its Business Committee and duly authorized security personnel, shall have authority to enforce this ordinance by confiscating any liquor sold, possessed or introduced in violation hereof. The Business Committee shall be empowered to sell such confiscated liquor for the benefit of the Big Valley Tribe and to develop and approve such regulations as may

become necessary for enforcement of this ordinance.

**Article 9. Prior Inconsistent Enactments.** Any prior tribal laws, resolutions or ordinances which are inconsistent with this ordinance are hereby repealed to the extent they are inconsistent with this ordinance.

**Article 10. Sovereign Immunity.** Nothing contained in this ordinance is intended to, nor does in any way, limit, alter, restrict, or waive the sovereign immunity of the Big Valley Tribe or any of its agencies from unconsented suit or action of any kind.

**Article 11. Severability.** If any provision of this ordinance is found by any agency or court of competent jurisdiction to be unenforceable, the remaining provisions shall be unaffected thereby.

**Article 12. Amendment.** This ordinance may be amended by majority vote of the General Council of the Big Valley Tribe at a duly noticed General Community Council meeting, such amendment to become effective upon publication in the **Federal Register** by the Secretary of the Interior.

[FR Doc. 01-2223 Filed 1-24-01; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM-030-1310-DB]

#### **Draft Resource Management Plan Amendment (RMPA) and Environmental Impact Statement (EIS) for Federal Fluid Minerals Leasing and Development in Sierra and Otero Counties, New Mexico**

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** Notice of Extension of Public Comment Period and Additional Public Hearings.

**SUMMARY:** The BLM announces the extension of the public comment period on the Draft RMPA and EIS for Federal Fluid Minerals Leasing and Development in Sierra and Otero Counties. Pursuant to 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, Council on Environmental Quality (CEQ) regulations (40 CFR 1500-1508), and the Federal Land Policy and Management Act (FLPMA) of 1976, the BLM Las Cruces Field Office (through Dames and Moore, Inc., a qualified consultant) has prepared a Draft RMPA/EIS. The RMPA/

EIS addresses Federal fluid minerals (oil, gas, and geothermal) leasing and subsequent activities (e.g., exploration, development, and/or production) in Sierra and Otero Counties, New Mexico. The 60-day extension of the public comment period was granted after BLM review of the reasons for the request. The 60-day extension starts immediately after the end of the 90-day public comment period. The 90-day public comment period ends February 20, 2001. The 60-day extension of the public comment period starts February 21, 2001 and ends April 23, 2001.

**DATES:** Written comments on the Draft RMPA/EIS must be postmarked on or before April 23, 2001. Public hearings will be held at the times and places listed under **SUPPLEMENTARY INFORMATION**.

**ADDRESSES:** Written comments should be sent to: Tom Phillips, RMPA/EIS Team Leader, BLM, Las Cruces Field Office, 1800 Marquess, Las Cruces, NM 88005.

**FOR FURTHER INFORMATION CONTACT:** Tom Phillips, RMPA/EIS Team Leader, (505) 525-4377.

**SUPPLEMENTARY INFORMATION:** Public hearings will be held at the following times and locations.

Date	Time	City	Location
April 3, 2001 .....	7:00 p.m. ....	Roswell, NM .....	Sally Port Inn, 2000 N. Main St.
April 4, 2001 .....	7:00 p.m. ....	Alamogordo, NM .....	County Commission Chambers, 1000 New York Ave.
April 5, 2001 .....	7:00 p.m. ....	Truth or Consequences, NM .....	County Commission Chambers, 100 N. Date St.

Both oral and written comments may be given at the hearings. Written comments may also be submitted to the BLM, Las Cruces Field Office, 1800 Marquess, Las Cruces, NM 88005 on or before April 23, 2001. This date reflects an agreed upon 60-day extension to the public comment period.

A time limit for oral testimony at the hearings will be established by the presiding hearings officer, based on the number of people wishing to make comments at each hearing. Written text of prepared comments may be filed at the hearing whether or not the speaker has been able to complete the oral delivery in the allotted time.

All oral and written comments on the adequacy of the Draft RMPA/EIS will receive consideration in the Proposed RMPA/Final EIS.

Copies of the Draft RMPA/EIS have been distributed to a mailing list of identified interested parties. Single copies of the Draft RMPA/EIS may be obtained from the BLM Las Cruces Field

Office, 1800 Marquess, Las Cruces, New Mexico. Public reading copies are available for review at public and university libraries in Las Cruces, Alamogordo, Truth or Consequences, Roswell, and Santa Fe, New Mexico and El Paso, Texas.

The RMPA amends the 1986 Resource Management Plan (RMP) for the White Sands Resource Area. The objective of the RMPA is to determine (1) which lands overlying Federal fluid minerals are suitable and available for leasing and subsequent development and (2) how those leased lands will be managed. The EIS identifies the potential impacts that alternative plans for fluid minerals leasing and subsequent activities could have on the environment and identifies appropriate measures to mitigate those impacts.

Dated: January 19, 2001.

**Leonard T. Brooks,**

*Acting Field Manager, Las Cruces.*

[FR Doc. 01-2299 Filed 1-24-01; 8:45 am]

**BILLING CODE 4310-VC-M**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### **Colorado River Interim Surplus Guidelines**

**AGENCY:** Bureau of Reclamation, Department of the Interior.

**ACTION:** Notice of Availability of Record of Decision for the adoption of Colorado River Interim Surplus Guidelines.

**SUMMARY:** The Bureau of Reclamation (Reclamation), published a **Federal Register** notice on December 15, 2000 (65 FR 78511) which informed the public of the availability of the Final Environmental Impact Statement (FEIS)