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April 10, 2023

Email: comments-rocky-mountain-black-hills-hell-canyon@usda.gov

Rob Hoelscher, District Ranger

Black Hills National Forest

Hell Canyon Ranger District

1019 North 5th Street

Custer, SD 57730

RE: Newark Exploration Drilling Project

Dear Ranger Hoelscher:

Today is the deadline for public comments in respect to the above project. The initial notification to the general public and affected adjoining land owners was dated February 8. At the February 16 meeting, you appeared and indicated there would be additional further meetings and there would be an extension of time so that the general public could learn about the facts and circumstances pertinent to this proposal so they could make informed public comments under NEPA to avoid a categorical exclusion that you were inclined to consider at the time of the initial application.

There have been no additional meetings scheduled and F3 Gold, the proponent of this hard rock mineral exploration, has never appeared in Custer County to explain the nature and extent of the project, nor has the Forest Service been able to provide any information. It is for that reason that I think we need to cut to the chase.

Attached please find the Federal Register, Vol. 88, No. 54, Tuesday, March 21, 2023. Consistent with that notice, please let this letter serve as a request that the United States Forest Service (USFS) file an application with the Bureau of Land Management (BLM) requesting that the Secretary of the Interior withdraw the total acres of National Forest System (NFS) lands in Custer County, South Dakota, from settlement, sale, location, or entry under the public land laws; location and entry under the United States mining laws; and leasing under the mineral and geothermal leasing laws for 20 years, subject to valid existing rights, to protect the cultural and natural resources of the French Creek Watershed, including municipal water for the City of Custer, South Dakota, from the adverse impacts of mineral exploration and development. We

request that this application, recited above, be published with notice segregating the lands from the laws specified for up to 2 years, subject to valid existing rights.

The reason for the above request is that it would initiate a 90-day public comment period and announce a public meeting regarding the U.S. Forest Service application.

In summary, the Forest Supervisor has been reassigned from his position with the Hell Canyon Ranger District and the Black Hills National Forest. The Acting Forest Supervisor is a person that I have now had an opportunity to meet with at this point in time. Well in excess of 350 public comments have been filed with the Forest Service objecting to the approval of a categorical exclusion. Bryan Karchut, acting Forest Supervisor has given me the email address for Randy Moore and told me to reach out to him for more information on how this can move forward in a positive manner. Bryan tells me he has no information on how Jenny Gulch matter was handled procedurally.

It is a disservice to the public and a waste of the Forest Service resources to simply put this through the procedural steps evaluating the appropriateness of a categorical exclusion vs. an environmental assessment vs. an environmental impact. The correct course that is reflected in the attached Federal Register publication is the course that should and must be followed by the United States Forest Service in respect to the application impacting the Black Hills National Forest and Custer County and Custer City, South Dakota.


The publication of this notice in the Federal Register would allow for public meetings, exchange of information and a thoughtful consideration of whether or not it is appropriate for the granting of a 20-year moratorium on these affected lands.

As an aside, I have directed correspondence to the BLM and to the Regional Forest Office in the preceding days and weeks in an effort to try and learn procedurally how the Forest Service was able to "see the light" and publish this notice in the Federal Register regarding Jenny Gulch.

Given sufficient time and exchange of information by the Forest Service and the BLM with affected individuals and entities, a similar result and a proper result can be obtained in regard to the Newark project.

I welcome an opportunity to meet and discuss this with anyone within the U.S. Forest Service or the Bureau of Land Management. Thank you for your thoughtful consideration of this request apart from my earlier comments and position asserted by others at earlier points in time.

Sincerely,



CHARLES T. PATTERSON
For the Firm

existing rights, including existing mining claims located before this segregation notice. Licenses, permits, cooperative agreements, or discretionary land use authorizations of a temporary nature that would not impact lands identified in this notice may be allowed with the approval of an authorized officer of the BLM during the segregation period. The lands segregated under this notice are legally described as follows:

Mount Diablo Meridian, Nevada

- T. 22 S., R. 54 E.,
 - secs. 11, 12, and 13;
 - sec. 14, NE $\frac{1}{4}$;
 - sec. 24, lot 1, W $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$.
- T. 21 S., R. 55 E.,
 - sec. 31;
 - sec. 32, N $\frac{1}{2}$ and SW $\frac{1}{4}$;
 - sec. 33, N $\frac{1}{2}$;
 - sec. 34, N $\frac{1}{2}$ and SE $\frac{1}{4}$;
 - sec. 35, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 22 S., R. 55 E.,
 - sec. 2, lot 4 and W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 - sec. 3, lot 1 and E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 - sec. 6;
 - sec. 7, lots 1 and 2, NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$.

The area described contains 5,281.41 acres, according to the official plats of the surveys of the said lands on file with BLM.

As provided in the regulations, the segregation of lands in this notice will not exceed 2 years from the date of publication unless extended for an additional 2 years through publication of a new notice in the **Federal Register**. The segregation period will terminate and the land will automatically reopen to appropriation under the public land laws, including the mining laws, at the earliest of the following dates: upon issuance of a decision by the authorized officer granting, granting with modifications, or denying the application for a right-of-way; without further administrative action at the end of the segregation provided for in the **Federal Register** notice initiating the segregation; or upon publication of a **Federal Register** notice terminating the segregation.

Upon termination of the segregation of these lands, all lands subject to this segregation would automatically reopen to appropriation under the public land laws, including the mining laws.

(Authority: 43 CFR 2091.3–1(e) and 43 CFR 2804.25(f))

Stephen Leslie,

Acting Field Manager, Pahrump Field Office.

[FR Doc. 2023–05726 Filed 3–20–23; 8:45 am]

BILLING CODE 4331–21–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMT924000–L14400000–ET0000; SDM–112598]

Notice of Application for Withdrawal and Notification of Public Meeting, Pactola Reservoir—Rapid Creek Watershed; South Dakota

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of withdrawal application.

SUMMARY: The United States Forest Service (USFS) has filed an application with the Bureau of Land Management (BLM) requesting that the Secretary of the Interior withdraw 20,574 acres of National Forest System (NFS) lands in Pennington County, South Dakota, from settlement, sale, location, or entry under the public land laws; location and entry under the United States mining laws; and leasing under the mineral and geothermal leasing laws for 20 years, subject to valid existing rights, to protect the cultural and natural resources of the Pactola Reservoir—Rapid Creek Watershed, including municipal water for Rapid City and Ellsworth Air Force Base, from the adverse impacts of minerals exploration and development. Publication of this notice segregates the lands from the laws specified for up to 2 years, subject to valid existing rights. This notice initiates a 90-day public comment period and announces a public meeting regarding the USFS application.

DATES: Comments must be received by June 20, 2023. The USFS and the BLM will hold a joint public meeting on Wednesday, April 26, 2023, 4–8 p.m., Mountain Time (MT), at the Best Western Ramkota Hotel, Conference Hall, 2111 N. LaCrosse Street, Rapid City, South Dakota 57701.

ADDRESSES: Written comments should be submitted to: Black Hills National Forest via <https://cara.fs2c.usda.gov/Public/CommentInput?project=NP-3479>. Information regarding the proposed withdrawal will be available at the Black Hills National Forest, Forest Supervisor's Office, 1019 N. 5th Street, Custer, South Dakota 57730 and at the BLM Montana/Dakotas State Office, 5001 Southgate Drive, Billings, Montana 59101. Comments sent by email will not be accepted.

FOR FURTHER INFORMATION CONTACT: Bryan Karchut, Forest Supervisor, Black Hills National Forest, telephone (605) 515–9861, email: bryan.karchut@usda.gov, or you may contact the BLM

office at the address noted earlier. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or Tele Braille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The withdrawal application includes the following NFS lands located in the Black Hills National Forest:

Black Hills Meridian, South Dakota

- T. 1 N., R. 4 E.,
 - Sec. 1;
 - Sec. 2, that part lying easterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 11, that part lying easterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Secs. 12 and 13;
 - Sec. 14, that part lying easterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 23, that part lying northeasterly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 24, that part lying northeasterly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 25, that part lying northeasterly of Pactola Reservoir—Rapid Creek subwatershed boundary.
- T. 2 N., R. 4 E.,
 - Sec. 13, lots 1 thru 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$, except Tract A of H.E.S. No. 241, that part lying southerly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 14, lot 2, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$, that part lying southeasterly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$, those portions lying southerly and easterly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 23, that part lying easterly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 24, except Tract A of H.E.S. No. 241;
 - Sec. 25, except M.S. No. 1948 and M.S. No. 2016;
 - Sec. 26, that part lying easterly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 27, those portions lying easterly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 34, lots 1, 4, 6, and 9, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, that part lying easterly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 35, except M.S. No. 2047, that part lying northeasterly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 - Sec. 36, except M.S. No. 1948;

M.S. No. 1019, that part lying southerly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 M.S. No. 2047.
 T. 1 N., R. 5 E.,
 Sec. 2, that part lying southwesterly of Pactola Reservoir—Rapid Creek subwatershed boundary;
 Secs. 3 thru 7;
 Sec. 8, except M.S. No. 1918;
 Secs. 9 and 10;
 Sec. 11, that part lying northwesterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 14, that part lying northwesterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 15, N1/2, N1/2SW1/4, N1/2SE1/4, and NE1/4NE1/4SW1/4SE1/4, that part lying northerly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 16, that part lying northwesterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 17, except M.S. Nos. 1916 and 1918;
 Sec. 18, N1/2, NE1/4SW1/4, and SE1/4;
 Sec. 19, NE1/4, NW1/4NW1/4, S1/2NW1/4, S1/2, that part lying northwesterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 20, except M.S. No. 1916, that part lying northerly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 21, NW1/4, that part lying northwesterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 30, W1/2, that part lying northwesterly of the Pactola Reservoir—Rapid Creek subwatershed boundary.
 H.E.S. No. 106;
 H.E.S. No. 599;
 M.S. No. 891.
 T. 2 N., R. 5 E.,
 Sec. 18, that part lying southerly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 19, that part lying southwesterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 20, SW1/4, that part lying southwesterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 28, SW1/4, that part lying southerly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 29, that part lying westerly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 30, except M.S. No. 1948 and M.S. No. 2016;
 Sec. 31, lots 5 and 6, lots 10 thru 19, NE1/4, E1/2NW1/4, NW1/4NE1/4SE1/4, W1/2SE1/4SE1/4SE1/4, and those portions of M.S. No. 504 further described as Town of Silver City, Blocks A, B, C, D, and E, lots 3 thru 16 and lots 23 thru 32 of Block 9, lots 4 and 5, lots 12 thru 15, lots 27 thru 30 of Block 12, and Blocks 19 and 20;
 Sec. 32, except M.S. No. 2040, that part lying southwesterly of the Pactola Reservoir—Rapid Creek subwatershed boundary;
 Sec. 33, that part lying southerly of the Pactola Reservoir—Rapid Creek subwatershed boundary;

Sec. 34, that part lying southerly of the Pactola Reservoir—Rapid Creek subwatershed boundary;

Sec. 35, those portions lying westerly of the Pactola Reservoir—Rapid Creek subwatershed boundary;

M.S. No. 2040, except W1/2SE1/4SE1/4SE1/4 of sec. 31.

The Pactola Reservoir—Rapid Creek subwatershed boundary described within this land description was derived from GIS and used for convenience in computing acreage. This subwatershed is also known as Hydrological Unit Code (HUC) 101201100110. This land description intends to include all public lands administered by the USFS within this subwatershed. The actual boundary is intended to be the location of said subwatershed as it exists on the ground.

The areas described aggregate approximately 20,574 acres.

The purpose for the withdrawal requested by the USFS is to protect the cultural and natural resources of the Pactola Reservoir—Rapid Creek Watershed, including municipal water for Rapid City and Ellsworth Air Force Base, from the adverse impacts of minerals exploration and development.

The use of a right-of-way, interagency agreement, or cooperative agreement would not provide adequate protection of cultural and natural resources.

No additional water rights will be needed to fulfill the purpose of the requested withdrawal.

There are no suitable alternative sites, as the described lands contain the resource values that need protection.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Notice is hereby given that the USFS and the BLM will hold a joint public meeting in connection with the withdrawal application on Wednesday, April 26, 2023, from 4–8 p.m. MT, at the Best Western Ramkota Hotel, Conference Hall, 2111 N. LaCrosse St., Rapid City, SD 57701. The USFS will publish a notice of the time and place in a local newspaper at least 30 days before the scheduled date of the meeting. During the 90-day comment period, the BLM and USFS will hold additional meetings in other areas of the State, notices of which will be provided

in local newspapers or on agency websites.

For a period until March 21, 2025, the NFS lands described earlier will be segregated from settlement, sale, location, or entry under the public land laws, location and entry under the United States mining laws, and leasing under the mineral and geothermal leasing laws, subject to valid existing rights, unless the application is denied or canceled, or the withdrawal is approved prior to that date.

Licenses, permits, cooperative agreements, or discretionary land use authorizations of a temporary nature may be allowed with the approval of the authorized officer of the USFS during the temporary segregation period if they would comply with applicable USFS land use plans for public lands and NFS lands located within the requested withdrawal boundary.

The application will be processed in accordance with the regulations set forth in 43 CFR part 2300.

(Authority: 43 U.S.C. 1714)

Kimberly O. Prill,
 Acting Montana/Dakotas State Director.
 [FR Doc. 2023-05659 Filed 3-20-23; 8:45 am]
 BILLING CODE 3411-15-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NAGPRA-NPS0035481;
 PPWOCRADNO-PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items Amendment: California Department of Parks and Recreation, Sacramento, CA

AGENCY: National Park Service, Interior.
 ACTION: Notice; amendment.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the California Department of Parks and Recreation has amended a Notice of Intent to Repatriate published in the *Federal Register* on December 24, 2002. This notice amends the cultural affiliation for a collection removed from Lake County, California.
DATES: Repatriation of the cultural items in this notice may occur on or after April 20, 2023.

ADDRESSES: Dr. Leslie L. Hartzell, NAGPRA Coordinator, California Department of Parks and Recreation, P.O. Box 942896, Sacramento, CA 94296-0001, telephone (916) 653-5910, email Leslie.Hartzell@parks.ca.gov.
SUPPLEMENTARY INFORMATION: This notice is published as part of the

**Rob Hoelscher, District Ranger
Black Hills National Forest**

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**CTP/clm
Enclosure**

**Cc Bryan Karchut
Cc Randy Moore**