

offered. A new 2.5-mile trail would be developed on Tribal and Refuge properties east of the Nisqually River and a primitive 0.5-mile trail would be provided in surge plain habitat. New fishing opportunities could be provided in the future if appropriate lands were acquired. A seasonal waterfowl hunting program open seven days per week, would be provided on 191 acres of Refuge lands. A speed limit of five miles per hour would be established for all water craft in Refuge waters.

Public comments were requested, considered, and incorporated throughout the planning process in numerous ways. Public outreach has included open houses, public meetings, technical workgroups, planning update mailings, and **Federal Register** notices. Three previous notices were published in the **Federal Register** concerning this CCP/EIS (62 FR 52764, October 9, 1997; 65 FR 6390, February 9, 2000; and 67 FR 78009, December 20, 2002). During the Draft CCP/EIS comment period that occurred from December 20, 2002 to February 21, 2003, the Service received a total of 1,717 comments (e-mails, letters, faxes, postcards, comment sheets, visits, or telephone calls). All substantive issues raised in the comments have been addressed through revisions incorporated in the Final CCP/EIS text or in responses contained in Appendix M of the Final CCP/EIS.

Dated: August 24, 2004.

Chris McKay,

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 04-19828 Filed 8-30-04; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Notice of Service Area Designation

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice announces the service area designation for the Samish Indian Tribe which is recognized as eligible to receive services from the United States Federal Government Bureau of Indian Affairs (BIA). This notice is published in the exercise of the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs.

DATES: This service area designation becomes effective on September 30, 2004.

FOR FURTHER INFORMATION CONTACT: Larry Blair, Tribal Services, Bureau of

Indian Affairs, Department of the Interior, 1951 Constitution Avenue, NW., MS-320-SIB, Washington, DC 20240-0001. Telephone: (202) 513-7640.

SUPPLEMENTARY INFORMATION: In accordance with 25 CFR part 20, Financial Assistance and Social Services programs, the Assistant Secretary—Indian Affairs designates the following locale as a service area appropriate for the extension of BIA financial assistance and/or social services. The Financial Assistance and Social Services programs regulations at 25 CFR part 20 have full force and effect when extending BIA financial assistance and/or social services into the service area location. The Samish Indian Tribe is authorized to extend financial assistance and social services to eligible tribal members and other eligible Indians who reside within the areas designated below.

Tribe: The Samish Indian Tribe.

Service Area Locations: The counties of Whatcom, Skagit, Snohomish, Island, and San Juan in the State of Washington.

Dated: August 17, 2004.

David W. Anderson,

Assistant Secretary—Indian Affairs.

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DEPARTMENT OF THE INTERIOR

National Park Service

Final Environmental Impact Statement/ Fire Management Plan, Point Reyes National Seashore, Marin County, CA; Notice of Availability

Summary: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (Pub. L. 91-190, as amended), and the Council on Environmental Quality Regulations (40 CFR part 1500-1508), the National Park Service (NPS), Department of the Interior, has prepared a Final Environmental Impact Statement identifying and evaluating three alternatives for a Fire Management Plan for Point Reyes National Seashore administered lands. Potential impacts, and appropriate mitigations, are assessed for each alternative. When approved, the plan will guide all future fire management actions on lands administered by Point Reyes National Seashore. The Fire Management Plan and Final Environmental Impact Statement (FMP/FEIS) documents the analyses of two action alternatives, and a “no action” alternative.

Revisions to the 1993 Fire Management Plan are needed to meet public and firefighter safety, natural and cultural resource management, and wildland urban interface objectives for the Point Reyes National Seashore and the north district of Golden Gate National Recreation Area. The action alternatives vary in the emphasis they place on fire management goals developed by the park. The current program has been effective in fire suppression and conducting limited fuel reduction in strategic areas, but has not been able to fully accomplish resource management, fuel reduction, and prescribed fire goals.

The planning area for the Fire Management Plan (FMP) includes NPS lands located approximately 40 miles northwest of San Francisco in Marin County, California. These lands include the 70,046-acre Point Reyes National Seashore, comprised primarily of beaches, coastal headlands, extensive freshwater and estuarine wetlands, marine terraces, and forests; as well as 18,000 acres of the Northern District of Golden Gate National Recreation Area (GGNRA), primarily supporting annual grasslands, coastal scrub, and Douglas-fir and coast redwood forests.

Proposed Fire Management Plan. Alternative C is the preferred alternative in the final FMP/FEIS and remains unchanged from the draft EIS. Under Alternative C “Increased Natural Resource Enhancement and Expanded Hazardous Fuel Reduction”, fire management actions will be used to markedly increase efforts to enhance natural resources and reduce hazardous fuels. This alternative includes objectives for increasing the abundance and distribution of federally listed species, reducing infestations of invasive, non-native plants and increasing native plant cover. Prescribed burning and mechanical treatments will be used to protect or enhance cultural resources, such as reducing vegetation in areas identified as important historic viewsheds. Alternative C permits the highest number of acres treated annually for hazardous fuels reduction concentrating on high priority areas (e.g., along road corridors, around structures, and in strategic areas to create fuel breaks). Up to 3,500 acres could be treated per year using prescribed fire and mechanical treatments. Under this alternative, research efforts will be expanded to determine the effects of fire on natural resources of concern (e.g., rare and non-native species) and to determine the effectiveness of various treatments for fuel reduction. Research results will be used adaptively to guide the fire

management program in maximizing benefits to natural resources, while protecting lives and property. This alternative will reduce the threat of a catastrophic wildland fire to a more stable fire condition at Year 13 of implementation rather than Year 23 as in Alternative B or indefinite extension of the program under Alternative A, the No Action Alternative. Ten of eleven Fire Management Units (FMUs) will be treated under Alternative C; the eleventh FMU—the Minimum Management FMU—is primarily leased for agriculture and is subject to defensible space and roadside clearing under all three alternatives. As documented in the final EIS, Alternative C was also deemed to be the “Environmentally Preferred” Alternative.

Alternatives: The final FMP/FEIS analyzes two other alternatives. Alternative A, Continued Fuel Reduction for Public Safety and Limited Resource Enhancement, is the No Action Alternative representing the current fire management program. The current program uses a limited range of fire management strategies—including prescribed fire, mechanical treatment, and suppression of all wildland fires, including natural ignitions. Alternative A would continue the existing program described in the 1993 Fire Management Plan including mechanical treatments of hazardous fuels of up to 500 acres per year, primarily mowing in grasslands. Up to 500 acres per year would be treated by prescribed burning, primarily for fuel reduction in grasslands and for Scotch and French broom control. Total treatments per year will not exceed 1,000 acres. Research projects already in progress on reducing Scotch broom and velvet grass through prescribed burning would continue under this alternative. In continuing current practices, treatments would occur in four of eleven FMUs sited along the primary roadways. This program does not place emphasis on wildland/urban interface communities.

Alternative B—Expanded Hazardous Fuel Reduction and Additional Natural Resource Enhancement. Alternative B calls for a substantial increase over present levels in the reduction of hazardous fuels through prescribed burning and mechanical treatments (up to a combined total of 2,000 acres treated per year). Efforts would be concentrated where unplanned ignitions will be most likely to occur (e.g., road corridors), and where defensible space could most effectively contain unplanned ignitions and protect lives and property (e.g., around structures and strategically along the park interface

zone). Natural resource enhancement would occur as a secondary benefit only. For example, prescribed burning to reduce fuels may have the secondary resource benefit of controlling a flammable, invasive non-native plant. Fire management actions would occur in nine of eleven FMUs with no projects occurring at the low grasslands within the Headlands FMU or in the Minimum Management FMU. Assuming full annual implementation, a stable fire condition with a lowered potential for a catastrophic fire such as the 1995 Vision Fire, could be achieved by Year 23 of plan implementation.

Planning Background: On January 27, 2000, a “Notice of Scoping” for Fire Management Plan at Point Reyes National Seashore was published in the **Federal Register**. The beginning of public scoping was announced on January 29, 2000, at a public meeting of the Point Reyes National Seashore Citizens Advisory Commission with a presentation on the FMP planning process. In a series of internal and public scoping meetings input on fire management issues of concern and range of alternatives was solicited from the public, federal, state and local agencies, and NPS resource specialists. Briefing continued for local fire management and protection agencies during the FMP preparation. Scoping comments were solicited from January 27 through March 28, 2000. The major issues raised during the public review period are summarized in Chapter 1, Purpose of and Need for the Action. Approximately 50 people were involved in public scoping activities.

A “Notice of Availability” of the Draft FMP EIS was published in the **Federal Register** on February 20, 2004, noted in San Francisco Bay area newspapers and mailed to the Point Reyes National Seashore mailing list (210 individuals and organizations). Fifteen copies of the Draft FMP EIS were sent to the California Clearinghouse for distribution. Copies of the document were also sent to interested parties, public libraries and state and federal agencies and the full document was posted on the park internet site. Approximately 15 other copies were distributed to the public when requested. A public workshop was held at the Point Reyes National Seashore Red Barn meeting room on the evening of March 18, 2004. The workshop was advertised by a mass mailing (210 individuals and organizations) and a notice was placed in the local newspapers. Approximately 15 people came to the public workshop on the Draft FMP EIS.

Comments on the draft were accepted until April 20, 2004. The NPS received seven written responses, including two letters comprising the informal consultation process as required for Endangered Species Act conformance. All comments were duly considered in preparing the FMP FEIS. All comments are reprinted in the FMP FEIS and are part of the administrative record for the FMP. The main issues and concerns expressed by the respondents included: clarification of conformance with air district regulations and prescribed burning procedures, smoke effects on public health, visual impacts of prescribed burns, effects on vegetation clearing on wildlife and privacy, and opportunity for continued communication between wildlife resources agency and the park.

As part of this planning process, consultation for NEPA Section 7 was held with the U.S. Fish and Wildlife Service (USFWS), NOAA Fisheries Service. For NHPA, 106 Compliance, the State of California Preservation Offices (SHPO), and the Advisory Council for Historic Preservation were also contacted. Only the Washington State Historic Preservation Office responded with formal written comments. Neither the SHPOs nor the Advisory Council raised any concerns regarding the implementation of the Selected Plan. The USFWS provided comments that are incorporated in the Final FMP FEIS and NOAA concurred with the parks finding of not likely to adversely affect listed species.

Addresses:

Printed or CD copies of the FMP FEIS may be obtained from the Superintendent, Point Reyes National Seashore, Point Reyes, CA 94956, Attn: Fire Management Plan, or by e-mail request to: Ann_Nelson@nps.gov (in the subject line, type: Fire Management Plan)—it will be sent directly to those who have requested it. The FEIS FMP can be obtained on the park's Web page (<http://www.nps.gov/pore/pphtml/documents.html>), and the printed document and digital version on compact disk will also be available at the park headquarters and local libraries. Please note that names and addresses of people who comment become part of the public record. If individuals commenting request that their name or/and address be withheld from public disclosure, it will be honored to the extent allowable by law. Such requests must be stated prominently in the beginning of the comments. There also may be circumstances wherein the NPS will withhold from the record a respondent's identity, as allowable by law. As always:

the NPS will make available to public inspection all submissions from organizations or businesses and from persons identifying themselves as representatives or officials of organizations and businesses; and, anonymous comments may not be considered.

Decision:

As a delegated EIS, the official responsible for the final decision is the Regional Director, Pacific West Region; a Record of Decision may be approved not sooner than 30 days after EPA's publication of the notice of filing of the FMP FEIS in the **Federal Register**. Notice of the final decision will be similarly posted in the **Federal Register** and announced in local and regional newspapers. Following approval of the Fire Management Plan, the official responsible for implementation will be the Superintendent, Point Reyes National Seashore.

Dated: June 25, 2004.

Jonathan B. Jarvis,

Regional Director, Pacific West Region.

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BILLING CODE 4312-FW-P

DEPARTMENT OF THE INTERIOR

National Park Service

Final Notice of Intent 6/22/04

AGENCY: National Park Service, Department of the Interior.

ACTION: Notice of intent to prepare an environmental impact statement for an Elk Management Plan, Theodore Roosevelt National Park, North Dakota.

SUMMARY: Under the provisions of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*), the National Park Service (NPS) is preparing an environmental impact statement for an elk management plan for Theodore Roosevelt National Park (THRO), North Dakota. An elk management plan is needed to manage the elk population within established acceptable levels, to test for chronic wasting disease (CWD) and to identify a range of elk management strategies that are compatible with long-term protection of other park resources and natural ecosystems and processes. A number of factors contribute to the need for this plan. The elk population within the park has increased rapidly since elk were reintroduced in 1985. Due to the lack of predators, less suitable habitat outside the park and the limited movement of elk, the elk population will likely continue to grow unchecked. Excessive browsing caused by high

densities of elk may adversely affect rangeland and cultural resources in the park. Furthermore, this plan is needed because the 2003 agreement related to the reintroduction of elk among the NPS, the U.S. Forest Service (USFS) and the North Dakota Game and Fish Department indicates that the NPS has the responsibility to manage the elk population within the park at an acceptable level.

DATES: To be most helpful to the scoping process, comments should be received within 60 days of the publication of this notice in the **Federal Register**. See details for sending comments in **SUPPLEMENTARY INFORMATION** below. The NPS intends to conduct public scoping at locations throughout North Dakota, including Bismarck, Medora, Dickinson, Fargo, and Minot. Please check local newspapers, the THRO website at <http://www.nps.gov/thro> or contact the name listed below to find out when and where these open houses will be held and to view draft documents and other current information regarding elk management and the EIS.

ADDRESSES: Information will be available for public review and comment at the Theodore Roosevelt National Park headquarters located at 315 2nd Ave., Medora, ND 58645.

FOR FURTHER INFORMATION CONTACT: Bruce Kaye, Public Information Officer, or Valerie Naylor, Superintendent, at (701) 623-4466.

SUPPLEMENTARY INFORMATION: The NPS seeks to complete an environmental impact statement (EIS) to address elk management at THRO. Section 4.4.2 of the NPS Management Policies (2001) provides for the active management of native animals when management of a population is necessary because it occurs in unnaturally high or low numbers because of human influence. An elk management strategy is needed at THRO because past and current actions within and beyond the park have created conditions that allow the THRO elk population to increase with little or no control. These conditions include the absence of elk predators, the ineffectiveness of public hunting outside of the park as a population control method for elk that range primarily within the park, lack of significant winter kill and other environmentally-caused elk mortalities, high reproductive and survival rates, and the discontinuation of translocating elk from the park.

Elk were reintroduced to the South Unit (SU) of THRO in 1985 to restore an extirpated native species. The SU is surrounded by a 7 foot high woven-wire

fence, which has specially designed crossings to allow for movement of most wildlife, yet confines bison and feral horses in the park. Large predators have been extirpated since the late 1800s, and effective natural predation on ungulates is limited to that which occurs on young by coyotes and bobcats. Since elk reintroduction in 1985, the population has doubled approximately every 3 years. Research was initiated in 1985 to provide insight into the forage requirements of elk and other grazers in the SU. The resulting model, which considered the forage needs of all ungulates in the park, suggested the park could maintain up to 360 elk. Since 1993, the population has exceeded 360 several times, causing subsequent removals through translocation to tribes and other agencies. A third removal was scheduled for January 2003 but canceled due to concerns about chronic wasting disease (CWD). Although CWD has not been found in North Dakota, the NPS policy dictates that translocation of elk may only occur if the animals are free of disease. Currently, the elk herd numbers about 550, exceeding the maximum number of animals the model suggested can be sustained long-term without negatively affecting other park resources.

A determination of the effects of the elk management plan will be conducted in accordance with NEPA (42 U.S.C. 4372 *et seq.*), NEPA regulations (40 CFR 1500-1508), other appropriate Federal regulations, and the NPS procedures and policies for compliance with those regulations.

The North Dakota Game and Fish Department and the USFS will serve as Cooperating Agencies in the preparation of the EIS, per NEPA guidelines.

If you wish to comment on the scoping brochure or any other issues associated with the plan, you may submit your comments by any one of several methods. Written comments may be mailed or hand-delivered to the Superintendent at the address above. You may e-mail comments to thro_forum@nps.gov. Please submit internet comments as a text file avoiding the use of special characters and any form of encryption. Please put in the subject line "Elk Management Plan," and include your name and return address in your message. If you do not receive a confirmation from the system that we have received your message, contact Bruce Kaye, Public Information Officer, at the number listed above.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours.