

“\* \* \* to conserve (A) fish or wildlife which are listed as endangered species or threatened species \* \* \* or (B) plants” (16 U.S.C. 1534 (Endangered Species Act of 1973)).

The Refuge was established to protect endangered species, and to conserve migratory birds and other wildlife by preserving habitat and open space while providing compatible wildlife-oriented outdoor recreation to the public. While the Refuge was formally established in 1970, lands were not acquired until 1974.

The Service anticipates a draft CCP and EA to be available for public review and comment in 2007.

**Doug S. Vandegrift,**  
*Acting Manager, CA/NV Operations,*  
*Sacramento, California.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Notice of Availability of a Draft Environmental Impact Statement for a Drought Management Plan for Operation of the Kerr Hydroelectric Project, Flathead Lake, MT

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

**ACTION:** Notice of availability and public hearings.

**SUMMARY:** The Bureau of Indian Affairs (BIA) announces the availability of a draft Environmental Impact Statement (EIS) for a drought management plan for the operation of the Kerr Hydroelectric Project, Flathead Lake, Montana. In addition to mailing the draft EIS to cooperating agencies and those who previously requested the document, the BIA has made the draft EIS available at the Polson City Library, 2 First Avenue East, Polson, Montana, and the Flathead County Library, 247 First Avenue East, Kalispell, Montana. Additionally, the draft EIS may be obtained on the following Web site: <http://www.flatheadlake-eis.com>. The purpose of this notice is to inform the public, other Federal agencies, tribal, State, and local governments, organizations and businesses of the availability of the draft EIS and to announce public hearings to discuss the draft EIS.

**DATES:** Comments on the draft EIS must be received by September 29, 2006. The hearing dates and locations are:

1. August 29, 2006, 6:30 p.m. to 9:30 p.m., Red Lion Inn, 20 North Main Street, Kalispell, Montana.

2. August 30, 2006, 6:30 p.m. to 9:30 p.m., Polson City Library, Community Meeting Room, 2 First Avenue East, Polson, Montana.

**ADDRESSES:** Mail or hand deliver written comments to Jeffery Loman, Chief, Natural Resources Division, Office of Trust Services, Bureau of Indian Affairs, Mail Stop 4655-MIB, 1849 C Street, NW., Washington, DC 20240. You may also fax comments to Chief, Natural Resources, (202) 219-0006 or (202) 219-1255.

**FOR FURTHER INFORMATION CONTACT:** Jeffery Loman, Chief, Natural Resources Division, (202) 208-7373 or (202) 903-8295.

**SUPPLEMENTARY INFORMATION:** Flathead Lake is the largest natural fresh water lake in the western United States. It is home to the Confederated Salish and Kootenai Tribes of the Flathead Nation, whose reservation encompasses an area including approximately the southern half of Flathead Lake. Flathead Lake is regulated by the operation of Kerr Dam, located at River Mile 72.0 at Polson, Montana. The Kerr Dam and Hydroelectric Project are located within the exterior boundaries of the Flathead Indian Reservation. The Project operates under a joint license issued by the Federal Energy Regulatory Commission on July 17, 1985 to PPL Montana, LLC, successor-in-interest to the Montana Power Company and current operator of the Kerr Project, and the Confederated Salish and Kootenai Tribes. The license has been amended several times since initial issuance.

Section 4(e) of the Federal Power Act authorizes the Secretary of the Interior to include conditions in hydropower licenses for the protection and utilization of Indian reservations. Pursuant to this authority, the Secretary required that certain articles be included in the Kerr Project license for the protection and utilization of the Flathead Indian Reservation. Among these is license Article 56, which requires minimum instream flow rates for the protection of fisheries and other resources in the Lower Flathead River below Kerr Dam. In addition to the Secretary's section 4(e) conditions, Article 43 of the Kerr Project license requires the operator to regulate Flathead Lake in accordance with a 1962 Memorandum of Understanding, as amended in 1965, between the Montana Power Company and the U.S. Army Corps of Engineers. The purposes behind the MOU include providing for flood control by drawing down Flathead Lake every spring, and supporting recreation, tourism and associated

activities on Flathead Lake by refilling the lake in time for the summer season.

During low-water years, there may be an insufficient volume of water to achieve Article 43 lake levels while maintaining the minimum instream flow requirements of Article 56. Accordingly, the Secretary also included Article 60 in the Project license, which requires that the licensees develop and implement a drought management plan in consultation with the U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, Bureau of Indian Affairs, and Montana Department of Environmental Quality. Article 60 further requires that the drought management plan include a re-evaluation and adjustment of flood control requirements and other provisions necessary for compliance with lower Flathead River minimum instream flow mandates.

Pursuant to Article 60, PPL Montana submitted a proposed drought management plan to the Secretary of the Interior on March 4, 2002. Under Article 60, the Secretary has the authority to reject, modify, or otherwise alter the proposed drought management plan. The Secretary determined that the decision on the proposed drought management plan constitutes a major federal action that could significantly affect the quality of the human environment. The National Environmental Policy Act therefore requires preparation of an EIS. PPL Montana's plan serves as the proposed action in the EIS.

The Bureau of Indian Affairs was delegated the responsibility to serve as the Lead Agency for NEPA compliance in connection with the proposed drought management plan. On June 20, 2002, BIA published a Notice of Intent in the **Federal Register** (67 FR 42054) informing agencies and the public of BIA's intent to gather information necessary to prepare an EIS for the proposed drought management plan and initiating the formal scoping process (See Appendix A). The Notice of Intent encouraged comments and participation in the scoping process and included meeting dates, times, and locations. BIA held a series of public meetings and workshops in Kalispell, Charlo and Polson, Montana, on July 9-10, 2002, August 27-28, 2002, and October 22-23, 2002.

The drought management plan ultimately approved by the Secretary will govern how the Kerr Project licensees will prepare for and operate the Project during a drought and will benefit the public by providing information regarding the operation of

the Kerr Project in drought conditions. The NEPA process will allow the Secretary of the Interior to issue a Record of Decision selecting an alternative regarding a drought management plan. Issues addressed in the environmental analysis include, but are not limited to, hydroelectric power production, recreation, tourism, irrigation, treaty-protected fisheries, biological resources, wildlife habitat, and Indian traditional and cultural properties and resources. Alternatives to the proposed drought management plan examined in the EIS include a variety of measures, such as adjustments to flood control rule curves, implementation of advanced climate prediction initiatives, and deviation from minimum instream flow requirements. The range of environmental issues and alternatives was developed through comments received during the scoping process, including the public scoping meetings and workshops held in Montana.

#### Authority

This notice is published in accordance with section 1503.1, Council on Environmental Quality Regulations (40 CFR parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), and the Department of the Interior Manual (516 DM 1.6) and is within the exercise of authority delegated to the Principal Deputy Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: July 19, 2006.

**Michael D. Olsen,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Minor Boundary Revision at Fire Island National Seashore

**AGENCY:** National Park Service, Interior.

**ACTION:** Announcement of park boundary revision.

**SUMMARY:** Notice is given that the western boundary of Fire Island National Seashore is revised to include Tract No. 17–04 as depicted on map number 615/81,487 prepared by the National Park Service in October 2005. This map and other supporting documentation are available for inspection at the National Park Service, Northeast Region, Land Resources

Division, New England Office, 222 Merrimack Street, Suite 400E, Lowell, Massachusetts 01852, and in the Offices of the National Park Service, Department of the Interior, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Superintendent, Fire Island National Seashore, 120 Laurel Street, Patchogue, NY 11772.

**SUPPLEMENTARY INFORMATION:** Section 7(c) of the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601–9(c), authorizes the Secretary of the Interior to make minor revisions to the boundaries of a unit of the National Park System that will contribute to and are necessary for the proper preservation, protection, interpretation, or management of such a unit. To provide for the proper protection and management of Fire Island National Seashore, it is necessary to include within the boundaries of the national seashore certain property referred to as Tract No. 17–04, consisting of 0.82 acre of Federal land, more or less, on Fire Island in the Town of Islip, Suffolk County, New York, located adjacent to federally owned Tract No. 17–01. The tract is owned by the United States of America by resumption of title from and with the acknowledgement of the State of New York pursuant to the Act of June 7, 1924, Public Law 252.

Dated: May 10, 2006.

**Mary A. Bomar,**

*Regional Director, Northeast Region.*

[FR Doc. 06–6476 Filed 7–25–06; 8:45 am]

**BILLING CODE 4310–YV–M**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Draft General Management Plan/Environmental Impact Statement, Hovenweep National Monument, Colorado and Utah

**AGENCY:** National Park Service, Department of the Interior.

**ACTION:** Notice of termination of the Environmental Impact Statement for the General Management Plan, Hovenweep National Monument.

**SUMMARY:** The National Park Service (NPS) is terminating preparation of an Environmental Impact Statement (EIS) for the General Management Plan, Hovenweep National Monument, Colorado and Utah. A Notice of Intent to prepare the EIS for the Hovenweep National Monument General Management Plan was published in Vol. 68, No. 167, of the August 28, 2003,

**Federal Register** (2351). The National Park Service has since determined that an Environmental Assessment (EA) rather than an EIS is the appropriate environmental documentation for the general management plan.

**SUPPLEMENTARY INFORMATION:** The general management plan will establish the overall direction for the national monument, setting broad management goals for managing the area over the next 15 to 20 years. The plan was originally scoped as an EIS. However, few public comments were received in the scoping process. Although some concerns were expressed during the public scoping process, particularly on the potential for impacts related to energy exploration in areas adjacent to the national monument, no issues were identified for the general management plan that have the potential for controversial impacts.

In the general management planning process the NPS planning team developed two alternatives for the national monument, neither of which would result in substantial changes in the operation and management of the monument. As the park does not have a general management plan, management under the no-action alternative would continue existing operations with no changes in interpretation, resource protection strategies, or facility development. The action alternative would focus on maintaining and protecting resources, addressing park maintenance/operations needs and developing a maintenance facility within previously disturbed areas. The preliminary impact analysis of the alternatives revealed no major (significant) effects on the human environment or impairment of park resources and values. Most of the impacts to the national monument's resources and values were negligible to minor in magnitude.

For these reasons the NPS determined the appropriate National Environmental Policy Act documentation for the general management plan is an environmental assessment.

**DATES:** The draft general management plan/environmental assessment is expected to be distributed for a 30 day public comment period in the fall of 2006 and a decision is expected to be made in the fall of 2006. The NPS will notify the public by mail, Web site, and other means, and will include information on where and how to obtain a copy of the EA, how to comment on the EA, and the length of the public comment period.

**FOR FURTHER INFORMATION CONTACT:** Coralee Hays, Superintendent,