

Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2705.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that, in a letter dated May 22, 2008, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5206 (the Stafford Act), as follows:

I have determined that the damage in certain areas of the State of South Dakota resulting from a severe winter storm and record and near record snow during the period of May 1-2, 2008, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5206 (the Stafford Act). Therefore, I declare that such a major disaster exists in the State of South Dakota.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas; assistance for emergency protective measures (Public Assistance Category B), including snow removal for any continuous 48-hour period during or proximate to the incident period in the designated areas; Hazard Mitigation throughout the State; and any other forms of assistance under the Stafford Act that you deem appropriate.

Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, except for any particular projects that are eligible for a higher Federal cost-sharing percentage under the FEMA Public Assistance Pilot Program instituted pursuant to 6 U.S.C. 777. If Other Needs Assistance under Section 408 of the Stafford Act is later requested and warranted, Federal funding under that program also will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Tony Russell, of FEMA, is appointed to act as the Federal Coordinating Officer for this declared disaster.

The following areas of the State of South Dakota have been designated as adversely affected by this declared major disaster:

Bennett, Butte, Harding, Jackson, and Perkins Counties for Public Assistance.

Butte, Harding, and Lawrence Counties for emergency protective measures (Category B),

including snow removal assistance, under the Public Assistance program for any continuous 48-hour period during or proximate to the incident period.

All counties within the State of South Dakota are eligible to apply for assistance under the Hazard Mitigation Grant Program. (The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidential Declared Disaster Areas; 97.049, Presidential Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidential Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.)

**R. David Paulison,**

*Administrator, Federal Emergency Management Agency.*

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**BILLING CODE 9110-10-P**

## DEPARTMENT OF THE INTERIOR

### Outer Continental Shelf (OCS) Policy Committee—Notice of Renewal

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of Renewal of the Outer Continental Shelf Policy Committee.

**SUMMARY:** Following consultation with the General Services Administration, notice is hereby given that the Secretary of the Interior (Secretary) is renewing the OCS Policy Committee.

The OCS Policy Committee will provide advice to the Secretary through the Director of the Minerals Management Service related to the discretionary functions of the Bureau under the OCS Lands Act and related statutes. The Committee will review and comment on all aspects of leasing, exploration, development and protection of OCS resources and provide a forum to convey views representative of coastal states, local government, offshore industries, environmental community, other users of the offshore, and the interested public.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jeryne Bryant, Minerals Management Service, Offshore Minerals Management, Herndon, Virginia 20170-4817, telephone (703) 787-1213.

## Certification

I hereby certify that the renewal of the OCS Policy Committee is in the public interest in connection with the performance of duties imposed on the Department of the Interior by 43 U.S.C. 1331 *et seq.*

Dated: May 30, 2008.

**Dirk Kempthorne,**

*Secretary of the Interior.*

[FR Doc. E8-12617 Filed 6-4-08; 8:45 am]

**BILLING CODE 4310-MR-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Rate Adjustments for Indian Irrigation Projects

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

**ACTION:** Notice of rate adjustments.

**SUMMARY:** The Bureau of Indian Affairs (BIA) owns or has an interest in irrigation projects and facilities located on various Indian reservations throughout the United States. We are authorized to establish rates to recover the costs to administer, operate, maintain, and rehabilitate those facilities. We are notifying you that we have adjusted the irrigation assessment rates at several of our irrigation projects and facilities for operation and maintenance.

**DATES:** *Effective Date:* The irrigation assessment rates shown in the tables are effective on January 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** For details about a particular BIA irrigation project or facility, please use the tables in **SUPPLEMENTARY INFORMATION** section to contact the regional or local office where the project or facility is located.

**SUPPLEMENTARY INFORMATION:** A Notice of Proposed Rate Adjustment was published in the **Federal Register** on February 8, 2008 (73 FR 7583) to adjust the irrigation rates at several BIA irrigation projects and facilities. The public and interested parties were provided an opportunity to submit written comments during the 60-day period that ended April 8, 2008.

#### Did the BIA Defer Any Proposed Rate Increases?

For the Fort Belknap Indian Irrigation Project, the BIA, in consultation with the Gros Ventre and Assiniboine Tribes and Project water users, has deferred the rate increase for 2008.

### **Did the BIA Receive Any Comments on the Proposed Irrigation Assessment Rate Adjustments?**

Written comments were received for the proposed rate adjustments for the Blackfeet Irrigation Project, Fort Belknap Irrigation Project, and the Wind River Irrigation Project.

### **What Issues Were of Concern by the Commenters?**

Individuals and entities commenting on the proposed rates for 2008 were concerned with one or more of the following issues: (1) How funds are expended for operation and maintenance (O&M) costs; (2) how rate increases are justified and communicated to water users; (3) how rate increases impact the local agricultural economy and individual land owners; (4) the role of the BIA's Central Office in managing projects and the burden of federal regulations; (4) land owners without access to project water being assessed irrigation charges; (5) the BIA's non-delivery of water to water users with outstanding O&M charges; and (6) the BIA's trust responsibility for projects. The following comment is specific to the Wind River Irrigation Project: users assert that O&M rates should not be adjusted until a study of the project's irrigable and assessable acreage is completed.

### **How Does the BIA Respond to Concerns Regarding How Funds Are Expended for O&M Costs?**

The BIA considers the following expenses when determining an irrigation project's budget: project personnel costs; materials and supplies; vehicle and equipment repairs; equipment; capitalization expenses; acquisition expenses; rehabilitation costs; maintenance of a reserve fund for contingencies or emergencies; and other expenses that we determine are necessary to properly operate and maintain an irrigation project.

One common misconception water users have is that all salary costs are administrative. Only a portion of each project's budget is for administrative costs. The administrative costs for a project includes office costs, office staff (accounting and clerical), and a portion of the project manager's salary. Non-administrative costs are the cost to operate and maintain the project or facility. Operation and maintenance workers perform operation and maintenance work, thus their salaries are considered operation and maintenance costs, not administrative costs. All projects need essential

personnel to operate and maintain the project, including a project manager, accounting staff, and irrigation system operators (ditchriders).

### **How Does the BIA Respond to Concerns Regarding the Justification for and Communication of Rate Increases to Land Owners?**

BIA policy states that irrigation project managers are required to meet, at a minimum, twice annually with their water users—once at the end of the irrigation season and once before the next season. For projects that operate year-round, project managers will determine the best schedule for holding these meetings. At these meetings, irrigation staff will provide water users with information regarding project operations—including budget plans and actual annual expenditures—and obtain feedback and input from water users.

Individuals concerned with the BIA's management of its projects and its O&M rates may review the BIA's records at their convenience. The BIA's project budget estimates and expense records are available for review by stakeholders or interested parties. Stakeholders (water users, land owners, or tribes) can review these records during normal business hours at the individual agency office. Alternatively, stakeholders or interested parties may request project records under the Freedom of Information Act (FOIA). The BIA will provide copies of such records to the requesting party in accordance with FOIA.

To review or obtain copies of project records, stakeholders and interested parties should contact the BIA representative at the specific project or facility serving them, using the tables in the **SUPPLEMENTARY INFORMATION** section below.

### **How does the BIA respond to concerns regarding the impact of irrigation assessment rate increases on local agricultural economies and individual land owners?**

The BIA's projects are important economic contributors to the local communities they serve. These projects contribute millions of dollars in crop value annually. Historically, the BIA tempered irrigation rate increases to demonstrate sensitivity to the economic impact on water users. This past practice resulted in a rate deficiency at some irrigation projects. The BIA does not have discretionary funds to subsidize irrigation projects. Funding to operate and maintain these projects needs to come from revenues from the water users served by those projects.

Over the past several years, the BIA's irrigation program has been the subject of several Office of Inspector General (OIG) and GAO audits. In the most recent OIG audit, No. 96-I-641, March 1996, the OIG concluded: "Operation and maintenance revenues were insufficient to maintain the projects, and some projects had deteriorated to the extent that their continued capability to deliver water was in doubt. This occurred because operation and maintenance rates were not based on the full cost of delivering irrigation water, including the costs of systematically rehabilitating and replacing project facilities and equipment, and because project personnel did not seek regular rate increases to cover the full cost of project operation." A previous OIG audit performed on one of the BIA's largest irrigation projects, the Wapato Indian Irrigation Project, No. 95-I-1402, September 1995, reached the same conclusion.

To address the issues noted in these audits, the BIA must systematically review and evaluate irrigation assessment rates and adjust them, when necessary, to reflect the full costs to properly operate and perform all appropriate maintenance on the irrigation project or facility infrastructure to ensure safe and reliable operation. If this review and adjustment is not accomplished, a rate deficiency can accumulate. Rate deficiencies force the BIA to raise irrigation assessment rates in larger increments over shorter periods of time than would have been otherwise necessary.

### **How does the BIA respond to concerns regarding the role of the BIA's Central Office in managing projects and the costs associated with complying with federal regulations?**

The BIA must follow Federal regulations as it operates and maintains the projects under its ownership or control. Specifically, the BIA must follow Federal guidelines in hiring and compensating personnel to operate and manage irrigation projects. The BIA sets rates in accordance with the criteria identified above. The BIA Central Office does not unilaterally impose rate increases on projects. The BIA is reviewing various options for cost savings, including turning over projects or sections of projects to water users and sharing personnel between or among projects.

**How does the BIA respond to concerns regarding land owners without access to project water being assessed irrigation charges?**

As mentioned above, OIG and GAO performed audits on the BIA irrigation program and noted that the BIA has not set irrigation assessment rates at levels high enough to operate and maintain its irrigation projects. The BIA has been increasing rates to address this concern. Because rates were low for many years, numerous maintenance items were deferred. At some projects, this deferral resulted in the BIA's inability to deliver water to all users. To assist water users in this regard, the BIA updated its Irrigation Operations and Maintenance regulations, 25 CFR part 171, to allow a water user to apply for a waiver of irrigation assessment charges if the BIA is incapable of delivering water to that water user. To apply for this waiver, a water user must meet with local project staff.

**How does the BIA respond to concerns regarding the BIA's refusal to deliver water to water users with outstanding O&M charges?**

The BIA's irrigation regulations, 25 CFR part 171, require the BIA to withhold irrigation services from users who have delinquent debt with the BIA, including balances that have been referred to the United States Treasury.

**How does the BIA respond to comments regarding the BIA's trust responsibility in relation to projects?**

The BIA disagrees that increasing O&M rates for projects violates any trust duty. The BIA has no trust obligation to operate and maintain irrigation projects. *See, e.g., Grey v. United States*, 21 Cl. Ct. 285 (1990), *aff'd*, 935 F.2d 281 (Fed. Cir. 1991), *cert. denied*, 502 U.S. 1057

(1992). The BIA, pursuant to 25 U.S.C. section 381 *et seq.* and 25 CFR Part 171, has the responsibility to administer constructed projects, set rates, collect assessments, and make decisions regarding water delivery. The BIA must collect O&M assessments to operate and maintain the irrigation infrastructure on its projects. Over time, the costs of operating and maintaining these projects increases, and rates must be adjusted accordingly to enable the BIA to continue to provide irrigation services. Raising rates to reflect the full costs associated with operating and maintaining projects is essential because O&M rates are the only regular source of funding for the BIA's irrigation projects.

**How does the BIA response to the issue raised by users of the Wind River Irrigation Project, that O&M rates should not be adjusted until the re-designation study of the project's irrigable and assessable acreage is completed?**

The BIA levies assessments on lands to which its project is authorized and capable of delivering water. Thus, a parcel's irrigation history is immaterial to whether it is subject to an irrigation assessment. The Secretary may deem lands within a project non-assessable, in which case those lands may be removed from the project—permanently or temporarily—with the landowner's consent. 25 U.S.C. sections 389a, 389b. The redesignation study will not determine what O&M assessment the lands could support. The study only determines if the lands are irrigable and if they should remain assessable. The overall O&M assessment for a project is based on its total assessable acres. If the redesignation study recommends removing assessable acres from the project, the O&M assessment rate would

increase significantly for those acres remaining in the project. Until such time as the land re-designation study referenced by this commenter is finished, individual users may apply for an annual assessment waiver under 25 CFR part 171.

**Did the BIA receive comments on any proposed changes other than rate adjustments?**

No.

**Does this notice affect me?**

This notice affects you if you own or lease land within the assessable acreage of one of our irrigation projects, or you have a carriage agreement with one of our irrigation projects.

**Where can I get information on the regulatory and legal citations in this notice?**

You can contact the appropriate office(s) stated in the tables for the irrigation project that serves you, or you can use the Internet site for the Government Printing Office at <http://www.gpo.gov>.

**What authorizes you to issue this notice?**

Our authority to issue this notice is vested in the Secretary of the Interior by 5 U.S.C. section 301 and the Act of August 14, 1914 (38 Stat. 583; 25 U.S.C. 385). The Secretary has in turn delegated this authority to the Assistant Secretary—Indian Affairs under Part 209, Chapter 8.1A, of the Department of the Interior's Departmental Manual.

**Whom can I contact for further information?**

The following tables are the regional and project/agency contacts for our irrigation projects and facilities.

Project name	Project/agency contacts
<b>Northwest Region Contacts</b>	
Stanley Speaks, Regional Director, Bureau of Indian Affairs, Northwest Regional Office, 911 N.E. 11th Avenue, Portland, OR 97232-4169, Telephone: (503) 231-6702.	
Flathead Irrigation Project .....	Chuck Courville, Acting Superintendent, Flathead Agency Irrigation Division, P.O. Box 40, Pablo, MT 59855-0040, Telephone: (406) 675-2700.
Fort Hall Irrigation Project .....	Eric J. LaPointe, Superintendent, Alan Oliver, Supervisory General Engineer, Fort Hall Agency, P.O. Box 220, Fort Hall, ID 83203-0220, Telephone: (208) 238-2301.
Wapato Irrigation Project .....	Pierce Harrison, Project Administrator, Wapato Irrigation Project, P.O. Box 220, Wapato, WA 98951-0220, Telephone: (509) 877-3155.
<b>Rocky Mountain Region Contacts</b>	
Ed Parisian, Regional Director, Bureau of Indian Affairs, Rocky Mountain Regional Office, 316 North 26th Street, Billings, MT 59101, Telephone: (406) 247-7943.	
Blackfeet Irrigation Project .....	Stephen Pollock, Superintendent, Ted Hall, Irrigation Project Manager, Box 880, Browning, MT 59417, Telephones: (406) 338-7544, Superintendent, (406) 338-7519, Irrigation Project Manager.
Crow Irrigation Project .....	George Gover, Superintendent, Karl Helvik, Irrigation Project Manager, P.O. Box 69, Crow Agency, MT 59022, Telephones: (406) 638-2672, Superintendent, (406) 638-2863, Irrigation Project Manager.

Project name	Project/agency contacts
Fort Belknap Irrigation Project .....	Judy Gray, Superintendent, Ralph Leo, Irrigation Project Manager, R.R. 1, Box 980, Harlem, MT 59526, Telephones: (406) 353-2901, Superintendent, (406) 353-2905, Irrigation Project Manager.
Fort Peck Irrigation Project .....	Florence White Eagle, Superintendent, P.O. Box 637, Poplar, MT 59255, Richard Kurtz, Irrigation Manager, 602 6th Avenue North, Wolf Point, MT 59201, Telephones: (406) 768-5312, Superintendent, (406) 653-1752, Irrigation Manager.
Wind River Irrigation Project .....	Ed Lone Fight, Superintendent, Ray Nation, Acting Irrigation Project Manager, P.O. Box 158, Fort Washakie, WY 82514, Telephones: (307) 332-7810, Superintendent, (307) 332-2596, Irrigation Project Manager.

#### Southwest Region Contacts

Larry Morrin, Regional Director, Bureau of Indian Affairs, Southwest Regional Office, 1001 Indian School Road, Albuquerque, NM 87104, Telephone: (505) 563-3100.	
Pine River Irrigation Project .....	Ross P. Denny, Superintendent, John Formea, Irrigation Engineer, P.O. Box 315, Ignacio, CO 81137-0315, Telephones: (970) 563-4511, Superintendent, (970) 563-9484, Irrigation Engineer.

#### Western Region Contacts

Allen Anspach, Regional Director, Bureau of Indian Affairs, Western Regional Office, Two Arizona Center, 400 N. 5th Street, 12th floor, Phoenix, AZ 85004, Telephone: (602) 379-6600.

Colorado River Irrigation Project ....	Perry Baker, Superintendent, Ted Henry, Irrigation Project Manager, R.R. 1, Box 9-C, Parker, AZ 85344, Telephone: (928) 669-7111.
Duck Valley Irrigation Project .....	Joseph McDade, Superintendent, 1555 Shoshone Circle, Elko, NV 89801, Telephone: (775) 738-0569.
Fort Yuma Irrigation Project .....	Raymond Fry, Superintendent, P.O. Box 11000, Yuma, AZ 85366, Telephone: (520) 782-1202.
San Carlos Irrigation Project Joint Works.	Carl Christensen, Supervisory General Engineer, P.O. Box 250, Coolidge, AZ 85228, Telephone: (520) 723-6216.
San Carlos Irrigation Project Indian Works.	Joe Revak, Supervisory General Engineer, Pima Agency, Land Operations, Box 8, Sacaton, AZ 85247, Telephone: (520) 562-3372.
Uintah Irrigation Project .....	Lynn Hansen, Irrigation Manager, P.O. Box 130, Fort Duchesne, UT 84026, Telephone: (435) 722-4341.
Walker River Irrigation Project .....	Athena Brown, Superintendent, 311 E. Washington Street, Carson City, NV 89701, Telephone: (775) 887-3500.

#### What irrigation assessments or charges are adjusted by this notice?

The rate table below contains the current rates for all of our irrigation

projects where we recover our costs for operation and maintenance. The table also contains the final rates for the 2008 season and subsequent years where

applicable. An asterisk immediately following the name of the project notes that the BIA adjusted that project's rates for 2009.

#### NORTHWEST REGION RATE TABLE

Project name	Rate category	Final 2007 rate	Final 2008 rate	Final 2009 rate
Flathead Irrigation Project .....	Basic per acre—A .....	\$23.45	\$23.45	\$23.45
	Basic per acre—B .....	10.75	10.75	10.75
	Minimum Charge per tract .....	65.00	65.00	65.00
Fort Hall Irrigation Project* .....	Basic per acre .....	27.00	31.00	1
	Minimum Charge per tract .....	25.00	27.00	
Fort Hall Irrigation Project—Minor Units* .....	Basic per acre .....	17.00	21.00	
	Minimum Charge per tract .....	25.00	27.00	
Fort Hall Irrigation Project—Michaud* .....	Basic per acre .....	35.75	39.75	
	Pressure per acre .....	50.00	55.50	
	Minimum Charge per tract .....	25.00	27.00	
Wapato Irrigation Project—Toppenish/Simcoe Units*.	Billing Charge per Tract .....	5.00	5.00	5.00
	Minimum Charge for farm unit/land tracts up to one acre.	14.00	14.00	15.00
Wapato Irrigation Project—Ahtanum Units* .....	Farm unit/land tracts over one acre—per acre ....	14.00	14.00	15.00
	Billing Charge per Tract .....	5.00	5.00	5.00
	Minimum Charge for farm unit/land tracts up to one acre.	14.00	14.00	15.00
Wapato Irrigation Project—Satus Unit* .....	Farm unit/land tracts over one acre—per acre ....	14.00	14.00	15.00
	Billing Charge per Tract .....	5.00	5.00	5.00
	Minimum Charge for farm unit/land tracts up to one acre.	55.00	55.00	58.00
	“A” farm unit/land tracts over one acre—per acre	55.00	55.00	58.00
	Additional Works farm unit/land tracts over one acre—per acre.	60.00	60.00	63.00
	“B” farm unit/land tracts over one acre—per acre	65.00	65.00	68.00

## NORTHWEST REGION RATE TABLE—Continued

Project name	Rate category	Final 2007 rate	Final 2008 rate	Final 2009 rate
	Water Rental Agreement Lands—per acre .....	67.00	67.00	70.00

<sup>1</sup>To be determined.

Project name	Rate category	Final 2007 rate	Final 2008 rate
<b>Rocky Mountain Region Rate Table</b>			
Blackfeet Irrigation Project*	Basic-per acre .....	\$15.50	\$17.00
Crow Irrigation Project—Willow* Creek O&M (includes Agency, Lodge Grass #1, Lodge Grass #2, Reno, Upper Little Horn, and Forty Mile Units).	Basic-per acre .....	19.30	20.80
Crow Irrigation Project—All* Others (includes Bighorn, Soap Creek, and Pryor Units).	Basic-per acre .....	19.00	20.50
Crow Irrigation Two Leggings Drainage District .....	Basic-per acre .....	2.00	2.00
Fort Belknap Irrigation Project .....	Basic-per acre .....	13.88	13.88
Fort Peck Irrigation Project*	Basic-per acre .....	20.00	22.00
Wind River Irrigation Project*	Basic-per acre .....	15.00	16.00
Wind River Irrigation Project—LeClair District .....	Basic-per acre .....	17.00	17.00

## Southwest Region Rate Table

Pine River Irrigation Project .....	Minimum Charge per tract .....	50.00	50.00
	Basic-per acre .....	15.00	15.00

Project name	Rate category	Final 2007 rate	Final 2008 rate	Final 2009 rate
Colorado River Irrigation Project .....	Basic per acre up to 5.75 acre-feet .....	\$47.00	\$47.00	To be determined.
	Excess Water per acre-foot over 5.75 acre-feet.	17.00	17.00	
Duck Valley Irrigation Project .....	Basic-per acre .....	5.30	5.30	
Fort Yuma Irrigation Project* .....	Basic-per acre up to 5.0 acre-feet .....	72.00	77.00	
(See Note #1) .....	Excess Water per acre-foot over 5.0 acre-feet.	10.50	14.00	
	Basic-per acre up to 2.0 acre-feet (Ranch 5) .....		28.00	
San Carlos Irrigation Project (Joint Works) (See Note #2).	Basic-per acre .....	30.00	21.00	21.00
San Carlos Irrigation Project* (Indian Works)	Basic-per acre .....	77.00	57.00	To be determined.
Utah Irrigation Project* .....	Basic-per acre .....	12.00	12.50	
	Minimum Bill .....	25.00	25.00	
Walker River Irrigation Project* (See Note #3).	Indian per acre .....	10.00	13.00	16.00
	non-Indian per acre .....	16.00	16.00	16.00

\* Irrigation projects where rates were adjusted.

**Note #1**—The O&M rate for Fort Yuma Irrigation Project has two components. The first component is the O&M rate established by the Bureau of Reclamation (BOR), the owner and operator of the Project. The BOR rate for 2008 is \$70.00/acre. The second component is for the O&M rate established by the Bureau of Indian Affairs (BIA) to cover administrative costs including billing and collections for the Project. The 2008 BIA rate remains unchanged at \$7.00/acre. The 2008 BOR rate for "Ranch 5" is \$28.00/acre. In 2008, the BIA is not charging administrative costs on "Ranch 5" acreage. For 2009, the BIA will be proposing the addition of the \$7.00 BIA administrative fee to the "Ranch 5" acreage.

**Note #2**—The 2008 and 2009 rate was established by final notice published in the FEDERAL REGISTER on April 20, 2007 (Vol. 72, No. 76, page 19954). The 2010 rate is to be determined. The Arizona Water Settlement Act is expected to be effective December 31, 2007, and this circumstance may affect what the O&M rate should be for the SCIPJW in 2010.

**Note #3**—The 2008 and 2009 irrigation rates are established through this notice.

### Consultation and Coordination With Tribal Governments (Executive Order 13175)

To fulfill its consultation responsibility to tribes and tribal organizations the BIA communicates, coordinates, and consults on a continuing basis with these entities on issues of water delivery, water availability, and costs of administration, operation, maintenance, and rehabilitation of projects that concern them. This is accomplished at the

individual projects by Project, Agency, and Regional representatives, as appropriate, in accordance with local protocol and procedures. This notice is one component of the BIA's overall coordination and consultation process to provide notice to, and request comments from, these entities when the BIA adjusts irrigation rates.

### Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (Executive Order 13211)

The rate adjustments will have no adverse effects on energy supply, distribution, or use (including a shortfall in supply, price increases, and increase use of foreign supplies) should the proposed rate adjustments be implemented. This is a notice for rate adjustments at BIA-owned and operated projects, except for the Fort Yuma

Irrigation Project. The Fort Yuma Irrigation Project is owned and operated by the Bureau of Reclamation with a portion serving the Fort Yuma Reservation.

#### **Regulatory Planning and Review (Executive Order 12866)**

These rate adjustments are not a significant regulatory action and do not need to be reviewed by the Office of Management and Budget under Executive Order 12866.

#### **Regulatory Flexibility Act**

This rate making is not a rule for the purposes of the Regulatory Flexibility Act because it is "a rule of particular applicability relating to rates." 5 U.S.C. 601(2).

#### **Unfunded Mandates Reform Act of 1995**

These rate adjustments impose no unfunded mandates on any governmental or private entity and are in compliance with the provisions of the Unfunded Mandates Reform Act of 1995.

#### **Takings (Executive Order 12630)**

The Department has determined that these rate adjustments do not have significant "takings" implications. The rate adjustments do not deprive the public, state, or local governments of rights or property.

#### **Federalism (Executive Order 13132)**

The Department has determined that these rate adjustments do not have significant Federalism effects because they pertain solely to Federal-tribal relations and will not interfere with the roles, rights, and responsibilities of states.

#### **Civil Justice Reform (Executive Order 12988)**

In accordance with Executive Order 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

#### **Paperwork Reduction Act of 1995**

These rate adjustments do not affect the collections of information which have been approved by the Office of Information and Regulatory Affairs, Office of Management and Budget, under the Paperwork Reduction Act of 1995. The OMB Control Number is 1076-0141 and expires August 31, 2009.

#### **National Environmental Policy Act**

The Department has determined that these rate adjustments do not constitute

a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4370(d)).

Dated: May 16, 2008.

**Carl J. Artman,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. E8-12610 Filed 6-4-08; 8:45 am]

**BILLING CODE 4310-W7-P**

### **DEPARTMENT OF THE INTERIOR**

#### **Bureau of Land Management**

[WY-050-1310-DB]

#### **Notice of Intent To Prepare an Environmental Impact Statement (EIS) for the GMI Natural Gas Development Project, Fremont and Natrona Counties, WY**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Intent (NOI).

**SUMMARY:** The Bureau of Land Management (BLM) Lander Field Office announces its intent to prepare an EIS for a proposed conventional natural gas field development near Lysite, Wyoming. The proposed development project is known as the Gun Barrel/Madden and Iron Horse (GMI) Natural Gas Development Project and is located in Fremont and Natrona Counties, Wyoming.

**DATES:** This NOI initiates the public scoping process for the EIS. The purpose of the public scoping process is to determine relevant issues that will influence the scope of the environmental analysis and EIS alternatives. To provide the public with an opportunity to review the proposed project and project information, the BLM will host a meeting in Lander and a meeting in Casper, Wyoming, within 30 days of the publication of this notice. The BLM will notify the public of these meetings and any other opportunities for the public to be involved in the environmental process for this proposal at least 15 days prior to the event. Meeting dates, locations, and times will be announced by news release to the media, individual mailings, and postings on the following BLM Web site: <http://www.blm.gov/wy/st/en/info/NEPA/lfdocs/gmi.html>. To be most helpful, you should submit formal scoping comments within 30 days after this NOI is published.

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 publically 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. The minutes and list of attendees for each scoping meeting will be made available to the public and open for 30 days after the meeting to any participant who wished to clarify the views he or she expressed.

**ADDRESSES:** You may submit written comments by any of the following methods:

- Web site: <http://www.blm.gov/wy/st/en/info/NEPA/lfdocs/gmi.html>
- E-mail: 3Pam\_Olson@blm.gov
- Fax: 307-332-8444
- Mail: Lander Field Office, 1335 Main Street, Lander, WY 82520.

#### **FOR FURTHER INFORMATION CONTACT:**

Bureau of Land Management, Pam Olson, GMI Project Leader, Lander Field Office, 1335 Main Street, Lander, Wyoming 82520 or call (307) 332-8400, or send an electronic message to: [Pam\\_Olson@blm.gov](mailto:Pam_Olson@blm.gov).

**SUPPLEMENTARY INFORMATION:** Under Section 102(2)(C) of the National Environmental Policy Act (NEPA), the BLM Lander Field Office announces its intent to prepare an EIS on the potential impacts of a proposed natural gas field development, ancillary facilities, pipelines and roads. The project area is located in Fremont and Natrona Counties, Wyoming, and encompasses approximately 146,000 acres of land, the majority of which is public land administered by the BLM Lander Field Office. A small portion of the project area is administered by the BLM Casper Field Office.

In January 2008, oil and gas operators and proponents of the project, EnCana Oil & Gas (USA), Inc. (EnCana), Burlington Resources Oil and Gas Company LP (Burlington), and Noble Energy, Inc. (Noble) submitted a proposal to the BLM to develop approximately 1,470 wells near Lysite, Wyoming. The proposed project area consists of three units operated by three different companies: the Gun Barrel Federal Exploratory Unit (Encana), the Madden Deep Federal Exploratory Unit (Burlington), and the Iron Horse Federal Exploratory Unit (Noble).

The purpose of the proposal is to continue extracting and developing natural gas within these three units during a ten to fifteen year period. The proponents estimate that within the Gun Barrel Unit, an additional 750 natural gas wells may be drilled; within the