

*Paperwork Reduction Act*

These proposed supplementary rules do not contain information collection requirements that the Office of Management and Budget must approve under the Paperwork Reduction Act, Title 44 U.S.C. 3501 *et seq.*

### Supplementary Rules for the Hot Well Dunes Recreation Area, Graham County, Arizona

#### 1. Vehicle Rider Capacity

A person operating an off-road vehicle within the HWD Recreation Area shall ride only on the permanent, regular seat attached to the off-road vehicle. The operator of an off-road vehicle shall not carry any additional person(s) on an off-road vehicle unless the vehicle is designed and manufactured to carry such additional person(s). No person shall ride an off-road vehicle unless the vehicle is designed and manufactured to carry that person.

#### 2. Clinging to or Being Towed by a Vehicle

No person operating an off-road vehicle within the HWD Recreation Area shall attach the off-road vehicle to any object or person and tow such object or person. No person shall cling to, or be towed by, an off-road vehicle.

#### 3. Safety Flags

Safety flags are required on all off-road vehicles used within the HWD Recreation Area. An exception to this requirement is made for Recreation Vehicles (RVs), Sport Utility Vehicles (SUVs), pickup trucks, and passenger sedans. Safety flags must be brilliant orange or red in color, and at least six (6) inches by 12 inches in size. Masts must be securely mounted on the off-road vehicle and extend eight (8) feet from the ground to the mast tip. Safety flags must be firmly attached to the top portion of a mast.

#### 4. Vehicle Use

No off-road vehicle within the HWD Recreation Area will be allowed within areas enclosed by the metal, tube railings there or where signed as prohibited.

#### 5. Nudity

Public nudity within the HWD Recreation Area and, in particular, in the hot tubs there, is prohibited.

#### 6. Firearms and Archery

Archery and the discharge of firearms or other weapons, including pneumatic and spring-loaded BB guns and pellet guns, are prohibited within the HWD Recreation Area.

#### 7. Pets

Pets must be leashed or otherwise physically restricted at all times within the HWD Recreation Area.

#### 8. Speed Limit

The speed limit for off-road vehicles within the HWD Recreation Area is 10 miles per hour on the main access road and within 50 feet on either side of the main access road. The speed limit is also 10 miles per hour within 50 feet of a campsite or any concentration of three (3) or more people. Operating an off-road vehicle above this speed is prohibited.

#### 9. Camping

Camping within the HWD Recreation Area is not allowed within the designated parking area; within areas enclosed by metal, tube railings; or where signed as prohibited.

#### 10. Waste Disposal

Dumping of sewage or gray water is prohibited within the HWD Recreation Area.

#### 11. Length of Stay

To ensure that everyone has an opportunity to enjoy the area, camping is limited to 14 days within any 28-day period.

#### Penalties

Under the Federal Land Policy and Management Act of 1976 (Title 43 U.S.C. 1733(a)), 43 CFR 8365.1-6, and 43 CFR 8360.0-7, persons who violate any of these supplementary rules are subject to arrest and, upon conviction, may be fined up to \$1,000 and/or imprisoned for not more than 12 months, and may be subject to the enhanced penalties under Title 18 U.S.C. 3571.

Dated: October 8, 2008.

**Helen M. Hankins,**

*Acting Arizona State Director.*

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**BILLING CODE 4310-32-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Availability of an Environmental Assessment on a Proposed Transfer of Jurisdiction of a Portion of Fort Dupont Park, Washington, DC

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

**ACTION:** Notice of Availability of an Environmental Assessment for the transfer of jurisdiction to the District of

Columbia of a portion of Fort Dupont Park.

**SUMMARY:** In accordance with Sec. 102(2)(C) of the National Environmental Policy Act, 42 U.S.C. 4321 *et seq.*, (NEPA), and the National Park Service's Director's Order 12: *Conservation Planning, Environmental Impact Analysis, and Decision-making*, the National Park Service (NPS) has prepared an Environmental Assessment (EA) for transferring jurisdiction of a portion of NPS property within Fort Dupont Park, one of the Fort Circle Parks, to the District of Columbia (District) for recreational development and uses, and resulting in the possible amendment of the NPS' 2004 Final Management Plan for Fort Circle Parks (*Management Plan*).

**DATES:** Public comment on the EA will be accepted until November 17, 2008.

**ADDRESSES:** Comments may be submitted through the Planning, Environment and Public Comment (PEPC) Web site at <http://parkplanning.nps.gov/NACE> or by mail to: Superintendent, National Capital Parks-East, RE: Fort Dupont Park Land Transfer Proposal, 1900 Anacostia Drive, SE., Washington, DC 20020.

Before including your address, phone number, e-mail 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.

#### FOR FURTHER INFORMATION CONTACT:

Gayle Hazelwood, Superintendent, National Capital Parks-East, RE: Fort Dupont Park Land Transfer Proposal, at 1900 Anacostia Drive, SE., Washington, DC 20020 or by telephone at (202) 690-5127, or by e-mail at [gayle\\_hazelwood@nps.gov](mailto:gayle_hazelwood@nps.gov).

**SUPPLEMENTARY INFORMATION:** The NPS is considering transferring jurisdiction to the District over a 15-acre parcel at one end of Fort Dupont Park (the Project Area), that is currently used for recreational purposes. The transfer would facilitate the development of new recreational facilities and programs in the Project Area by the District, including a proposal to create a baseball academy for area youth and another to expand an existing indoor ice skating arena. The District's proposal would involve the help of private-sector partners. If the decision is made to go forward with this transfer, it would

occur pursuant to U.S. Code Title 40 Section 8124 (40 U.S.C. 8124), which authorizes transfers of jurisdiction in the District of Columbia. The 376-acre Fort Dupont Park is one of the Civil War Defenses of Washington and is one of the Fort Circle Parks managed by the NPS. In 2004, the NPS completed the Management Plan and an action to transfer these lands to the District would likely result in amendment of that plan.

The EA studies the potential impacts of the proposed transfer to the District, of the approximately 15 acres situated on the north side of Fort Dupont Park along Ely Place in Southeast Washington, DC. In addition to the indoor ice skating arena, the Project Area contains ballfields, basketball and tennis courts and a parking lot, among other features. The Project Area is not in an area of Fort Dupont Park that is associated with the Civil War Defense of Washington, and does not contain earthworks or other historic or archeological resources. Once transferred, the Project Area would no longer be part of the Park and no longer be managed or administered by the NPS.

The NPS is using this EA to decide whether to go forward with this transfer to the District, and the EA contains the information currently known about the District's plans for the Project Area if the transfer does occur. The EA evaluates two alternatives: The no action alternative (Alternative 1), and the preferred alternative (Alternative 2), which proposes to transfer jurisdiction of the Project Area to the District. Alternative 2, to transfer jurisdiction, provides four separate options for the possible configuration of the Fort Dupont Ice Arena expansion and three separate options on how the proposed Youth Baseball Academy facilities could be configured on the site, with one option that maintains the multi-purpose sports field within the Project Area.

Under Alternative 2, the Fort Dupont Ice Arena would be expanded to approximately twice its current size and a Youth Baseball Academy would be established on site. The Youth Baseball Academy would require the construction of a building to support administrative functions and three ball fields, including one regulation sized baseball field, two softball fields, and associated parking. One of the options presented under Alternative 2 also includes a multi-purpose sports field such as a football/soccer field. The three existing basketball courts and four existing tennis courts located within the Project Area would remain, with responsibility for the facilities there, including the indoor ice skating arena

transferred from NPS to the District along with the land which would no longer be part of Fort Dupont Park. The transfer of jurisdiction would necessitate amending the Management Plan, which provides a managerial framework for decisions about use and development within the Fort Circle Parks, including Fort Dupont Park. On the other hand, under Alternative 1, which is the no action alternative, the current layout, condition, and management of Fort Dupont Park would not change. The proposed development would not occur and the Management Plan would not be amended.

Information and comments gathered during public meetings and an extended scoping period were considered in the preparation of this EA to identify the range of issues and potential impacts of this proposed action. The NPS also coordinated and consulted with the District and federal agencies to identify issues and concerns related to the natural and cultural resources.

Dated: October 6, 2008.

**Lisa A. Mendelson-Ielmini,**

*Regional Director, National Capital Region.*

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**BILLING CODE 4312-JU-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **General Management Plan: Lava Beds National Monument, Siskiyou and Modoc Counties, CA; Notice of Termination of the Environmental Impact Statement**

**SUMMARY:** The National Park Service is terminating the preparation of an Environmental Impact Statement (EIS) for the General Management Plan, Lava Beds National Monument, Tulelake, California. A Notice of Intent to prepare an EIS was published in the **Federal Register** on July 10, 2006. The National Park Service has since determined that an Environmental Assessment (EA) rather than an EIS is the appropriate environmental documentation for the GMP; this determination includes careful consideration of all public and other agencies' comments during the scoping period. The new GMP for Lava Beds National Monument will update long-term guidance for resource management, visitor services and interpretive programming.

**Background:** The planning team originally scoped the GMP update as an EIS, however no concerns or issues expressed during public scoping and preliminary development of the GMP alternatives convey either the potential

for controversy or identify potential significant impacts. In summer of 2007, the planning team drafted three "action" alternatives for the GMP. These preliminary alternatives explored ways to enhance long-term preservation of park resources and provide new recreational and educational opportunities. The planning team produced a newsletter and comment form to seek public input on the preliminary alternatives in winter of 2008. All feedback consistently affirmed that the planning team provided an appropriate range of future management directions for the monument. Most of the public comments on the preliminary alternatives were supportive of various aspects of the proposed "action" concepts and desired conditions.

To date, no major concerns or issues have been expressed during public involvement for the GMP that would convey the potential for public controversy. Initial analysis of the alternatives has revealed potential for neither major nor significant effects on the human environment or any potential for impairing park resources and values. Most of the potential impacts from the alternatives are expected to be negligible to moderate in magnitude. Many of the actions proposed in the GMP will have benefits to the monument's ecosystems, cultural landscapes and visitor experiences. For these reasons, the NPS determined the appropriate level of conservation planning and environmental impact analysis for the GMP is an EA.

**SUPPLEMENTARY INFORMATION:** The draft GMP and EA will be integrated. The combined document is expected to be distributed for a 60-day public review period by spring/summer of 2009. The NPS will notify the public by mail, Web site postings, local and regional media, and other means, to provide regularly updated information on where and how to obtain a copy of the GMP/EA, how to provide comments, and the confirmed dates and locations for local public meetings. For further information contact Dave Kruse, Superintendent, Lava Beds National Monument, 1 Indian Well Headquarters, Tulelake, CA 96134 (telephone: 530-667-8101; e-mail: [Dave\\_Kruse@nps.gov](mailto:Dave_Kruse@nps.gov)).

Following release of the GMP/EA and due consideration of all comments as may be received, a decision regarding selection of a preferred vision for the new GMP is expected to be made in winter 2009/2010. The official responsible for the final decision is the Regional Director, Pacific West Region, National Park Service. Subsequently the official responsible for implementing