

identification for the purpose of purchasing an alcoholic beverage.

§ 2. General Penalties. Any person found to have violated this Ordinance shall be subject to a civil penalty of not more than five hundred dollars (\$500.00) for the first such violation. The Authority may adopt by separate rule or regulation a schedule of fines for each type of violation, taking into account its seriousness and the threat it may pose to the general health and welfare of tribal members and to patrons of the Tribe's business establishment(s). Such schedule may also provide, in the case of repeated violations, for imposition of monetary penalties greater than the five hundred dollar (\$500.00) limitation set forth above. The penalties provided for herein shall be in addition to any criminal penalties which may be imposed by federal, state or Tribal law.

§ 3. Identification—Proof of Minimum Age. Where there may be a question of a person's right to purchase liquor by reason of his or her age, such person shall be required to present anyone of the following officially issued cards of identification which shows correct age and bears his/her signature and photograph:

- (a) A valid driver's license or identification card issued by any State.
- (b) United States Active Duty Military identification.
- (c) Passport.

§ 4. Contraband. Any alcoholic beverage possessed contrary to the terms of this Ordinance is declared to be contraband. Any tribal officer, employee, or other agent of any kind who is authorized by the Tribal Council to enforce this Ordinance shall seize all such contraband, and shall preserve that contraband or cause it to be preserved in accordance with the provisions established for the preservation of impounded property under applicable Tribal law, or, in the absence of such Tribal law, under California law. Upon being found in violation of this Ordinance by the Tribal Court, or in the absence of a Tribal Court by a majority of the Tribal Council, the party from whom the contraband was seized shall forfeit all right, title and interest in the item(s) seized, which shall become the property of the Tribe.

#### Article VII. Abatement

§ 1. Declaration of Nuisance. Any room, house, building, vehicle, structure, or other place where liquor is sold, manufactured, bartered, exchanged, given away, furnished, or otherwise disposed of in violation of the provisions of this Ordinance or of any other tribal law or regulation relating to the manufacture, importation,

transportation, possession, distribution, or sale of liquor, and all property kept in and used in maintaining such place, are hereby declared to be a common nuisance.

#### § 2. Institution of Action.

The Chair of the Authority or, if the Chair of the Authority fails or refuses to do so, the Chair of the Tribal Council, shall institute and maintain an action in the proper court in the name of the Tribe to abate and perpetually enjoin any nuisance declared under this Ordinance. Restraining orders, temporary injunctions, and permanent injunctions may be granted in the cause as in other injunction proceedings, and upon final judgment against the defendant the Court may also order the room, house, building, vehicle, structure, or place closed for a period of one year or until the owner, lessee, tenant, or occupant thereof shall give bond of sufficient sum (but in any event not less than \$10,000) payable to the Tribe and conditioned that liquor thereafter will not be manufactured, kept, sold, bartered, exchanged, given away, furnished, or otherwise disposed of thereof in violation of the provisions of this Ordinance or any other applicable Tribal law, and that such person will pay all fines, costs and damages assessed for any violation of this Ordinance or any other Tribal law or regulation pertaining to alcohol. If any condition of the bond be violated, the whole amount may be recovered for the use of the Tribe.

§ 3. Prima Facie Evidence of Nuisance. In all cases where any person has been found responsible for a violation of this Ordinance relating to the manufacture, importation, transportation, possession, distribution, or sale of liquor, an action may be brought to abate as a nuisance any real estate or other property involved in the violation of the Ordinance and violation of this Ordinance shall be prima facie evidence that the room, house, building, vehicle, structure, or place against which such action is brought is a public nuisance.

#### Article VIII. Severability and Effective Date

§ 1. If any provision or application of this Ordinance is determined by a court of competent jurisdiction to be invalid, such adjudication shall not be held to render ineffectual the remaining portions of this Ordinance or to render such provisions inapplicable to other persons or circumstances.

§ 2. This Ordinance shall be effective on such date as the Secretary of the Interior certifies this Ordinance and

publishes the same in the **Federal Register**.

§ 3. Any and all prior enactments of the Tribal Council which are inconsistent with the provisions of this Ordinance are hereby rescinded.

§ 4. All acts and transactions under this Ordinance shall be in conformity with the laws of the State of California as that term is used in 18 U.S.C. 1161.

#### Article IX. Amendment

This Ordinance may be amended only by a majority vote of the Tribal Council.

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### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

[NM 120-06-1610-DQ]

#### Notice of Availability of the Socorro Proposed Resource Management Plan and Final Environmental Impact Statement

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

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969 and the Federal Land Policy and Management Act of 1976, the Bureau of Land Management (BLM) has prepared the Socorro Proposed Resource Management Plan/Final Environmental Impact Statement (PRMP/FEIS) for the Socorro Field Office in New Mexico.

**DATES:** BLM Planning Regulations (43 CFR 1610.5-2) state that any person who meets the conditions as described in the regulations may protest the BLM's Proposed RMP. A person who meets the conditions and files a protest must file the protest within 30 days of the date that the Environmental Protection Agency publishes this notice in the **Federal Register**.

**ADDRESSES:** Copies of the Socorro PRMP/FEIS have been sent to affected Federal, state, and local government agencies and to interested parties. Copies of the PRMP/FEIS are available for public inspection at the Socorro Field Office. Interested persons may also review the PRMP/FEIS on the Internet at <http://www.nm.blm.gov>.

**FOR FURTHER INFORMATION CONTACT:** Kevin I. Carson, Socorro Field Office, 901 S. Highway 85, Socorro, New Mexico 87801; or by telephone at (575) 838-1280; fax at (575) 835-0223; or e-mail at [nm\\_comments@nm.blm.gov](mailto:nm_comments@nm.blm.gov).

**SUPPLEMENTARY INFORMATION:** The planning area encompasses all lands,

regardless of jurisdiction, within Socorro and Catron counties, New Mexico, totaling 8.7 million acres. The decision area for the PRMP/FEIS includes 1.5 million acres of BLM-administered lands and 6.1 million acres of Federal mineral estate located in both counties. Until the Record of Decision on the PRMP/FEIS is signed, these lands and minerals will be managed in accordance with the 1989 Socorro Resource Management Plan and subsequent amendments.

The PRMP/FEIS describes the physical, cultural, historic, and socioeconomic resources in and around the planning area and documents the direct, indirect, and cumulative environmental impacts of four alternatives for BLM-administered lands and resources within the planning area. The impact analysis focuses on resource issues and concerns identified during

scoping and public involvement activities. Issues identified during scoping (not in priority order) and from public comment were related to special designations, soil and vegetation conditions, transportation and access, energy development, land use, and recreation and heritage tourism opportunities.

A summary of the four alternatives in the PRMP/FEIS are as follows. The No-Action Alternative, Alternative A, represents the continuation of existing management, which is defined by the 1989 Socorro RMP and subsequent amendments. Alternative B, the BLM's proposed alternative, proposes managing the public lands for multiple uses and sustaining the health, diversity, and productivity of the lands for present and future generations. Alternative C emphasizes resource protection, while Alternative D

emphasizes commodity production and use, while still complying with applicable laws, regulations, and BLM policies. Within all alternatives, Areas of Critical Environmental Concern (ACECs) have been identified to protect certain resources. The proposed alternative has identified the following ACECs due to their significant cultural, scenic, or natural values: Cerro Pomo, Horse Mountain, Ladron Mountain Devil's Backbone Complex, Mockingbird Gap, Pelona Mountain, Sawtooth, and Zuni Salt Lake. After the Draft RMP/EIS was released to the public, acreage corrections were made to the following proposed ACECs to address geographical information system data errors. These errors affected only the Alternative B acreages for the Cerro Pomo ACEC and the Tinajas ACEC. The corrections are shown in the table below.

	Draft RMP/EIS	Proposed RMP/EIS
Cerro Pomo ACEC .....	26,284 acres .....	28,248 acres.
Tinajas ACEC .....	1,062 acres .....	0 acres.

(For additional information on management restrictions and acreage figures for each ACEC refer to Chapter 2 of the PRMP/FEIS.) These corrections do not represent a change in the management of the lands that were evaluated in the Draft RMP/EIS. The Draft RMP/EIS was released to the public for a 90-day comment period in April 2007. The BLM hosted public meetings in Datil and Socorro, New Mexico, to answer questions about the document, as well as to solicit comments from the public. Public comments on the Draft RMP/EIS are on file and available for public review at the address listed above. Public comments on the Draft RMP/EIS resulted in the addition of clarifying text in the PRMP/FEIS, but did not substantively change the proposed decisions in the preferred alternative.

Instructions for filing a protest with the Director of the BLM regarding the PRMP/FEIS may be found in the Dear Reader Letter of Socorro Proposed Resource Management Plan and Final Environmental Impact Statement and at 43 CFR 1610.5-2. E-mail and faxed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, the BLM will consider the e-mail or faxed protest as an advance copy and it will receive full consideration. If you wish to provide

the BLM with such advance notification, please direct faxed protests to the attention of the BLM protest coordinator at (202) 452-5112, and e-mailed protests to [Brenda\\_Hudgens-Williams@blm.gov](mailto:Brenda_Hudgens-Williams@blm.gov).

All protests including the follow up letter (if e-mailing or faxing) must be in writing and must be mailed to the following address:

Regular Mail: Overnight Mail:  
Director (210), Attention: Brenda Williams, P.O. Box 66538, Washington, DC 20035.

Overnight Mail: Director (210), Attention: Brenda Williams, 1620 L Street, NW., Suite 1075, Washington, DC 20036.

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

**Ron Dunton,**

*New Mexico Deputy State Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Northwest Area Water Supply Project, ND

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of availability of Final Environmental Impact Statement (Final EIS) on Water Treatment.

**SUMMARY:** Pursuant to the National Environmental Policy Act of 1969 (NEPA), the Bureau of Reclamation (Reclamation) is notifying the public that Reclamation has prepared a Final EIS on Water Treatment for the Northwest Area Water Supply Project (Project). The proposed action is to construct a biota water treatment plant for the Project to treat the source water from Lake Sakakawea before it is delivered into the Hudson Bay basin. The Final EIS provides information and analyses related to four water treatment alternatives that would further reduce the risk of a Project-related biological invasion from the Missouri River basin into the Hudson Bay basin. Reclamation published a Draft EIS on December 21, 2007. The public comment period continued through March 26, 2008. Revisions were made in the Final EIS to incorporate responses to comments and identify the preferred alternative and the associated cost estimate. However, these revisions do not significantly