

consultation with local residents, to assess whether sea gull eggs can be collected in the park on a limited basis without impairing the biological sustainability of the gull population in the park. The Act further requires that if the study determines that the limited collection of sea gull eggs can occur without impairing the biological sustainability of the gull population in the park, the Secretary shall submit recommendations for legislation to Congress. Sea gull eggs cannot be collected absent legislation.

NPS commissioned ethnographic and biological studies to inform the analysis included in this draft LEIS. The draft LEIS considers a reasonable range of alternatives based on project objectives, park resources and values, and public input that include:

*Alternative 1 (No Action):* This alternative would not propose legislation to authorize the harvest of glaucous-winged gull eggs in Glacier Bay National Park. Glaucous-winged gulls would continue to breed in Glacier Bay without human disturbance.

*Alternative 2:* This alternative would propose legislation to authorize harvest of glaucous-winged gull eggs at up to two designated locations on a single pre-selected date on or before June 9 of each year. Approximately 12 tribal members would have the opportunity to harvest eggs each year.

*Alternative 3 (NPS Preferred Alternative):* Alternative 3 would propose legislation to authorize harvest of glaucous-winged gull eggs at several designated locations in Glacier Bay National Park on two separate dates. The first harvest would occur on or before June 9th; a second harvest at the same sites would occur within nine days of the first harvest. The logistics of vessel transportation would limit the number of sites that could be visited in a given day. Depending on weather and other conditions, as well as the sites selected, harvest would likely occur at three to four sites. Approximately 24 tribal members would have the opportunity to harvest eggs each year.

Both action alternatives would propose legislation authorizing the management of harvest activities under the guidelines of a harvest management plan cooperatively developed by the NPS and the HIA. NPS would conduct monitoring activities to ensure that park resources and values were not impacted. The Superintendent would retain the authority to close gull colonies to harvest.

Public hearings are scheduled in Alaska at the following locations: Anchorage, Juneau, Gustavus, and Hoonah, Alaska. The specific dates and

times of the meetings and public hearings will be announced in local media.

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 to withhold your personal identifying information from public review we cannot guarantee that we will be able to do so. We will always make submissions from organizations or businesses, and from individuals identifying themselves as representatives of or officials of organizations or businesses, available for public inspection in their entirety.

Dated: October 17, 2008.

**Sue E. Masica,**

*Regional Director, Alaska.*

[FR Doc. E8-30133 Filed 12-18-08; 8:45 am]

**BILLING CODE 4312-HX-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Draft General Management Plan Amendment/Environmental Impact Statement, Petrified Forest National Park, Arizona**

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

**ACTION:** Notice of Termination of Environmental Impact Statement for the General Management Plan, Petrified Forest National Park, in favor of an Environmental Assessment.

**SUMMARY:** The National Park Service (NPS) is terminating preparation of an Environmental Impact Statement (EIS) for the General Management Plan amendment, Petrified Forest National Park, Arizona. A Notice of Intent to prepare the EIS for the Petrified Forest National Park General Management Plan Amendment was published at 72 FR 159, pages 46244 and 46245, August 17, 2007. The National Park Service has since determined that an Environmental Assessment (EA) rather than an EIS is the appropriate level of environmental documentation for the plan.

**SUPPLEMENTARY INFORMATION:** The Petrified National Park Expansion Act of 2004 (Pub. L. 108-430) added approximately 125,000 acres in private and other agency ownership to the existing Petrified Forest National Park, and directed the National Park Service to develop a plan to manage the addition lands. A general management plan amendment will establish the

overall management direction of the addition lands for the next 15 to 20 years. The plan amendment was originally scoped as an EIS. Publication of the **Federal Register** Notice was followed with a newsletter to affected agencies and interested parties, and a public meeting in Holbrook, Arizona. However, few comments were received during the scoping process. The NPS planning team has developed two alternative management concepts for the addition lands. The “*No-Action*” concept would allow for the continuation of existing conditions, and the addition lands would remain a mix of private, state, and NPS ownership, with a small proportion of those lands owned and managed by the NPS. Current land uses, activities, and structures would remain, and resources would not necessarily be well protected.

The “*Preferred*” concept would allow for cautious NPS management of addition lands within NPS jurisdiction, while gathering as much information about them as possible. Resource inventories, condition assessments, and research would be conducted to increase understanding of the addition lands. This concept provides for a higher level of resource protection than the *No-Action* concept. These management concepts will be expanded upon and refined through the planning/environmental assessment process.

**DATES:** The NPS will notify the public by mail, Web site, and other means, of public review periods and meetings associated with the draft GMP amendment/EA. All public review and other written public information will be made available online at <http://parkplanning.nps.gov/pefo>.

**FOR FURTHER INFORMATION CONTACT:** Cliff Spencer, Superintendent, Petrified Forest National Park, P.O. Box 2217, Petrified Forest, Arizona 86028; telephone, (928) 524-6228, extension 225; e-mail [cliff\\_spencer@nps.gov](mailto:cliff_spencer@nps.gov).

Dated: December 8, 2008.

**Michael D. Snyder,**

*Regional Director, Intermountain Region, National Park Service.*

[FR Doc. E8-30135 Filed 12-18-08; 8:45 am]

**BILLING CODE 4310-TV-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### **Southern Delivery System, Colorado**

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

**ACTION:** Notice of Availability of Southern Delivery System Final

Environmental Impact Statement, Colorado.

**SUMMARY:** Pursuant to the National Environmental Policy Act of 1969 (NEPA), the Bureau of Reclamation (Reclamation), in cooperation with the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Bureau of Land Management, and U.S. Fish and Wildlife Service, has prepared and made available to the public a final environmental impact statement (Final EIS) for the proposed Southern Delivery System (SDS) project. The non-federal Project Participants (City of Colorado Springs, City of Fountain, Security Water District, and Pueblo West Metropolitan District) have made a request to Reclamation to issue long term excess capacity, conveyance, and exchange contracts for the use of Frypan-Arkansas Project facilities. Reclamation needs to decide if the requested contracts will be issued. The Project Participants' purpose is to provide a safe, reliable, and sustainable water supply for their customers through the foreseeable future. The Project Participants' needs are the following:

- The Project Participants have a need to use developed and undeveloped water supplies to meet most or all projected future demands through 2046.
- The Project Participants have a need to develop additional water storage, delivery, and treatment capacity to provide system redundancy.
- The Project Participants have a need to perfect and deliver their existing Arkansas Basin water rights. Reclamation published a Draft EIS on February 29, 2008. Reclamation published a Supplemental Information Report on October 3, 2008 to update and provide additional information that was not in the Draft EIS. Revisions were made to the Final EIS to incorporate additional analyses presented in the Supplemental Information Report, and responses to comments on the Draft EIS and Supplemental Information Report. The Final EIS includes written responses to all public comments on both the Draft EIS and Supplemental Information Report. It also identifies the Participants' Proposed Action as Reclamation's preferred alternative.

**DATES:** Reclamation will not make a decision on the proposed action until at least 30 days after the release of the Final EIS. After the 30-day waiting period, Reclamation will complete a Record of Decision (ROD). The ROD will indicate the action selected for implementation and will discuss factors

and rationale used in making the decision.

**ADDRESSES:** Ms. Kara Lamb, Bureau of Reclamation, Eastern Colorado Area Office, 11056 W. County Road 18E, Loveland, CO 80537-9711; telephone (970) 663-3212; facsimile (970) 962-4326; e-mail: [klamb@gp.usbr.gov](mailto:klamb@gp.usbr.gov). The Draft EIS, Supplemental Information Report, and Final EIS, are also available on the project Web site at: <http://www.sdseis.com>.

**SUPPLEMENTARY INFORMATION:** The Final EIS considers six action alternatives and a no action alternative:

- The No Action Alternative represents the most likely future water development project in the absence of a major Reclamation action.
  - The Participants' Proposed Action represents the Southern Delivery System project as the Participants propose to construct and operate it.
  - The Wetland Alternative was developed to minimize the wetland acres disturbed.
  - The Arkansas River Alternative was developed to provide both the highest minimum flow in the Arkansas River through Pueblo and minimize water quality effects on the lower Arkansas River.
  - The Fountain Creek Alternative was developed to minimize geomorphic and water quality effects on Fountain Creek by minimizing the use of Fountain Creek for receiving and conveying reusable return flows on the Arkansas River.
  - The Downstream Intake Alternative would use an untreated water intake from the Arkansas River downstream of Fountain Creek.
  - The Highway 115 Alternative would convey untreated water through a pipeline that generally follows Colorado 115 between the Arkansas River and Colorado Springs.
- Copies of the Final EIS are available at the following locations:
- Bureau of Reclamation, Eastern Colorado Area Office, 11056 W. County Road 18E, Loveland, CO 80537.
  - Buena Vista/ North Chaffee County Library, 131 Linderman Avenue, Buena Vista, CO 81211.
  - Cañon City Public Library, 516 Macon Avenue, Cañon City, CO 81212.
  - Pikes Peak Library District—Penrose Library, 20 N Cascade Avenue, Colorado Springs, CO 80903.
  - Pueblo City-County Library District, 100 E Abriendo Avenue, Pueblo, CO 81004.
  - Woodruff Memorial Library, 522 Colorado Avenue, La Junta, CO 81050.

Dated: December 9, 2008.

**Bobbi C. Sherwood-Widmann,**

*Acting Assistant Regional Director, Great Plains Region.*

[FR Doc. E8-29565 Filed 12-18-08; 8:45 am]

**BILLING CODE 4310-MN-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-662]

### In the Matter of Certain Tunable Laser Chips, Assemblies and Products Containing Same; Notice of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on November 7, 2008, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of JDS Uniphase Corporation of Milpitas, California. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation, of certain tunable laser chips, assemblies, and products containing same that infringes certain claims of U.S. Patent Nos. 6,658,035 and 6,687,278. The complaint, as supplemented, further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for