

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****Notice of Availability of Final Environmental Impact Statement for Livestock Grazing and Prairie Dog Management for the Rosebud and Cheyenne River Sioux Reservations in South Dakota**

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

**ACTION:** Notice.

**SUMMARY:** This notice advises the public that a Final Environmental Impact Statement (FEIS) for proposed livestock grazing and prairie dog management for the Rosebud and Cheyenne River Sioux Reservations in South Dakota is available for final public review. This notice is furnished as required by the National Environmental Policy Act (NEPA) Regulations (40 CFR 1503 and 1506.9) to obtain comments from government agencies and the public on the FEIS.

**DATE:** Send comments on or before April 19, 1995.

**ADDRESSES:** *Send comments to:* Mr. Donald Whitener, Acting Area Director, Bureau of Indian Affairs, Aberdeen Area Office, 115 4th Avenue SE., Aberdeen, South Dakota 57401. Fax (605) 226-7446.

**FOR FURTHER INFORMATION CONTACT:** Mr. Wayland Lilly, Bureau of Indian Affairs, Aberdeen Area Office, 115 4th Avenue SE., Aberdeen, South Dakota 57401. Telephone (605) 226-7621. Fax (605) 226-7358. Copies of the FEIS are available at this address. All agencies and individuals who participated in the scoping process and public hearings have been sent copies.

**SUPPLEMENTARY INFORMATION:** In 1991, the Bureau of Indian Affairs (BIA) reviewed tribal council proposals to poison black-tailed prairie dogs on the Cheyenne River and Rosebud Sioux Reservations. An Environmental Assessment (EA) and a Biological Assessment were prepared, pursuant to NEPA and to the Endangered Species Act (ESA), respectively. Because of insufficient personnel, time, and funds, the BIA was unable to meet U.S. Fish and Wildlife Service (USFWS) and NEPA requirements for analyzing impacts on prairie dog/black-footed ferret habitat and threatened and endangered species, such as the bald eagle, peregrine falcon, and American

burying beetle. The BIA, therefore, only investigated the effects of prairie dog poisoning programs proposed by the tribal councils.

The BIA initiated the EIS with a Notice of Intent in the **Federal Register** on November 18, 1992, after the USFWS issued an opinion that the proposed poisoning programs would jeopardize the endangered, black-footed ferret. The draft EIS was published in June 1994 (**Federal Register**, June 16, 1994).

Public involvement in scoping included three (3) open meetings on each reservation, radio and newspaper announcements, and direct mailings of scoping notices. The 60-day comment period on the draft EIS ended on August 20, 1994. Eleven (11) Federal, state, and local agencies, ten (10) organizations, and twelve (12) individuals provided comments. Some of these were submitted by letter, in response to extensive mailings of the draft EIS, summary, and availability notices. Others were delivered orally, at the public hearing on the draft held on each reservation. Most comment addressed the proposed action for the Rosebud Reservation.

The BIA received the draft Biological Opinion for comment from the USFWS on November 10, 1994. The Aberdeen Area Office responded with concerns regarding BIA trust responsibilities towards tribes and the implementation of reasonable and prudent alternatives and conservation measures. The final Biological Opinion was issued on December 29, 1994.

The alternatives for the Cheyenne River Reservation include No Action (current management); a Proposed Action (Prairie Management Plan); four alternatives that would preserve approximately 10,000 acres of prairie dogs on Indian trust lands along the Moreau River while treating various proportions of prairie dog acreage on trust lands away from the river; and a fifth alternative that would treat half of the prairie dog acres on the reservation, including those along the Moreau River.

Alternatives for the Rosebud Reservation include No Action; a Proposed Action that would treat 100 percent of prairie dog acres on Indian trust lands; an alternative that would not treat prairie dogs within the 7,416-acre Corn Creek Management Area (CCMA), but would treat 100 percent of prairie dog acres outside the CCMA; and an alternative that also would treat all prairie dog towns outside the CCMA,

but would limit those on trust lands within the CCMA to a single treatment.

All action alternatives for both reservations include grazing management systems.

The preferred alternative for Cheyenne River is the Proposed Action, which consists of the tribal Prairie Management Plan. This would restore the prairie ecosystem to a more natural state, in which prairie dog populations and other wildlife species coexist with livestock production. The plan includes: (1) A grazing management system that would increase water development and fencing to improve cattle distribution; (2) funding for habitat set-asides, to compensate landowners for retaining prairie dog colonies in order to maintain biodiversity and enhance black-footed ferret populations, should the ferret be reintroduced; (3) conservation measures for threatened and endangered species; (4) education of permittees, landowners, tribal and BIA land managers, and the public on the use and benefits of proposed management techniques; and (5) limitations on the control of prairie dogs in certain areas, such as cemeteries, pow wow grounds, and near residences.

The preferred alternative for Rosebud is the Proposed Action. This consists of a plan that would restore the prairie ecosystem to where prairie dog populations are maintained at levels that improve range conditions for livestock production, and thus increase income to the tribe and to Indian landowners. It includes: (1) A grazing management system that would increase water development, fencing, mechanical treatments, and planting to improve cattle distribution; (2) use of zinc phosphide to eradicate black-tailed prairie dogs on 100% (45,000 acres) of trust lands, with additional treatments in the third and fifth year following to ensure complete control; and (3) safety and environmental mitigation measures, as listed on pages 3-14 through 3-15 of the DEIS, for the use of zinc phosphide. The black-footed ferret is not considered in this alternative, in deference to a Rosebud Sioux Tribal Council resolution requesting that the ferret not be reintroduced on or near the reservation.

Dated: March 13, 1995.

**Ada E. Deer,**

*Assistant Secretary—Indian Affairs.*

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