

as required by National Environmental Policy Act Regulations 40 CFR 1501.7.

DATES: The required no-action period on this Final EIS/GMP will expire 30 days after the Environmental Protection Agency has published a notice of availability of the Final EIS/GMP in the **Federal Register**.

ADDRESSES: Copies of the Final EIS/GMP are available by request by writing to Arkansas Post National Memorial, 1741 Old Post Road, Gillett, Arkansas 72055 or by telephone 870-548-2207, or by e-mail

arpa_superintendent@nps.gov. The document can be picked-up in person at visitor center, 1741 Old Post Road, Gillett, Arkansas. The document can also be found on the internet at the NPS Planning website at: <http://planning.nps.gov/plans.cfm>.

FOR FURTHER INFORMATION CONTACT: John Paige, Job Captain, Denver Service Center—PSD, 12795 West Alameda Parkway, P.O. Box 25287, Denver, CO 80225-0287 or at telephone number 303-969-2356; or Superintendent, Arkansas Post National Memorial, 1741 Old Post Road, Gillett, Arkansas 72055, or by telephone 870-548-2207.

SUPPLEMENTARY INFORMATION: The ARPO consists of the Memorial and Osotouy Units. The memorial commemorates the human settlement near the confluence of the Arkansas and Mississippi Rivers and the events associated with the first European settlement in the Lower Mississippi River Valley by interpreting and fostering an appreciation of the interaction of the cultural groups, their histories, and their significance to the region.

The purpose of the general management plan is to set forth the basic management philosophy for the ARPO and to provide strategies for addressing issues and achieving identified management objectives. The Final EIS/GMP describes and analyzes the environmental impacts of a proposed action and two action alternatives for the future management direction of the ARPO. A no action alternative is also evaluated.

A notice of availability of the draft document was published in the **Federal Register** on January 16, 2003 (FR Vol. 68, No. 16). Written comments were accepted through March 25, 2003. The NPS considered all written comments in accordance with the 40 CFR part 1503.

Approximately 500 copies of the draft were distributed to government agencies, public interest groups, and individuals. The complete text of the draft General Management Plan/Environmental Impact Statement was posted on the NPS Web site.

A series of public meetings were held in DeWitt, Dumas, and Stuttgart, Arkansas, in March of 2003 to discuss clarification and concerns about the alternatives. In addition, to the public meetings, the park superintendent made one presentation during the public comment period to a civic organization.

The final EIS/GMP document responds to agency and public comments received on the draft document.

Dated: November 17, 2003.

James A. Loach,
Acting Regional Director.

[FR Doc. 04-134 Filed 1-5-04; 8:45 am]

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DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent To Conduct Restoration Planning, Regarding Point Reyes Tarball Incident, Marin County, California, Pursuant to 15 CFR 990.44

Incident: Oiling of birds and shoreline at and near Point Reyes National Seashore, November 16, 1997—February 20, 1998.

Agencies: The natural resources trustees (Trustees) for this Incident are the United States Department of the Interior (DOI), acting through the U.S. Fish and Wildlife Service (FWS), and the National Park Service (NPS); the U.S. Department of Commerce, acting through the National Oceanic and Atmospheric Administration (NOAA); and the State of California, acting through the California Department of Fish and Game's (CDFG) Office of Spill Prevention and Response (OSPR). DOI, NOAA, and the State of California are natural resource trustees pursuant to the National Contingency Plan, 40 CFR 330.600 and 300.605 and Executive Order 12777. The CDG is the trustee for fish, wildlife, and their habitat pursuant to California Fish and Game Code Sections 711.7 and 1802 and a delegation from the Governor. The NPS is acting as the Federal Lead Administrative Trustee (FLAT).

Summary of Facts and Authority

Between November 16, 1997 and February 20, 1998 oil, in the form of many large tarballs, and approximately 2,900 oiled seabirds washed on to the beaches of Pt. Reyes National Seashore and other beaches to the north and south (the "Incident"). State and federal agencies responded to this oil spill but a source of the oil was not identified at the time. Analyses of the oil suggested

that it came from more than one vessel or other source.

After the Incident, the Trustees initiated a number of preassessment data collection activities. The data has been assembled and analyzed in a report titled, "Impacts to Natural Resources from the Point Reyes Tarball Incident, 1997–1998: Final Report of NRD Initiation", which discusses information concerning injuries to seabirds and to other natural resources.

Pursuant to section 1006 of the Oil Pollution Act (OPA), 33 U.S.C. 2701 *et seq.*, federal and state trustees for natural resources are authorized to assess natural resource damages resulting from oil spills into navigable waters and to develop and implement a plan for restoration of such injured resources. The Natural Resource Damage Assessment Regulations under OPA, 15 CFR part 990 (the "NRDA regulations"), provide that trustees are to prepare a Notice of Intent to Conduct Restoration Planning if they determine certain conditions have been met and if they decide to quantify the injuries to natural resources and to develop a plan to restore them.

This Notice is to announce, pursuant to § 990.44 of the NRDA regulations, that the Trustees, having collected and analyzed data, intend to proceed with restoration planning actions to address injuries to natural resources resulting from the Incident. The purpose of this restoration planning effort is to further evaluate injuries to natural resources and services and to use that information to determine the need for and type and scale of restoration actions.

Related Events

On November 23, 2001, oiled seabirds and tarballs began washing ashore primarily along the San Mateo County coastline. Chemical analyses of oiled bird feathers were conducted and compared to known oil samples in an attempt to identify the source of the oil. Analyses of oil from the feathers collected between November 25, 2001 and January 4, 2002 matched many of the historical samples taken from oiling events in the general San Francisco Bay area which had occurred in 1992–93, 1997–98 (this Incident), 1999, and February 2001, and for which a source had not previously been determined (often referred to as "mystery spills").

Subsequent to the 2001–02 oiling event, oil samples were obtained from a sunken vessel, the *S.S. Jacob Luckenbach*, which had been resting in 175 feet of water off the San Mateo coast since its sinking in 1954. These *Luckenbach* oil samples matched many of the oil samples from the Incident and

from the other mystery spills. These other mystery spills impacted similar species in the same area as the Incident. Consequently, the Trustees now consider all of these incidents to be related. While the injury assessment of these spills has been separate, the Trustees plan to prepare a single draft Restoration Plan to address the natural resource injuries from all of them.

Trustees' Determinations of Jurisdiction and to Conduct Restoration Planning

The Trustees have made the following determinations pursuant to 15 CFR 990.41 and 990.42.

1. Beginning on or about November 16, 1997, at Point Reyes National Seashore, Marin County, California, petroleum tarballs began washing ashore near Drakes Beach, Limantour Beach, Bolinas, and other beaches. These occurrences constituted an "Incident" within the meaning of 15 CFR 990.30. The Incident is also a spill or discharge as defined at California Government Code 8670.49

2. The Incident was not permitted under a permit issued under federal, state, or local law: was not from a public vessel; and was not from an offshore facility subject to the Trans-Alaska Pipeline Authority Act, 43 U.S.C. 1651 *et seq.*

3. Oil discharged during the Incident adversely affected marine habitats and seabirds. Consequently, natural resources under the trusteeship of the Trustees have been injured as a result of the Incident.

4. Response actions did not adequately address the injuries resulting from the Incident.

5. Feasible primary and/or compensatory restoration actions exist to address the resource injuries. The Trustees will be considering restoration projects that are feasible to implement, focusing on projects that benefit seabirds.

6. As a result of the foregoing determinations, the Trustees have concluded that there is jurisdiction to pursue restoration under the Federal Oil Pollution Act (OPA), 33 U.S.C. 2702 and 2706, and under California's Lempert-Keene-Seastrand Oil Spill Prevention and Response Act, Government Code Sections 8670.1 *et seq.*

Administrative Record

The Trustees have opened an Administrative Record (Record) in compliance with 15 CFR 990.45. The Record includes documents relied upon by the Trustees during the assessment performed in conjunction with the incident.

A copy of the Record is located at the Gulf of the Farallones National Marine Sanctuary, Ft. Mason, Building 201, San Francisco, CA 94123. Arrangements may be made to review it by contacting Jan Roletto at that address or by calling her at 415-561-6622.

A copy of the Record is also located at California's Department of Fish & Game's Office of Spill Prevention and Response, 1700 K Street, Suite 250, Sacramento, CA 95814. Arrangements may be made to review it by contacting Dr. Steve Hampton at that address or by calling him at 916-323-4724.

Public Involvement

Pursuant to 15 CFR 990.14(d), the Trustees seek public involvement in restoration planning for this Incident through public review of, and comment on, documents contained in the Administrative Record, as well as on a draft Restoration Plan ("RP"), when it has been prepared. The Trustees presently intend to prepare, and seek public comment on, a comprehensive draft RP which addresses the natural resource injuries resulting from this Incident, from the Luckenbach discharges, and from the other mystery spills described above.

Dated: October 2, 2003.

Michael A. Soukup,

Associate Director, Natural Resource Stewardship and Science.

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DEPARTMENT OF THE INTERIOR

National Park Service

Intent to Conduct Restoration Planning, S.S. Jacob Luckenbach, San Francisco, CA

AGENCIES: The National Park Service, the Fish and Wildlife Service, and the Bureau of Land Management, of U.S. Department of the Interior; National Oceanic and Atmospheric Administration, Department of Commerce; State of California Department of Fish and Game, Office of Spill Prevention and Response.

ACTION: Notice of intent to conduct restoration planning.

SUMMARY: Pursuant to section 1006 of the Oil Pollution Act (OPA), 33 U.S.C. 2701 *et seq.*, designated Federal and State trustees for natural resources are authorized to assess natural resource damages resulting from oil spills into navigable waters and develop and implement a plan for restoration. The Federal and State trustees for natural

resources for this incident include the United States Department of the Interior (DOI), acting through the U.S. Fish and Wildlife Service (FWS) on behalf of the Bureau of Land Management (BLM) and the National Park Service (NPS); the U.S. Department of Commerce (DOC), acting through the National Oceanic and Atmospheric Administration (NOAA); and the California Department of Fish and Game (CDFG), acting through its Office of Spill Prevention and Response (OSPR) (hereafter collectively referred to as "the natural resource trustees" or "the trustees"). Section 990.44 of the Natural Resource Damage Assessment ("NRDA") Regulations under OPA, 15 CFR part 990, provides for the natural resource trustees to prepare a notice of intent to conduct restoration planning if certain requirements are met and they decide to proceed with a natural resource damage assessment.

Pursuant to section 990.44 of the OPA-NRDA Regulations, the natural resource trustees announce their intent to proceed with restoration planning actions to address injuries to natural resources along the central California coastal area caused by the chronic discharge of oil from the incident. The purpose of this restoration planning effort is to further evaluate injuries to natural resources and services and use that information to determine the need for and type and scale of restoration actions.

Since the incident, the trustees' have initiated a number of preassessment data collection activities. The data demonstrate that natural resource injuries to seabirds and wildlife, and other natural resources have occurred. The trustees have implemented or are developing studies to assess the extent of these injuries.

FOR FURTHER INFORMATION CONTACT: Jim Haas, U.S. Fish and Wildlife Service, 2800 Cottage Way, W-2605, Sacramento, California 95825. (916) 414-9740.

SUPPLEMENTARY INFORMATION: On July 14, 1953, the *S.S. Jacob Luckenbach*, owned by the Luckenbach Steamship Company, sank as a result of a collision with the *S.S. Hawaiian Pilot*, owned by the Matson Navigation Company. The *Luckenbach* is a 468-foot freight ship that sank approximately 17 miles southwest of the Golden Gate Bridge. The vessel now rests in 175 feet of water in the Gulf of the Farallones National Marine Sanctuary.

On November 23, 2001, oiled seabirds and tarballs began washing ashore primarily along the San Mateo County coastline. The U.S. Coast Guard and California Department of Fish and Game