

grains, potatoes, canola, and some fruit orchards.

Currently, the BIA's Flathead Agency Superintendent is the Officer-in-Charge of the Project and administers activities through the Irrigation Systems Manager. The Irrigation Systems Manager supervises the operation and maintenance of the Project works.

Non-Indian irrigation interests are represented by three irrigation districts, the Flathead Irrigation District, the Mission Irrigation District, and the Jocko Valley Irrigation District. These Districts signed repayment contracts with the United States in 1928, 1931, and 1934 respectively, and are collectively represented by the Flathead Joint Board of Control (FJBC), which is chartered under state law and represents only owners of fee lands. Individual Indians and the Tribes that irrigate lands held in trust by the United States are statutorily excluded from representation by the FJBC.

Repayment of Project construction conditions were fulfilled in early January 2004. The BIA, the Tribes and the FJBC are developing proposed standard operating procedures for the Project and are proposing to contract the management of the Project under a Cooperating Management Entity, made up of representatives from the FJBC and the Tribes, with the BIA providing oversight functions and maintaining its role as trustee.

The BIA has been delegated the responsibility to serve as the Lead Agency for National Environmental Policy Act compliance in connection with the proposed operations and maintenance of the Flathead Indian Irrigation Project upon transfer. Issues to be addressed in the environmental analysis include, but are not limited to, irrigation and farming, rights-of-ways, treaty-protected fisheries, aquatic habitat, biological resources, wildlife habitat, and Indian traditional and cultural properties and resources.

On June 7, 2004, the BIA issued a Notice of Intent to prepare an EIS for the proposed operations and maintenance of the Flathead Indian Irrigation Project upon transfer (69 FR 31835). The BIA held public scoping meetings on June 28, 2004, in Arlee, Montana, and June 30, 2004, in Ronan, Montana. Public comments were solicited and received by the BIA and work began on the EIS. As work on the EIS progressed, it became evident that an EA would be a more appropriate NEPA document for the proposed transfer of the operation and maintenance of the Project. Preliminary analysis of current operation and maintenance of the Project and proposed future operations

and maintenance after turnover showed the two plans to be very similar and any environmental affects of the limited changes and new actions to be taken would result primarily in environmental benefits. Thus, after consultation with the Tribes, the FJBC, and the U.S. Fish and Wildlife Service, the BIA now intends to prepare an EA instead of an EIS. A biological assessment prepared in accordance with the Endangered Species Act will accompany the EA.

The proposed operations and management of the Project after transfer will be examined in the EA, including Project management control structures, certain operating and maintenance methods or procedures, system rehabilitation, and alternative water delivery regimes. The environmental issues will be substantially the same as those that were to be addressed in the EIS that was originally contemplated. A draft EA will be made available for public comment. Following consideration of public comments on the draft EA, BIA will publish a final EA. Based on the information in the final EA, BIA will either issue a finding of no significant impact (FONSI), or, if the final EA reveals significant environmental impacts, BIA will prepare an EIS.

Authority

This notice is published in accordance with Council on Environmental Quality regulations (40 CFR parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*) and the Department of the Interior Manual (516 DM 1.6) and is within in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.1.

Dated: September 22, 2006.

Michael D. Olsen,

Principal Deputy Assistant Secretary—Indian Affairs.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AZ-410-06-1220-AL]

Emergency Closure of Public Lands: Graham County, AZ

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Emergency Closure.

SUMMARY: Notice is hereby given that certain public lands in Graham County, Arizona are temporarily closed to public use.

This Closure Order restricts all public use on a year-round basis on public lands administered by the BLM Safford Field Office in the Watson Wash area. This Order is issued under the authority of 43 CFR 8364.1 and affects the following public lands: Gila and Salt River Meridian, Arizona, T. 6 S., R. 25 E., Sec. 14, S¹/₂, SW¹/₄; Sec. 15, S¹/₂ SE¹/₄; Sec. 22, E¹/₂ NE¹/₄; Sec. 23, NW¹/₄.

The affected lands contain conditions that compromised public health and safety due to illegal activities at the site that included murder, assaults, fights, disorderly conduct, drugs, under-age drinking, weapon offenses, motor vehicle accidents, vandalism, and littering. Public health and safety hazards have increased substantially and are expected to continue to do so unless immediate management action is taken. The restriction prohibiting public entry and use will help to mitigate public health and safety threats. The BLM's immediate removal of an unauthorized hot tub, which was an attractive nuisance, will reduce the area's appeal as a party spot.

DATES: This temporary closure will be effective the date this notice is published in the **Federal Register** and will remain in effect until rescinded or modified by the Authorized Officer.

FOR FURTHER INFORMATION CONTACT: Bill Brandau, Safford Field Manager, BLM, Safford Field Office, 711 14th Avenue, Safford, AZ 85546, (928) 348-4461.

Discussion of the Rules: Pursuant to 43 CFR 8364.1 the following is prohibited on lands administered by BLM within the Watson Wash Area:

1. Unless otherwise authorized, no person shall enter or remain in the closed area.

2. Persons who are exempt from the restriction include:

a. Any Federal, State or local officer or member of an organized firefighting force in the performance of an official duty.

b. BLM employees engaged in official duties, and

c. Persons specifically authorized by the BLM to enter the restricted area.

Penalties: Violation of this Order is punishable by a fine of not more than \$1,000, and/or imprisonment of not more than 12 months (43 CFR 8364.1(d)).

Marlo M. Draper,

Acting Safford Field Office Manager.

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