

Refuges, be divested. These Refuges include Bone Hill, Camp Lake, Cottonwood Lake, Lake Patricia, Sheyenne Lake, and School Section Lake. This divestiture decision was based on the best available science and expert opinions, both by managers and biologists within the Service. This information was then evaluated by a divestiture model developed by a regional team. These six, for various reasons, were finally proposed for divestiture consideration. The justifications included State or other Federal agency ownership of the lands, extensive habitat loss, or lack of desirable habitat that would warrant such federal protection. This is the first step in the divestiture process. Implementation will require a proposal that will be sent to the Migratory Bird Conservation Commission for concurrence and then to Congress. No Refuge will be divested until an Act of Congress is signed. The remaining 33 Refuges will be managed in cooperation with the current landowners. At a minimum, landowners will receive an annual newsletter describing opportunities for receiving additional compensation for added habitat protection. These Refuges will be given priority for such programs as grassland and wetland easements, while the Service actively works with other conservation partners on mutual interests on these Refuges. These lands will also be given additional consideration as projects are submitted for land acquisition dollars available to the region. In order to implement this part of the CCP, the managing stations will first prioritize their individual Refuges by developing a greater understanding of the habitat types that occur and which types need added protection. The CCP states that highest priority will be given to native prairie habitat on all Refuges.

Under the preferred alternative, the Service will post all boundaries with a unique sign that will identify these refuges as private lands. As part of implementation, compatibility determinations (CD) will be completed for all proposed *Service-controlled* activities that occur on the uplands and water. These CDs could not be completed as part of the Final CCP. A significant part of implementation will be to work with over 200 landowners to determine their willingness to grant access for public use as the Service never acquired the right to control public access. Until the Service has worked out these negotiations, no CD can be completed. The Service will work with the State and willing

landowners to determine if any additional public use opportunities are available including hunting, fishing, wildlife observation, wildlife photography, environmental education and interpretation. Trapping will continue on a permit-only basis for the purposes of protecting nesting migratory birds (including waterfowl and songbirds) and increase survival rates of young birds. Trappers will be required to provide annual reports of harvest and follow State regulations.

The Service is furnishing this notice to advise other agencies and the public of the availability of the Final CCP, to provide information on the desired conditions for the North Dakota Limited-interest Refuges, and to detail how the Service will implement management strategies. Based on the review and evaluation of the information contained in the environmental assessment, the Regional Director has determined that implementation of the Final CCP does not constitute a major Federal action that would significantly affect the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act. Therefore, an Environmental Impact Statement will not be prepared. Future site-specific proposals discussed in the Final CCP will be addressed in separate planning efforts with full public involvement.

Dated: April 23, 2006.

**James Slack,**

*Deputy Regional Director, Region 6, Denver, CO.*

**Editorial Note:** This document was received at the Office of the Federal Register on March 27, 2007.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Proclaiming Certain Lands as Reservation for the Jena Band of Choctaw Indians of Louisiana

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

**ACTION:** Notice of Reservation Proclamation.

**SUMMARY:** This notice informs the public that the Principal Deputy Assistant Secretary—Indian Affairs proclaimed approximately 63.52 acres, more or less, as the Jena Band of Choctaw Reservation for the Jena Band of Choctaw Indians of Louisiana (Jena Band).

**FOR FURTHER INFORMATION CONTACT:** Ben Burshia, Bureau of Indian Affairs, Division of Real Estate Services, Mail Stop 4639-MIB, 1849 C Street, NW., Washington, DC 20240, Telephone (202) 208-7737.

**SUPPLEMENTARY INFORMATION:** This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Principal Deputy Assistant Secretary—Indian Affairs by part 209 of the Departmental Manual.

A proclamation was issued, according with section 7 of the Act of June 18, 1934 (48 Stat. 986; 25 U.S.C. 467), for the land described below. The land was proclaimed to be the Jena Band of Choctaw Reservation for the exclusive use of Indians on that reservation who are entitled to reside at the reservation by enrollment or tribal membership.

#### Jena Band of Choctaw Indian Reservation

*Grant and LaSalle Parishes, Louisiana*

*Parcel 1:* No. 5 Pollock, Grant Parish, consisting of 40.49 acres, more or less. A certain piece, parcel or lot of ground together with all improvements thereon, rights, ways and privileges thereunto belonging or in any way appertaining, being, lying and situated in the northeast quarter of the southwest quarter of Section 5, Township 5 North, Range 1 West, Grant Parish, Louisiana; being more particularly described as follows, to wit:

Commencing at a bolt and 3" iron pipe marking the southeast corner of the northeast quarter of the southwest quarter, Section 5, Township 5 North, Range 1 West; said corner also being the POINT OF BEGINNING of the tract to be described; thence proceed North 89 degrees 38 minutes 42 seconds West, bearing assumed, a distance of 1328.33 feet to a 1/2" iron rod; thence turn right and proceed North 00 degrees 20 minutes 34 seconds East, a distance of 1329.18 feet to a 1/2" iron rod; thence turn right and proceed South 89 degrees 30 minutes 00 seconds East, a distance of 1329.11 feet to a 4" x 4" concrete post; thence turn right and proceed South 00 degrees 22 minutes 35 seconds West, a distance of 1325.81 feet to the POINT OF BEGINNING.

The above described tract contains 40.49 acres, more or less, and is more particularly indicated on Certificate of Survey by William J. Wood, Jr., dated February 8, 2001.

*Parcel 2:* No. 6 Hennigan/Jena, La Salle Parish consisting of 14.67 acres, more or less. A certain piece, parcel or lot of ground together with all improvements thereon, rights, ways and privileges thereunto belonging or in any way appertaining, being, lying and situated in the Southeast Quarter of the Northwest Quarter and the Northeast

Quarter of the Northwest Quarter of Section 10, Township 8 North, Range 3 East, LaSalle Parish, Louisiana, as shown on a Certificate of Survey prepared by Clarence N. Bruce, N & A, Inc., under Project Number 236.289 dated December 26, 2000, and revised February 2, 2001, and more particularly described as follows, to wit:

Commencing at a two inch iron pipe at the Southwest corner of the Southeast Quarter of the Northwest Quarter, Section 10, Township 8 North, Range 3 East, LaSalle Parish, Louisiana, run north 00 degrees 17'40" west with the west line of said Southeast Quarter of the Northwest Quarter a distance of 661.08 feet to a half inch rod and being the POINT OF BEGINNING of the herein described tract; thence continue north 00 degrees 17'40" west with the west line of said Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Northwest Quarter a distance of 1058.83 feet to a half inch iron rod; thence run south 83 degrees 30'30" east a distance of 24.11 feet to a half inch rod; thence run north 00 degrees 15'40" east a distance of 151.58 feet to the south right-of-way line of U.S. Highway Number 84; thence run with said south right-of-way line of U.S. Highway Number 84, south 83 degrees 30'30" east a distance of 390.57 feet to a half inch rod in the center line of Andra Drive; thence run with the center line of Andra Drive, south 04 degrees 32'51" west a distance of 50.82 feet to a half inch iron rod; thence run south 04 degrees 44'11" west a distance of 50 feet to a half inch iron rod; and thence run south 08 degrees 05'00" west a distance of 406.97 feet to a half inch iron rod on the north line of said Southeast Quarter of the Northwest Quarter; thence run with the said north line of said Southeast Quarter of the Northwest Quarter south 89 degrees 50'11" east a distance of 322.95 feet to a half inch iron rod; thence run south 00 degrees 17'42" east a distance of 659.22 feet to a half inch rod; thence run north 89 degrees 59'43" west a distance of 668.23 feet back to the POINT OF BEGINNING.

*Parcel 3:* No. 7 La Salle Parish consisting of 3.18 acres, more or less. A certain piece, parcel or lot of ground together with all improvements thereon, rights, ways and privileges thereunto belonging to or in any way appertaining, being, lying and situated in the Southeast Quarter of the Southwest Quarter of Section 5, Township 8 North, Range 3 East, LaSalle Parish, Louisiana, as shown on a Certificate of Survey prepared by Clarence N. Bruce, N & A, Inc., under Project Number 236.273 dated September 14, 2000, and more particularly described as follows, to wit:

Commencing at a railroad steel marking the Southeast corner of the Southeast Quarter of the Southwest Quarter of Section 5, Township 8 North, Range 3 West, LaSalle Parish, Louisiana, run north 01 degrees 54'45" west with the east line of said Southeast Quarter of the Southwest Quarter a distance of 469.48 feet a half inch iron rod

and the point of beginning of the herein described tract; thence run north 86 degrees 03'09" west a distance of 477.55 feet to a half inch rod; thence run north 08 degrees 25'31" east a distance of 309.68 feet to a cotton picker spindle in the center line of U.S. Highway Number 84; thence run with the center line of said Highway Number 84 south 85 degrees 02'38" east 33.04 feet to a point; thence south 85 degrees 46'04" east a distance of 89.56 feet to a point; thence south 85 degrees 58'22" east a distance of 96.08 feet to a point; thence south 86 degrees 06'13" east a distance of 203.06 feet to a cotton picker spindle on the east line of said Southeast Quarter of the Southwest Quarter; thence run south 01 degrees 54'45" east with the east line of said Southeast Quarter of the Southwest Quarter a distance of 309.37 feet back to the POINT OF BEGINNING.

*Parcel 4:* No. 8 Grant Parish consisting of 1.89 acres more or less. A certain piece, parcel or lot of ground, together with all improvements thereon, rights, ways and privileges thereunto belonging or in any way appertaining, being, lying and situated in Lot 6 of Pine Heights Subdivision, located in the northwest quarter of Section 9, Township 5 North, Range 1 West, Grant Parish, Louisiana; being more particularly described as follows, to wit:

Commencing at a cotton picker spindle marking the northwest corner of Section 9, Township 5 North, Range 1 West; thence proceed North 89 degrees 16 minutes 40 seconds West, a distance of 83.41 feet to a point; thence turn left and proceed South 28 degrees 28 minutes 00 seconds East, a distance of 789.73 feet to a 1/2" iron rod; thence turn right and proceed South 28 degrees 21 minutes 19 seconds East, a distance of 1200.00 feet to a 1/2" iron rod; thence turn left and proceed North 61 degrees 38 minutes 41 seconds East, a distance of 130.59 feet to a 1/2" iron rod located on the eastern required right of way line for LDOTD State Project Nos. 023-01-0049 and 023-02-0014, U.S. Hwy. 167; said point also being the POINT OF BEGINNING of the tract to be described; thence continue North 61 degrees 38 minutes 41 seconds East, a distance of 391.19 feet to a 1/2" iron rod; thence turn right and proceed South 28 degrees 21 minutes 19 seconds East, a distance of 208.71 feet to a 1/2" iron rod; thence turn right and proceed South 61 degrees 38 minutes 41 seconds West, a distance of 396.52 feet to a 1/2" iron rod located on the eastern required right of way line for LDOTD State Project Nos. 023-01-0049 and 023-02-0014, U.S. Hwy. 167; thence turn right and proceed North 28 degrees 18 minutes 33 seconds West, along said required right of way line, a distance of 53.84 feet to a 1/2" iron rod; thence turn right and proceed North 26 degrees 24 minutes 01 seconds West, along said required right of way line, a distance of 154.96 feet to the POINT OF BEGINNING.

The above described tract is more particularly indicated on Certificate of Survey by William J. Wood, Jr., dated September 10, 2003.

*Parcel 5:* No. 9 LaSalle Parish consisting of 2.00 acres, more or less. A certain piece, parcel or lot of ground together with all improvements thereon, rights, ways and privileges thereunto belonging or in any way appertaining, being, lying and situated in the Northwest Quarter of the Southeast Quarter of Section 7, Township 8 North, Range 4 East, LaSalle Parish, Louisiana, as shown on a Certificate of Survey prepared by Charles N. Bruce, N & A, Inc., under Project Number 236.298 dated February 5, 2001, and more particularly described as follows, to wit:

From the Southwest corner of the Northwest Quarter of the Southeast Quarter of Section 7, Township 8 North, Range 4 East, run north 00 degrees 17'41" east a distance of 987.90 feet to the POINT OF BEGINNING; from the POINT OF BEGINNING run north 00 degrees 37'25" east a distance of 295.38 feet to a point; thence run south 89 degrees 55'00" east a distance of 295.11 feet to a point; thence run south 00 degrees 41'34" west a distance of 294.68 feet to a point; thence run south 89 degrees 56'49" west a distance of 294.76 feet back to the POINT OF BEGINNING.

*Parcel 6:* No. 10 LaSalle Parish consisting of 1.29 acres, more or less. A certain piece, parcel or lot of ground together with all improvements thereon, rights, ways and privileges thereunto belonging or in any way appertaining, being, lying and situated in the Southeast Quarter of the Northwest Quarter of Section 24, Township 8 North, Range 2 East, LaSalle Parish, Louisiana, as shown on a Certificate of Survey prepared by Clarence N. Bruce, N & A, Inc., dated February 5, 2001, and more particularly described as follows, to wit:

Commencing at the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section 24, Township 8 North, Range 2 East, run south 00 degrees 28' west a distance of 121.41 feet to a point; thence run south 89 degrees 52'32" west a distance of 314.66 feet to the POINT OF BEGINNING; from the POINT OF BEGINNING run south 00 degrees 36'55" east a distance of 272.90 feet to a point; thence run south 89 degrees 51'08" west a distance of 205.87 feet to a point; thence run north 00 degrees 38'25" west a distance of 272.97 feet to a point; thence run north 89 degrees 52'14" east a distance of 205.99 feet back to the POINT OF BEGINNING.

The above-described lands contain a total of 63.52 acres, more or less, which are subject to all valid rights, reservations, rights-of-way, and easements of record.

This proclamation does not affect title to the land described above, nor does it affect any valid existing easements for public roads and highways, public utilities and for railroads and pipelines

and any other rights-of-way or reservations of record.

Dated: March 20, 2007.

**Michael D. Olsen,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Buena Vista Rancheria of Me-Wuk Indians Liquor Control Ordinance

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

**ACTION:** Notice.

**SUMMARY:** This notice publishes the Buena Vista Rancheria of Me-Wuk Indians Liquor Control Ordinance. The Ordinance regulates and controls the possession, sale and consumption of liquor within the Buena Vista Rancheria of Me-Wuk Indian's tribal land. The tribal land is located on trust land and this Ordinance allows for the possession and sale of alcoholic beverages within the exterior boundaries. This Ordinance will increase the ability of the tribal government to control the distribution and possession of liquor within their tribal land strengthen the tribal government. At the same time, it will provide an important source of revenue and the improve delivery of tribal services.

**DATES:** *Effective Date:* This Ordinance is effective April 2, 2007.

**FOR FURTHER INFORMATION CONTACT:** Fred Doka Jr., Tribal Operations Officer, Pacific Regional Office, 2800 Cottage Way, Sacramento, CA 95825, Telephone (916) 978-6067; or Ralph Gonzales, Office of Tribal Services, 1849 C Street, NW., Mail Stop 4513-MIB, Washington, DC 20240; Telephone (202) 513-7629; Fax (202) 208-5113.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Act of August 15, 1953, Public Law 83-277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor ordinances for the purpose of regulating liquor transactions in Indian country. The Buena Vista Rancheria of Me-Wuk Indians Tribal Council adopted this Liquor Control Ordinance by Resolution No. 06-0017 on September 13, 2006. The purpose of this Ordinance is to govern the sale, possession and distribution of alcohol within the Buena

Vista Rancheria of Me-Wuk Indians Tribal land.

This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Principal Deputy Assistant Secretary—Indian Affairs. I certify that this Liquor Control Ordinance of the Buena Vista Rancheria of Me-Wuk Indians was duly adopted by the Tribal Council on September 13, 2006.

Dated: March 22, 2007.

**Michael D. Olsen,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

The Buena Vista Rancheria of Me-Wuk Indians Liquor Control Ordinance reads as follows:

#### Liquor Ordinance of the Buena Vista Rancheria of Me-Wuk Indians Ordinance No. 05-0001

##### Chapter I—Introduction

Section 1.1. *Title.* This ordinance shall be known as the “Liquor Ordinance of the Buena Vista Rancheria of Me-Wuk Indians.”

Section 1.2. *Authority.* This ordinance is enacted pursuant to the Act of August 15, 1953 (Pub. L. 83-277, 67 Stat. 586, 18 U.S.C. 1161) and the Constitution of the Buena Vista Rancheria of Me-Wuk Indians (“Buena Vista Constitution”).

Section 1.3. *Purpose.* The purpose of this ordinance is to regulate and control the possession and sale of liquor on the Buena Vista Rancheria of Me-Wuk Indians (“Buena Vista Rancheria” or “Tribe”). The enactment of a tribal ordinance governing liquor possession and sale on the Rancheria Land will increase the ability of the Tribal government to control Tribal liquor distribution and possession, and at the same time will provide an important source of revenue for the continued operation and strengthening of the Tribal government and the delivery of the tribal government services.

##### Chapter II—Definitions

Section 2.1. As used in this ordinance, the following words shall have the following meanings unless the context clearly requires otherwise.

Section 2.2. “*Alcohol*” means that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine which is commonly produced by the fermentation or distillation of grain, starch, molasses, or sugar, or other substances including all dilution of this substance.

Section 2.3. “*Alcoholic Beverage*” is synonymous with the term “Liquor” as defined in Section 2.7 of this Chapter.

Section 2.4. “*Bar*” means any establishment with special space and

accommodations for sale by the glass, can or bottle and for consumption on the licensed premises of liquor, as herein defined.

Section 2.5. “*Beer*” means any beverage obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barley malt or other wholesome grain of cereal in pure water containing not more than four percent of alcohol by volume. For the purposes of this section, any such beverage, including ale, stout, and porter, containing more than four percent of alcohol by weight shall be referred to as “strong beer.”

Section 2.6. “*Licensed Premises*” means any store at which liquor is sold and, for the purposes of this ordinance, includes stores only a portion of which are devoted to sale of liquor or beer, any bar, or any public place designated by the Tribe as a licensed premises for the sale of alcoholic beverages.

Section 2.7. “*Liquor*” includes the four varieties of liquor herein defined (alcohol, spirits, wine and beer), and all fermented spirituous, vinous, or malt liquor or combination thereof, and mixed liquor, or otherwise intoxicating; and every liquor or solid or semisolid or other substance, patented or not, containing alcohol, spirits, wine and beer, and all drinks or drinkable liquids and all preparations or mixtures capable of all human consumption and any liquid, semisolid, solid, or other substances, which contain more than one percent of alcohol by weight shall be conclusively deemed to be intoxicating.

Section 2.8. “*Malt Liquor*” means beer, strong beer, ale stout, and porter.

Section 2.9. “*Package*” means any container or receptacle used for holding liquor.

Section 2.10. “*Public Place*” includes tribal roads; buildings and grounds used for school purposes; public dance halls and grounds adjacent thereto; soft drink establishment, public buildings, public meeting halls, lobbies, halls and dining room of hotels, restaurants, theater, gaming facilities, entertainment centers, store garages, and filing stations which are open to and/or are generally used by the public and to which the public is permitted to have unrestricted access; public conveyances of all kinds of character; and all other places of like or similar nature to which the general public has unrestricted right to access, and which are generally used by the public. For the purposes of this ordinance, “Public Place” shall also include any premises other than a single family home which is designed for or