

own petition documentation. On November 10, 1997, the Department received petition documentation from the PACIT petitioner. The Department notified PACIT that evaluation of its petition began on February 4, 2005, and a period to submit additional materials would close on April 15, 2005. The PACIT petitioner submitted petition documentation to the Department by April 15, 2005.

This notice is based on a determination that PACIT does not satisfy all of the seven mandatory criteria for acknowledgment in 25 CFR 83.7. The acknowledgment process is based on the regulations at 25 CFR Part 83. Under these regulations, the petitioner has the burden to present evidence that it meets the seven mandatory criteria in section 83.7. This amended proposed finding reaches the following conclusions for each of the mandatory criteria in 25 CFR Part 83.7:

The PACIT petitioner meets the requirements of criterion 83.7(a). This amended proposed finding concludes that identifications of a "Houma" population or group when combined with other identifications of a Pointe au Chien settlement or group of the "Houma" provides evidence sufficient to demonstrate the substantially continuous identification of the petitioner as an Indian entity since 1900. Therefore, the PACIT petitioner meets the requirements of this criterion.

The PACIT petitioner does not meet the requirements of criterion 83.7(b). This amended proposed finding concludes the PACIT petitioner has not demonstrated that it meets the requirements of this criterion because the evidence is insufficient to demonstrate that its ancestors and others associated with them constituted a community before 1830. This finding concludes the PACIT petitioner meets this criterion between 1830 and 1940 on the basis of the conclusions contained in the 1994 proposed finding on the UHN petitioner and that it meets this criterion since 1940 on the basis of the evidence available for this amended proposed finding. Because the evidence in the record does not show that the petitioning group existed as a community from historical times to the present, the PACIT petitioner has not demonstrated that it meets the requirements of this criterion.

The PACIT petitioner does not meet the requirements of criterion 83.7(c). This amended proposed finding concludes the PACIT petitioner has not demonstrated that it meets the requirements of this criterion because there is insufficient evidence that it maintained political influence over its

historical ancestors before 1830. This finding concludes the PACIT petitioner meets this criterion between 1830 and 1940 on the basis of the conclusions contained in the 1994 proposed finding on the UHN petitioner. For the period since 1940, the evidence available for this amended proposed finding is sufficient to demonstrate that the petitioner meets this criterion only since 1988. Because the evidence in the record is insufficient to show that the petitioning group has maintained political influence over group members from historical times to the present, the PACIT petitioner has not demonstrated that it meets the requirements of this criterion.

The PACIT petitioner meets the requirements of criterion 83.7(d). The PACIT petitioner provided current governing documents that describe its governing procedures and membership criteria, and, therefore, meets the requirements of this criterion.

The PACIT petitioner does not meet the requirements of criterion 83.7(e). The petitioner submitted a certified membership list identifying 682 members. An analysis of selected members demonstrates that most of them descend from at least one of two individual historical "Indians," but those historical individuals have not been shown to be a part of a historical Indian tribe, or of historical Indian tribes which combined and functioned as a single tribal entity. The evidence in the record has not demonstrated that the PACIT petitioner's members descend from a historical Indian tribe and, therefore, the PACIT petitioner does not meet the requirements of this criterion.

The PACIT petitioner meets the requirements of criterion 83.7(f). The names of current PACIT members do not appear on rolls of federally recognized Indian tribes reviewed for this amended proposed finding. Additionally, the PACIT petitioner requires its members to disavow membership in any other Indian group, and its submission included disavowals for 84 percent of the 682 PACIT members. Because evidence in the record indicates that the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe, the PACIT petitioner meets the requirements of this criterion.

The PACIT petitioner meets the requirements of criterion 83.7(g). Because no evidence has been submitted or located that indicates the petitioner, its members, or their ancestors have been the subject of congressional legislation that has expressly terminated or forbidden a

relationship with the Federal Government as Indians or as an Indian tribe, the PACIT petitioner meets the requirements of this criterion.

As provided by 25 CFR 83.10(h), a report summarizing the evidence, reasoning, and analyses that are the basis for the amended proposed finding will be provided to the petitioner and interested parties, and is available to other parties upon written request.

After the expiration of the comment and response periods described above, the Department will consult with the petitioner concerning establishment of a schedule for preparation of the final determination. The AS-IA will publish the final determination of the petitioner's status in the **Federal Register** as provided in 25 CFR 83.10(1), at a time that is consistent with that schedule.

Dated: May 22, 2008.

Carl J. Artman,

Assistant Secretary—Indian Affairs.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Final Environmental Impact Statement for the Cowlitz Indian Tribe's Proposed 151.87-Acre Fee-to-Trust Transfer, Reservation Proclamation, and Casino-Resort Project, Clark County, WA

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that the Bureau of Indian Affairs (BIA) as lead agency, with the Cowlitz Indian Tribe (Tribe), National Indian Gaming Commission (NIGC), Federal Highway Administration, U.S. Army Corps of Engineers, Washington Department of Transportation, Clark County, Clark County Sheriff's Office, Cowlitz County, City of La Center, City of Vancouver, City of Ridgefield, Port of Ridgefield, City of Woodland and City of Battle Ground as cooperating agencies, intends to file a Final Environmental Impact Statement (FEIS) with the U.S. Environmental Protection Agency for the Tribe's proposed 151.87-acre fee-to-trust transfer, reservation proclamation, and casino-resort project in Clark County, Washington. The proposed action would include approval by the NIGC of a gaming management contract. The FEIS is now available to the public and is part of the administrative process that evaluates tribal applications that seek to have the United States take land

into trust pursuant to 25 U.S.C. 465, 25 CFR part 151, and 25 U.S.C. 2719(b)(1)(B).

DATES: The Record of Decision on the proposed action will be issued on or after July 1, 2008. Any comments on the FEIS must arrive by June 30, 2008.

ADDRESSES: You may mail or hand carry written comments to Mr. Stanley Speaks, Northwest Regional Director, Bureau of Indian Affairs, Northwest Region, 911 NE. 11th Avenue, Portland, Oregon 97232. Please include your name, return address and the caption, "FEIS Comments, Cowlitz Indian Tribe Trust Acquisition and Casino Project," on the first page of your written comments.

The FEIS will be available for public review at the following Fort Vancouver Public Library branches: La Center Community Library, 1402 East Lockwood Creek Road, La Center, Washington 98629; Ridgefield Community Library, 210 North Main Avenue, Ridgefield, Washington 98642. General information for the Fort Vancouver Public Library system can be obtained by calling (360) 695-1561. The FEIS is also available on the following Web site: <http://www.cowlitzeis.org>.

To obtain copies of the FEIS, please provide your name and address in writing or by voicemail to Dr. B.J. Howerton, Environmental Protection Specialist, at the BIA address above or at the telephone number provided below.

FOR FURTHER INFORMATION CONTACT: B.J. Howerton, (503) 231-6749.

SUPPLEMENTARY INFORMATION: The Tribe has requested that the BIA take 151.87 acres into trust on behalf of the Tribe, on which the Tribe proposes to develop a casino-resort complex, parking facilities, recreational vehicle park, tribal headquarters, tribal elder housing, tribal cultural center, and wastewater treatment plant. The project site encompasses eight contiguous tax lots in Clark County, Washington, near the cities of La Center and Ridgefield. Regional access to the project site is provided via Interstate 5 at the NW. 319th Street Interchange. NW. 319th Street would provide primary access to the casino-resort complex and tribal government facilities. The street, however, would be realigned to a more southerly location within the proposed project site to allow development of the casino and hotel facilities north of NW. 319th Street without encroachment into wetlands and wetland buffer areas.

Project alternatives considered in the FEIS include: (1) Preferred casino-resort complex; (2) preferred casino-resort

complex without re-routing NW. 319th Street; (3) reduced intensity complex; (4) business park; (5) casino-resort complex at the Ridgefield Interchange Site; and (6) no action. The alternatives are intended to assist the review of the issues presented, but the Preferred Alternative does not necessarily reflect what the final decision will be, because a complete evaluation of the criteria listed in 25 CFR Part 151 may lead to a final decision that selects an alternative other than the Preferred Alternative, including no action, or that selects a variant of the Preferred Alternative or another of the alternatives analyzed in the FEIS.

Environmental issues addressed in the FEIS include geology and soils, water resources, air quality, biological resources, cultural and paleontological resources, socioeconomic conditions (including environmental justice), transportation and circulation, land use, public services, noise, hazardous materials, aesthetics, cumulative effects, indirect effects and mitigation measures.

The BIA has afforded other government agencies and the public extensive opportunity to participate in the preparation of this EIS. The BIA published a notice of intent to prepare the EIS for the proposed action in the **Federal Register** on November 12, 2004 (69 FR 43431). The BIA held a public scoping meeting on December 1, 2004, in the City of Vancouver. A Notice of Availability for the Draft EIS was published in the **Federal Register** on April 14, 2006 (71 FR 10055). The Draft EIS was available for public comment from April 14 to July 14, 2006. In response to public requests, the comment period was re-opened from August 4 to August 25, 2006, for a total public comment period of 145 days. The BIA held two public hearings on the Draft EIS, one on June 14, 2006, and one on June 15, 2006, in the City of Vancouver.

Public Comment Availability

Comments, including names and addresses of respondents, will be available for public review at the mailing address shown in the **ADDRESSES** section, during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. 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 in your comment to withhold your personal identifying information from public review, we

cannot guarantee that we will be able to do so.

Authority: This notice is published in accordance with section 1503.1 of the 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. 4371 *et seq.*), and the Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: May 21, 2008.

Carl J. Artman,

Assistant Secretary—Indian Affairs.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-1121 (Final)]

Light-Walled Rectangular Pipe and Tube From Turkey

Determination

On the basis of the record¹ developed in the subject investigation, the United States International Trade Commission (Commission) determines,² pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from Turkey of light-walled rectangular pipe and tube, provided for in subheading 7306.61 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be sold in the United States at less than fair value (LTFV).

Background

The Commission instituted this investigation effective June 27, 2007, following receipt of a petition filed with the Commission and Commerce by Allied Tube and Conduit, Harvey, IL; Atlas Tube, Plymouth, MI; California Steel and Tube, City of Industry, CA; Ex-L-Tube, Kansas City, MO; Hannibal Industries, Los Angeles, CA; Leavitt Tube Company LLC, Chicago, IL; Maruichi American Corporation, Sante Fe Springs, CA; Searing Industries, Rancho Cucamonga, CA; Southland Tube, Birmingham, AL; Vest Inc., Los Angeles, CA; Welded Tube, Concord, Ontario (Canada); and Western Tube

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

² Commissioner Dean A. Pinkert did not participate.