

0165, telephone number (303) 231-3899, fax number (303) 231-3409.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On April 28, 2008, the Department published a notice of intent to establish an Indian Oil Valuation Negotiated Rulemaking Committee (73 FR 22970). In that notice, the Department requested interested parties to nominate representatives for membership on the Committee. The Department received 1 comment opposing the establishment of a negotiated rulemaking committee and 10 responses nominating individuals to serve on the Committee. The Department believes that using a negotiated rulemaking committee to make specific recommendations regarding valuation of oil from Indian leases would help the agency in developing a rulemaking. Therefore, the Department is establishing the Indian Oil Valuation Negotiated Rulemaking Committee.

##### II. Statutory Provisions

The Negotiated Rulemaking Act of 1996 (NRA) (5 U.S.C. 561 *et seq.*); the Federal Advisory Committee Act (5 U.S.C. Appendix 2, section 1 *et seq.*); the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA) (30 U.S.C. 1701 *et seq.*); the Indian Mineral Development Act of 1982 (25 U.S.C. 2101-2108; and 25 U.S.C. 2 and 9); 30 CFR part 206; 25 CFR part 225; and Indian oil and gas lease and agreement terms.

##### III. The Committee and Its Process

In a negotiated rulemaking, a proposed rule is developed by a committee composed of representatives of government and the interests that will be significantly affected by the rule. Decisions are made by "consensus."

"[C]onsensus" means unanimous concurrence among the interests represented on a negotiated rulemaking committee established under this subchapter, unless such committee (A) agrees to define such term to mean a general but not unanimous concurrence; or (B) agrees upon another specified definition.

5 U.S.C. 562(2) (A) and (B).

The negotiated rulemaking process is initiated by the Agency's identification of interests potentially affected by the rulemaking under consideration. Those interests were identified by the comments received regarding the **Federal Register** notice published on April 28, 2008.

##### IV. Membership of the Committee

The MMS believes that the interests significantly affected by this rule will be

represented by the representatives listed below:

A representative of the Shoshone and Arapaho Tribes of the Wind River Reservation;

A representative of the Ute Indian Tribe;

A representative of the allottees at Fort Berthold, North Dakota;

A representative of the allottees of Oklahoma Indian Land/Mineral Owners of Associated Nations;

A representative of the Blackfoot Nation;

A representative of the Council of Petroleum Accountants Societies (COPAS) Revenue Committee;

A representative of the Independent Petroleum Association of Mountain States;

A representative of Peak Energy Resources;

A representative of Resolute Natural Resources;

A representative of Chesapeake Energy;

Two representatives of the Minerals Management Service; and

A representative of the Assistant Secretary for Indian Affairs.

If anyone believes their interests will not be adequately represented by these organizations, they must demonstrate and document that assertion through an application submitted no later than 10 calendar days following publication of this notice. You may fax your documentation to (303) 231-3409.

The first meeting date will be published in a **Federal Register** notice. Future meetings will be determined at this first meeting and notice of the dates published in the **Federal Register**.

##### Certification

I hereby certify that the Indian Oil Valuation Negotiated Rulemaking Committee is in the public interest.

Dated: December 10, 2008.

**Foster L. Wade,**

*Deputy Assistant Secretary for Land and Minerals Management.*

[FR Doc. E8-30139 Filed 12-18-08; 8:45 am]

**BILLING CODE 4310-MR-P**

## DEPARTMENT OF INTERIOR

### National Park Service

#### **Draft Legislative Environmental Impact Statement on the Harvest of Glaucous-Winged Gull Eggs by the Huna Tlingit in Glacier Bay National Park**

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice of Availability of the Draft Legislative Environmental Impact Statement on the Harvest of Glaucous-

Winged Gull Eggs by the Huna Tlingit in Glacier Bay National Park.

**SUMMARY:** The National Park Service announces the availability of a Draft Legislative Environmental Impact Statement (LEIS) for the Harvest of Glaucous-Winged Gull Eggs by the Huna Tlingit in Glacier Bay National Park. The document describes and analyzes the environmental impacts of a preferred alternative and one additional action alternative for managing a limited harvest of glaucous-winged gull eggs. A no action alternative is also evaluated. This notice announces the public comment period, the locations of public hearings, and solicits comments on the draft LEIS.

**DATES:** Comments on the draft LEIS must be received no later than March 6, 2009.

**ADDRESSES:** Written comments on the draft LEIS should be submitted to Mary Beth Moss, Project Manager, Glacier Bay National Park and Preserve, PO Box 140, Gustavus, AK 99829.

Submit comments electronically through the NPS Planning, Environment and Public comment system (PEPC) at <http://parkplanning.nps.gov>. The draft LEIS may be viewed and retrieved at this Web site as well. Hard copies of the draft LEIS are available by request from the aforementioned address. See **SUPPLEMENTARY INFORMATION** for the locations of public hearings.

**FOR FURTHER INFORMATION CONTACT:** Mary Beth Moss, Project Manager, Glacier Bay National Park and Preserve, Telephone: 907 317-1270.

**SUPPLEMENTARY INFORMATION:** The purpose of the draft LEIS is to analyze the effects of the limited collection of glaucous-winged gull eggs within Glacier Bay National Park by Hoonah Indian Association (HIA); the federally recognized government of the Huna Tlingit) tribal members if legislation authorizing collection were enacted. Glacier Bay is the traditional homeland of the Huna Tlingit. The Huna Tlingit harvested eggs at gull rookeries in Glacier Bay, including the large nesting site on South Marble Island, prior to the park being established in 1925. Egg collection was curtailed in the 1960s. The Migratory Bird Treaty Act prohibited the harvest of gull eggs, and by statute and NPS regulations, harvest is precluded within park boundaries.

In the late 1990s, at the behest of tribal leaders, the NPS agreed to explore ways to authorize this important cultural tradition. Section 4 of the Glacier Bay National Park Resource Management Act of 2000 (Pub. L. 106-455) requires the Secretary of Interior, in

consultation with local residents, to assess whether sea gull eggs can be collected in the park on a limited basis without impairing the biological sustainability of the gull population in the park. The Act further requires that if the study determines that the limited collection of sea gull eggs can occur without impairing the biological sustainability of the gull population in the park, the Secretary shall submit recommendations for legislation to Congress. Sea gull eggs cannot be collected absent legislation.

NPS commissioned ethnographic and biological studies to inform the analysis included in this draft LEIS. The draft LEIS considers a reasonable range of alternatives based on project objectives, park resources and values, and public input that include:

*Alternative 1 (No Action):* This alternative would not propose legislation to authorize the harvest of glaucous-winged gull eggs in Glacier Bay National Park. Glaucous-winged gulls would continue to breed in Glacier Bay without human disturbance.

*Alternative 2:* This alternative would propose legislation to authorize harvest of glaucous-winged gull eggs at up to two designated locations on a single pre-selected date on or before June 9 of each year. Approximately 12 tribal members would have the opportunity to harvest eggs each year.

*Alternative 3 (NPS Preferred Alternative):* Alternative 3 would propose legislation to authorize harvest of glaucous-winged gull eggs at several designated locations in Glacier Bay National Park on two separate dates. The first harvest would occur on or before June 9th; a second harvest at the same sites would occur within nine days of the first harvest. The logistics of vessel transportation would limit the number of sites that could be visited in a given day. Depending on weather and other conditions, as well as the sites selected, harvest would likely occur at three to four sites. Approximately 24 tribal members would have the opportunity to harvest eggs each year.

Both action alternatives would propose legislation authorizing the management of harvest activities under the guidelines of a harvest management plan cooperatively developed by the NPS and the HIA. NPS would conduct monitoring activities to ensure that park resources and values were not impacted. The Superintendent would retain the authority to close gull colonies to harvest.

Public hearings are scheduled in Alaska at the following locations: Anchorage, Juneau, Gustavus, and Hoonah, Alaska. The specific dates and

times of the meetings and public hearings will be announced in local media.

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 to withhold your personal identifying information from public review we cannot guarantee that we will be able to do so. We will always make submissions from organizations or businesses, and from individuals identifying themselves as representatives of or officials of organizations or businesses, available for public inspection in their entirety.

Dated: October 17, 2008.

**Sue E. Masica,**

*Regional Director, Alaska.*

[FR Doc. E8-30133 Filed 12-18-08; 8:45 am]

**BILLING CODE 4312-HX-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Draft General Management Plan Amendment/Environmental Impact Statement, Petrified Forest National Park, Arizona**

**AGENCY:** National Park Service, Department of Interior.

**ACTION:** Notice of Termination of Environmental Impact Statement for the General Management Plan, Petrified Forest National Park, in favor of an Environmental Assessment.

**SUMMARY:** The National Park Service (NPS) is terminating preparation of an Environmental Impact Statement (EIS) for the General Management Plan amendment, Petrified Forest National Park, Arizona. A Notice of Intent to prepare the EIS for the Petrified Forest National Park General Management Plan Amendment was published at 72 FR 159, pages 46244 and 46245, August 17, 2007. The National Park Service has since determined that an Environmental Assessment (EA) rather than an EIS is the appropriate level of environmental documentation for the plan.

**SUPPLEMENTARY INFORMATION:** The Petrified National Park Expansion Act of 2004 (Pub. L. 108-430) added approximately 125,000 acres in private and other agency ownership to the existing Petrified Forest National Park, and directed the National Park Service to develop a plan to manage the addition lands. A general management plan amendment will establish the

overall management direction of the addition lands for the next 15 to 20 years. The plan amendment was originally scoped as an EIS. Publication of the **Federal Register** Notice was followed with a newsletter to affected agencies and interested parties, and a public meeting in Holbrook, Arizona. However, few comments were received during the scoping process. The NPS planning team has developed two alternative management concepts for the addition lands. The “*No-Action*” concept would allow for the continuation of existing conditions, and the addition lands would remain a mix of private, state, and NPS ownership, with a small proportion of those lands owned and managed by the NPS. Current land uses, activities, and structures would remain, and resources would not necessarily be well protected.

The “*Preferred*” concept would allow for cautious NPS management of addition lands within NPS jurisdiction, while gathering as much information about them as possible. Resource inventories, condition assessments, and research would be conducted to increase understanding of the addition lands. This concept provides for a higher level of resource protection than the *No-Action* concept. These management concepts will be expanded upon and refined through the planning/environmental assessment process.

**DATES:** The NPS will notify the public by mail, Web site, and other means, of public review periods and meetings associated with the draft GMP amendment/EA. All public review and other written public information will be made available online at <http://parkplanning.nps.gov/pefo>.

**FOR FURTHER INFORMATION CONTACT:** Cliff Spencer, Superintendent, Petrified Forest National Park, P.O. Box 2217, Petrified Forest, Arizona 86028; telephone, (928) 524-6228, extension 225; e-mail [cliff\\_spencer@nps.gov](mailto:cliff_spencer@nps.gov).

Dated: December 8, 2008.

**Michael D. Snyder,**

*Regional Director, Intermountain Region, National Park Service.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### **Southern Delivery System, Colorado**

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of Availability of Southern Delivery System Final