

the dock structure at Kalaupapa National Historical Park. It has become apparent that an EIS will not be necessary due to reduced scope of the proposed actions such that there is no potential for significant impacts nor controversy surrounding the proposal. Coincident with this termination notice, the NPS is hereby announcing preparation of an Environmental Assessment (EA). The EA will describe two alternatives remaining for consideration, including a no-action alternative, and will analyze potential environmental consequences of the proposed dock repairs, including minor to moderate effects on water quality, benthic resources, coral and essential fish habitats, species protected under the Endangered Species Act and the Marine Mammal Protection Act, historic resources, cultural landscape, ethnographic resources, and park operations. Measures to minimize harm will be included, and an "environmentally preferred" alternative identified.

Background: Kalaupapa National Historic Park (NHP) on Molokai was established in 1980 in recognition of the seminal role of this remote area in development of treatments and care for persons with Hansen's disease. Repairs of Kalaupapa dock structures are necessary to ensure continued barge service for the park and community residents. Timely repair of the structures is needed to preclude disruption of incoming barge service upon which the park and isolated community residents depend for their livelihood (as well as regular outgoing service required for the park's recycling program and other operations and activities).

Originally the NPS planned to prepare an EA, and scoping was conducted during spring and summer 2008. Oral and written comments were obtained from the Kalaupapa patient community and park neighbors; state, county, and federal agencies, including Hawaii Department of Health, the State Historic Preservation Officer, and U.S. Fish and Wildlife Service (USFWS); interested organizations; and native Hawaiian groups. Based on information obtained, it was determined that preparation of an EIS was warranted.

At that time the range of alternatives under consideration was as follows: *Alternative A* (no action) would have maintained current conditions. *Alternative B* would have stabilized and repaired bulkhead and low pier walls; repaired a deteriorating concrete pier and a breakwater; and constructed a mooring dolphin to assist with barge landings. *Alternative C* would have

entailed deferred maintenance and dolphin installation similar to *Alternative B*, as well as dredged the harbor bottom to widen the berthing basin so as to accommodate a variety of sizes of available barges.

Based upon careful consideration of all public comments received to date, as well as further coordination with USFWS and National Marine Fisheries Service, the scope of work originally proposed has been reduced—widening the berthing basin and installation of a mooring dolphin have been dropped from consideration, which will avoid unacceptable impacts to coral and to marine species including the endangered Hawaiian Monk seal. These options will be addressed in the EA as alternatives considered but dismissed from analysis. The preferred alternative in the EA will consist of a maintenance plan, which is restricted to repair of the breakwater, repair of the deteriorating concrete pier, and stabilization of the bulkhead and low pier walls.

SUPPLEMENTARY INFORMATION: All persons on the EIS mailing list will be incorporated into the EA mailing list. Additional information regarding the preparation of the EA may be obtained by contacting Superintendent Steve Prokop, Kalaupapa National Historical Park, P.O. Box 2222, Kalaupapa, HI, 96742, (808) 567-6802. Project updates will also be periodically posted at <http://parkplanning.nps.gov/kala>, as well as provided through local and regional press media.

Dated: May 28, 2010.

George J. Turnbull,

Acting Regional Director, Pacific West Region.

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DEPARTMENT OF THE INTERIOR

National Park Service

Record of Decision for the General Management Plan for the Chattahoochee River National Recreation Area, GA

AGENCY: National Park Service, Department of the Interior.

ACTION: Notice of Availability of the Record of Decision for the General Management Plan Environmental Impact Statement for the Chattahoochee River National Recreation Area.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C), the National Park Service (NPS) announces the availability of the Record of Decision (ROD) for the General Management

Plan, Chattahoochee River National Recreation Area, Georgia. On December 15, 2009, the Regional Director, Southeast Region, approved the ROD for the project. As soon as practicable, the NPS will begin to implement the Preferred Alternative contained in the Final Environmental Impact Statement (EIS) issued on November 13, 2009. Six alternatives were evaluated in the EIS. These include: Alternative A, No Action—Continue Current Management; Alternative B, Focus on Solitude—implements management programs to minimize development in the park and maximize the opportunity for visitors to experience solitude in natural settings; Alternative C—Visitors would be drawn toward a system of relatively developed hubs in which administrative and interpretive facilities are located; Alternative D—Expanding and distributing access throughout the park, including newly acquired parcels to provide diverse types of visitor experiences; Alternative E—Takes some features of Alternatives C and D and provides expanded access to the park while at the same time maintaining substantial acreage with less "hardened" forms of access such as paved parking areas, roads, and other structures; and Alternative F, the preferred alternative—Increases opportunities for the park to expand use to local visitors and increase connectivity to neighboring communities through trail linkages, partnering, and expanded interpretive, education and outreach activities.

The ROD includes a statement of the decision made, synopses of other alternatives considered, the basis for the decision, a description of the environmentally preferable alternative, a finding of no impairment of park resources and values, a listing of measures to minimize environmental harm, and an overview of public involvement in the decision-making process.

FOR FURTHER INFORMATION CONTACT:

Daniel R. Brown, 1978 Island Ford Parkway, Sandy Springs, GA 30350-3400, (678) 538-1200, Daniel_R_Brown@nps.gov.

SUPPLEMENTARY INFORMATION: Copies of the Record of Decision may be obtained from the contact listed above or online at <http://parkplanning.nps.gov/CHAT>.

Authority: The authority for publishing this notice is 40 CFR 1506.6.

The responsible official for this Record of Decision is the Regional Director, Southeast Region, National Park Service, 100 Alabama Street, SW., 1924 Building, Atlanta, Georgia 30303.

Dated: May 14, 2010.

Gordon Wissinger,

Acting Regional Director, Southeast Region.

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DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Walker River Basin Acquisition Program

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of cancellation.

SUMMARY: The Bureau of Reclamation (Reclamation) is canceling work on the Environmental Impact Statement (EIS) for the Walker River Basin Acquisition Program (Acquisition Program). Reclamation has determined that the action of providing funds for the Acquisition Program as authorized in Public Laws 109-103 and 111-85 is not a Federal discretionary action. In addition, Reclamation does not have control over the expenditure of the funds by the Acquisition Program recipient and has therefore determined National Environmental Policy Act (NEPA) compliance is not necessary per 2008 Department of Interior regulations for implementing NEPA (43 Code of Federal Regulations [CFR] Part 46 Implementation of the NEPA of 1969). Reclamation included its decision that NEPA compliance is not required in the July 2009 Draft EIS and shared the decision at the August 2009 public hearings. In February 2010, Reclamation issued a Revised Draft EIS with incorporation of public comment for informational purposes only rather than a NEPA analysis. Additional comments were not solicited on this February 2010 Revised Draft EIS, and a Final EIS and Record of Decision (ROD) will not be prepared.

FOR FURTHER INFORMATION CONTACT: Mrs. Caryn Hunt DeCarlo, Lahontan Basin Area Office at 775-884-8352, or e-mail chunttdecarlo@usbr.gov.

SUPPLEMENTARY INFORMATION: Since 1882, diversions from the Walker River, primarily for irrigated agriculture, have resulted in a steadily declining surface elevation of Walker Lake with a current net decrease of 156 feet. The decrease has resulted in extremely poor water quality and deteriorated lake ecology. As a result, several Federal laws have been passed to address the lake's environmental conditions. Reclamation's role related to the Acquisition Program as authorized in two of those laws, Public Laws 109-103

and 111-85, is to provide funding to the University of Nevada (University) or the National Fish and Wildlife Foundation (NFWF) for their implementation of the Program. Both laws direct that the funds be used by the recipient to acquire from willing sellers land, water appurtenant to the land, and related interests in the Walker River Basin, Nevada. Acquired water rights would be transferred to provide water for environmental restoration of Walker Lake. NFWF and the University entered into an agreement in December 2009 where the University assigned all their rights, interests, and obligations for the Acquisition Program to NFWF. NFWF will be administering the Acquisition Program going forward.

Reclamation published a Notice of Intent to prepare an EIS on the Acquisition Program in the **Federal Register** on September 25, 2007 (72 FR 54456). Public scoping meetings on the EIS were held in October 2007 and meetings on the alternatives to be evaluated in the EIS were held in June 2008. Reclamation developed a No Action Alternative and three acquisition alternatives to analyze in the EIS. The objective of all acquisition alternatives (Purchase, Leasing and Efficiency) was to acquire sufficient water from willing sellers to increase average annual inflow to Walker Lake by 50,000 acre feet. Reclamation published a Notice of Availability of the Draft EIS on July 24, 2009 (74 FR 36737) and a notice to reopen the comment period for review of the Draft EIS on September 23, 2009 (74 FR 48596).

In 2008, DOI promulgated its regulations for implementing NEPA (43 Code of Federal Regulations [CFR] part 46 Implementation of the NEPA of 1969); the rule was finalized on November 14, 2008. Section 46.100(a) of these regulations state in part "If Federal funding is provided with no Federal agency control as to the expenditure of such funds by the recipient, NEPA compliance is not necessary." Reclamation evaluated its role for the Acquisition Program and determined the agency does not exercise control or responsibility over the Acquisition Program, is not approving the action, and does not have control over the expenditure of Federal funds by the recipient. Therefore, Reclamation determined that NEPA compliance is not required and a ROD will not be issued. This determination regarding NEPA compliance and why Reclamation would not be issuing a ROD was explained in the July 2009 Draft EIS and shared at the August 2009 EIS public hearings. Reclamation also shared that while the agency decided NEPA

compliance was not required, there was value in soliciting public comments on the Draft EIS, responding to comments and incorporating as appropriate into the analysis. Reclamation stated at the time that a Final EIS would be completed for informational purposes, but later determined the title Revised Draft EIS was more appropriate since a ROD would not be issued.

In February 2010, Reclamation released a Revised Draft EIS that included responses to public comments on the July 2009 Draft EIS and incorporated appropriate changes to the analysis from public comment, new legislation, and data. The Revised Draft EIS was prepared for informational purposes rather than as a required NEPA analysis for Federal agency decision making. Additional comments on the Revised Draft EIS were not solicited and the document noted that a Final EIS and ROD would not be prepared and that the EIS would be formally cancelled via notice in the **Federal Register**.

Dated: June 28, 2010.

Pablo R. Arroyave,

Deputy Regional Director, Mid-Pacific Region.

[FR Doc. 2010-16300 Filed 7-2-10; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Approved Tribal-State Class III Gaming Compact.

SUMMARY: This notice publishes the Approved Compact between the Seminole Tribe of Florida and the State of Florida.

DATES: *Effective Date:* July 6, 2010.

FOR FURTHER INFORMATION CONTACT: Paula Hart, Director, Office of Indian Gaming, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, (202) 219-4066.

SUPPLEMENTARY INFORMATION: Under section 11 of the Indian Gaming Regulatory Act of 1988 (IGRA) Public Law 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish in the **Federal Register** notice of approved Tribal—State compacts for the purpose of engaging in Class III gaming activities on Indian lands. The compact authorizes the Seminole Tribe to operate slot machines, raffles and drawing, and any new game that may be authorized