

1,600 acres of open water and marshlands. At least 47 mammal species and nearly 175 species of birds have been observed on the refuge. Some notable species include moose, bighorn sheep, pronghorn, gray wolves, mountain lions, bald eagles, and peregrine falcons.

### Scoping: Preliminary Issues, Concerns, and Opportunities

The CCP will not address bison and elk management on the refuge. This is because a Bison and Elk Management Plan completed in 2007 provides goals, objectives, and strategies for managing bison and elk on the National Elk Refuge and in Grand Teton National Park for the next 15 years. The CCP will address all other aspects of refuge management, including migratory birds, threatened and endangered species, visitor use, and cultural resources. We have identified preliminary issues, concerns, and opportunities that we may address in the CCP. During public scoping, we may identify additional issues.

We request input as to which issues affecting refuge management or public use should be addressed during the planning process. We are especially interested in receiving public input in the following areas:

- (a) What suggestions do you have for managing migratory birds on the refuge?
- (b) What concerns do you have regarding visitor services and public use on the refuge?

(c) What changes, if any, would you like to see in the management of this refuge?

We provide the above questions for your optional use. We have no requirement that you provide information; however, any comments the planning team receives will be used as part of the planning process.

### Public Meetings

We will give the public an opportunity to provide input at a public meeting. You can obtain the schedule from the planning team leader or project leader (see **ADDRESSES**). We will announce opportunities for public input in local news media throughout the CCP process. You may also send comments anytime during the planning process by mail, e-mail, or fax (see **ADDRESSES**). There will be additional opportunities to provide public input once we have prepared a draft CCP.

### Public Availability of Comments

Any comments we receive will become part of the administrative record and may be available to the public. Before submitting comments that

include your address, phone number, e-mail address, or other personal identifying information, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you may 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.

Dated: August 6, 2010.

**Noreen E. Walsh,**

*Deputy Regional Director.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

**[FWS-R8-R-2010-N081; 80230-1265-0000-S3]**

### Klamath Marsh National Wildlife Refuge, Klamath County, OR

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability: Final comprehensive conservation plan and finding of no significant impact.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the availability of the Final Comprehensive Conservation Plan (CCP) and Finding of No Significant Impact (FONSI) for the Klamath Marsh National Wildlife Refuge (NWR). The CCP describes how we will manage the Refuge for the next 15 years.

**DATES:** The CCP and FONSI are available now. The FONSI was signed on June 14, 2010. Implementation of the CCP may begin immediately.

**ADDRESSES:** You may view or obtain copies of the final CCP and FONSI/EA by any of the following methods. You may request a hard copy or CD-ROM.

**Agency Web Site:** Download a copy of the document(s) at <http://www.fws.gov/klamathbasinrefuges/KlamathMarshCCP/kmarshccp.html>.

**Email:** [fw8plancComments@fws.gov](mailto:fw8plancComments@fws.gov). Include "Klamath Marsh CCP" in the subject line.

**Mail:** U.S. Fish and Wildlife Service, Attn: Mark Pelz, Chief, Refuge Planning, 2800 Cottage Way, W-1832, Sacramento, CA 95825-1846.

**In-Person Viewing or Pickup:** Call 541-783-3380 to make an appointment during regular business hours at Klamath Marsh National Wildlife Refuge, HC 63 Box 303, Chiloquin, OR 97624.

**Local Library or Libraries:** The document(s) are also available for

review at the libraries listed under **SUPPLEMENTARY INFORMATION**.

### FOR FURTHER INFORMATION CONTACT:

Mark Pelz, Chief, Refuge Planning, 2800 Cottage Way, W-1832, Sacramento, CA, 95825, phone (916) 414-6500.

### SUPPLEMENTARY INFORMATION:

#### Background

Klamath Marsh was established in 1958 and is located in south central Oregon on the east slope of the Cascade Mountain Range along the Williamson River. The Service owns approximately 40,960 acres within the 49,583-acre acquisition boundary. The Refuge protects one of the largest remaining natural freshwater marshes on the west coast. Other important habitats on the refuge include sedge meadow, grassland, riverine, riparian scrub, and ponderosa pine forest. The Refuge protects habitat for a variety of unique species including greater sandhill cranes, yellow rails, Oregon spotted frogs, red-naped sapsuckers, pygmy nuthatches, bald eagles, beaver, and red band trout. The entire Refuge is located within the former reservation of the Klamath Tribes.

We announce our decision and the availability of the FONSI for the final CCP in accordance with National Environmental Policy Act (NEPA) (40 CFR 1506.6(b)) requirements. We completed a thorough analysis of impacts on the human environment, which we included in the EA that accompanied the draft CCP.

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee) (Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997, requires us to develop a CCP for each national wildlife refuge. The purpose for developing a CCP is to provide refuge managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Administration Act.

Our Draft CCP and Environmental Assessment (EA) were available for a 45-

day public review and comment period, which we announced via several methods, including press releases, updates to constituents, and a **Federal Register** notice (74 FR 38668, August 4, 2009). The Draft CCP/EA identified and evaluated three alternatives for managing the Refuge for the next 15 years. Alternative A was the no-action alternative, which described current Refuge management activities. Alternative B (the selected alternative) would restore the portion of the Williamson River and Big Spring Creek on the Refuge; and expand visitor services. Alternative C would also restore the portions of the Williamson River and Big Springs Creek on the Refuge; and recommend 11,165 acres for wilderness designation.

We received 56 comment letters on the Draft CCP and EA during the review period. We incorporated these received comments into the CCP when possible, and we responded to the comments in an appendix to the CCP. In the FONSI, we selected Alternative B, the basis for the CCP, for implementation. The FONSI documents our decision and is based on the information and analysis contained in the EA.

Under the selected alternative, the Service would restore the portion of the Williamson River and Big Spring Creek on the Refuge; substantially improve management of emergent marsh, meadows, ponderosa pine forest and aspen to increase habitat value for migratory birds and other wildlife; improve and expand visitor services by developing new trails, interpretive exhibits, an environmental education program, and a visitor contact station; maintain existing hunting and fishing programs with minor modifications; increase cultural resources protection; and recommend no units for wilderness designation. The Service would also revise and update the MOU with the Klamath Tribes regarding subsistence hunting and gathering. The selected alternative best meets the Refuge's purposes, vision, and goals; contributes to the Refuge System mission; addresses the significant issues and relevant mandates; and is consistent with principles of sound fish and wildlife management.

#### Public Availability of Documents

In addition to the methods in **ADDRESSES**, you can view or obtain documents at the following locations:

- Our Web site: <http://www.fws.gov/klamathbasinrefuges/KlamathMarshCCP/kmarshccp.html>
- Public Libraries: During regular library hours, at the following libraries:

Library	Address
Chiloquin .....	216 South 1st Street, Chiloquin, OR 97624.
Klamath County .....	126 South Third Street, Klamath Falls, OR 97601.
USFWS-NCTC .....	698 Conservation Way, Shepherdstown, WV 25443.

Dated: June 14, 2010.

**Ren Lohoefer,**

*Regional Director, Pacific Southwest Region, Sacramento, California.*

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#### DEPARTMENT OF THE INTERIOR

##### Bureau of Indian Affairs

##### **Final Environmental Impact Statement for the Proposed Fee-to-Trust Conveyance of Property for the Cayuga Nation of New York in Cayuga and Seneca Counties, NY**

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

**ACTION:** Notice of Availability.

**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs (BIA) is making available for public review the Final Environmental Impact Statement (FEIS) for the proposed conveyance of 125± acres of land that is currently held by the Cayuga Nation of New York in fee status into trust status. The uses of the properties, which include two convenience stores, would not change. The application includes two properties that have been used for Class II Indian gaming, operational at the time of the application, on one property in Seneca County and one property in Cayuga County. The Class II Indian gaming on the Cayuga Reservation would be expected to resume if the properties are placed into trust. The cooperating agencies for the proposal are the Cayuga Nation, Seneca County, Cayuga County and New York State Department of Environmental Conservation. The purpose of the proposed action is to create a tribal land base and to help meet the Nation's socio-economic needs.

**DATES:** The Record of Decision (ROD) on the proposed action will be issued no sooner than 30 days after the release of the FEIS. Thus, any comments on the FEIS must arrive by November 22, 2010.

**ADDRESSES:** You may mail, hand carry or telefax written comments to Franklin Keel, Regional Director, Eastern Regional Office, Bureau of Indian Affairs, 545 Marriott Drive, Suite 700, Nashville, Tennessee 37214, Telefax (615) 564-6701. Please see the **SUPPLEMENTARY INFORMATION** section of this notice for directions for submitting comments and locations where copies of the FEIS are available.

**FOR FURTHER INFORMATION CONTACT:** Kurt G. Chandler, (615) 564-6832.

**SUPPLEMENTARY INFORMATION:** The proposed alternatives are: (A) The Proposed Action (this is the action proposed by the Cayuga Indian Nation, to take all 125 +/− acres into trust); (B) No Action Alternative; and (C) Enterprise Properties into Trust (this alternative includes a single section of contiguous parcels in Seneca County and a single section of contiguous parcels in Cayuga County). Alternative C was proposed in order to analyze whether there were any specific impacts related to the contiguity of the parcels.

The Draft Environmental Impact Statement (DEIS), dated May 2009, has been revised in response to comments, and the revision is being issued as the FEIS for the purposes of compliance with the National Environmental Policy Act of 1969. The total acreage and number of parcels was reduced after the publication of the DEIS. The application originally consisted of seven parcels in four contiguous groups, listed under nine tax identification numbers. With the removal of a single 0.05 acre parcel from the application, three contiguous groups, listed under eight tax identification numbers, are currently under consideration for transfer into trust status. This revision is not considered significant, nor does the removal of the parcel from the application provide significant differences in impacts on the environment. Therefore, issuance of an additional DEIS for public review was not considered necessary.

*Directions for Submitting Comments:* Please include your name, return address and the caption, "FEIS Comments, Cayuga Indian Nation of New York Trust Acquisition Project," on the first page of your written comments.

*Public Availability of the FEIS:* Copies of the FEIS will be available for viewing at the following locations during normal business hours:

- Lakeside Trading, 2552 Route 89, Seneca Falls, NY 13148
- Lakeside Trading, 299 Cayuga Street, Union Springs, NY 13160
- Seneca Falls Library, 47 Cayuga St., Seneca Falls, NY 13148