

4801 8th Street  
St. Cloud Co: Stearns MN 56303—  
Landholding Agency: VA  
Property Number: 97199740004  
Status: Unutilized  
Reason: landlocked  
7.48 acres (Area #1)  
VA Medical Center  
4801 8th Street  
St. Cloud Co: Stearns MN 56303—  
Landholding Agency: VA  
Property Number: 97199740005  
Status: Underutilized  
Reason: Secured Area

#### Montana

Sewage Lagoons/40 acres  
VA Center  
Ft. Harrison MT 59639—  
Landholding Agency: VA  
Property Number: 97200340007  
Status: Excess  
Reason: Floodway

#### New York

Tract 1  
VA Medical Center  
Bath Co: Steuben NY 14810—  
Location: Exit 38 off New York State Route 17.  
Landholding Agency: VA  
Property Number: 97199010011  
Status: Unutilized  
Reason: Secured Area

Tract 2  
VA Medical Center  
Bath Co: Steuben NY 14810—  
Location: Exit 38 off New York State Route 17.  
Landholding Agency: VA  
Property Number: 97199010012  
Status: Underutilized  
Reason: Secured Area

Tract 3  
VA Medical Center  
Bath Co: Steuben NY 14810—  
Location: Exit 38 off New York State Route 17.  
Landholding Agency: VA  
Property Number: 97199010013  
Status: Underutilized  
Reason: Secured Area

Tract 4  
VA Medical Center  
Bath Co: Steuben NY 14810—  
Location: Exit 38 off New York State Route 17.  
Landholding Agency: VA  
Property Number: 97199010014  
Status: Unutilized  
Reason: Secured Area

[FR Doc. E5-63 Filed 1-13-05; 8:45 am]

**BILLING CODE 4210-29-P**

## DEPARTMENT OF THE INTERIOR

### Central Utah Project Completion Act

**AGENCIES:** Department of the Interior, Office of the Assistant Secretary—Water and Science (Interior); Utah Reclamation Mitigation and Conservation Commission (Mitigation

Commission); and Central Utah Water Conservancy District (CUWCD).

**ACTION:** Notice of Availability of the Record of Decision on the Utah Lake Drainage Basin Water Delivery System Final Environmental Impact Statement documenting the Department of the Interior's approval to proceed with the construction of the Proposed Action Alternative.

**SUMMARY:** On December 22, 2004, R. Thomas Weimer, Acting Assistant Secretary—Water and Science, Department of the Interior, signed the Record of Decision (ROD) which documents the selection of the Proposed Action Alternative as presented in the Utah Lake Drainage Basin Water Delivery System (Utah Lake System) Final Environmental Impact Statement (ULS FEIS), INT FES 04-41, filed September 30, 2004. The ROD also approves the initiation of construction of the Utah Lake System, in accordance with statutory and contractual obligations. The following features will be constructed as part of the Proposed Action: (1) Sixth Water Hydropower Plant, Substation, and Transmission Facilities, (2) Upper Diamond Fork Hydropower Plant and Underground Transmission Facilities, (3) Spanish Fork Canyon Pipeline, (4) Spanish Fork—Santaquin Pipeline, (5) Santaquin—Mona Reservoir Pipeline, (6) Mapleton—Springville Lateral Pipeline, and (7) Spanish Fork—Provo Reservoir Canal Pipeline. The ROD acknowledged that value engineering studies would be conducted that could result in minor modifications to the physical facilities to further reduce environmental impacts and reduce construction costs.

The Proposed Action specifically fulfills project needs to: (1) Complete the Bonneville Unit by delivering 101,900 acre-feet on an average annual basis from Strawberry Reservoir to the Wasatch Front Area and project water from other sources to meet some of the municipal and industrial (M&I) demand in the Wasatch Front Area; (2) implement water conservation measures; (3) address all remaining environmental commitments associated with the Bonneville Unit; and (4) maximize current and future M&I water supplies associated with the Bonneville Unit.

Interior, the Mitigation Commission, and CUWCD serve as the Joint Lead Agencies for the ULS. During preparation of the ULS FEIS, the Joint Lead Agencies formally consulted with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act (16 U.S.C.A. sections 1531 to 1544, as

amended). The Joint-Lead Agencies will also obtain an exemption from Section 404 requirements provided by Section 404(r) of the Clean Water Act by including a Section 404(b)(1) analysis within the ULS FEIS.

In addition to this notification, notices will be published in local newspapers.

#### FOR FURTHER INFORMATION CONTACT:

Additional information on matters related to this notice can be obtained from Mr. Reed Murray at (801) 379-1237, or [rmurray@uc.usbr.gov](mailto:rmurray@uc.usbr.gov).

Dated: January 7, 2005.

**Ronald Johnston,**

*Program Director, Department of the Interior.*  
[FR Doc. 05-785 Filed 1-13-05; 8:45 am]

**BILLING CODE 4310-RK-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of the Final Environmental Impact Statement for Caspian Tern Management To Reduce Predation of Juvenile Salmonids in the Columbia River Estuary

**AGENCY:** U.S. Fish and Wildlife Service, Department of the Interior.

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces that the Final Environmental Impact Statement (Final EIS) for Caspian Tern (*Sterna caspia*) Management to Reduce Predation of Juvenile Salmonids in the Columbia River Estuary is available for review and comment. This Final EIS was prepared pursuant to the National Environmental Policy Act of 1969, as amended (NEPA) with the U.S. Army Corps of Engineers (Corps) and National Marine Fisheries Service (NOAA Fisheries) as cooperating agencies. This Final EIS describes the three Federal Agencies' proposal for the redistribution of the Caspian tern colony from East Sand Island, Columbia River estuary to various sites located throughout the Pacific Coast/Western region. The purposes of the proposed action are to reduce tern predation on juvenile Columbia River salmonids and eliminate the vulnerability of the regional tern population associated with having the majority of the population (70 percent) breeding in one location.

**DATES:** A Record of Decision may be signed no sooner than 30 days after publication of this notice (40 CFR 1506.10 (b) (2)).

**FOR FURTHER INFORMATION CONTACT:** For more information or to request a copy of

the Final EIS, contact Nanette Seto or Tara Zimmerman, Migratory Birds and Habitat Programs, 911 NE. 11th Avenue, Portland, OR, 97232, telephone (503) 231-6164, facsimile (503) 231-2019.

**SUPPLEMENTARY INFORMATION:** Copies of the Final EIS will be available for viewing and downloading online at:

1. <http://migratorybirds.pacific.fws.gov/CATE.htm>,
2. <http://www.nwp.usace.army.mil/pm/e/>, and
3. <http://nwr.noaa.gov>.

Printed documents will also be available for review at the following libraries:

1. North Olympic Library System, Port Angeles Branch, Port Angeles, WA,
2. North Olympic Library System, Sequim Branch, Sequim, WA,
3. Astoria Public Library, Astoria, OR,
4. Multnomah County Central Library, Portland, OR,
5. Eugene Public Library, Eugene, OR,
6. Lake County Library, Lakeview, OR,
7. San Francisco Public Library, San Francisco, CA, and
8. Oakland Main Public Library, Oakland, CA

Copies of the Final EIS may be obtained by writing to U.S. Fish and Wildlife Service, Migratory Birds and Habitat Programs, Attn: Nanette Seto, 911 NE. 11th Avenue, Portland, OR, 97232, or [cateeis@fws.gov](mailto:cateeis@fws.gov).

### Background

Recent increases in the number of Caspian terns nesting in the Columbia River estuary, Oregon, have led to concerns over their potential impact on the recovery of threatened and endangered Columbia River salmon. In 2000, Seattle Audubon, National Audubon, American Bird Conservancy, and Defenders of Wildlife filed a lawsuit against the Corps alleging that compliance with NEPA for a proposed action of relocating the large colony of Caspian terns from Rice Island to East Sand Island was insufficient, and against the Service in objection to the potential take of eggs as a means to prevent nesting on Rice Island. In 2002, all parties reached a settlement agreement. The settlement agreement stipulates that the Service, Corps, and NOAA Fisheries prepare an EIS to address Caspian tern management in the Columbia River estuary and juvenile salmonid predation.

The three cooperating agencies analyzed four alternatives for future Caspian tern management in the Columbia River estuary; of these, Alternative C has been identified as the preferred alternative.

Alternative C has not been modified from the Draft EIS which was released on July 23, 2004 for public review. This alternative proposes management actions that would reduce tern predation on juvenile salmonids in the Columbia River estuary by redistributing a portion of the tern colony on East Sand Island throughout the Pacific Coast/Western region. This would be achieved by reducing the tern nesting site on East Sand Island to approximately 1 to 1.5 acres and managing sites in Washington, Oregon, and California specifically for displaced Caspian terns. Future management sites include Dungeness National Wildlife Refuge, Washington; Summer, Crump, and Fern Ridge lakes, Oregon; and Brooks Island, Hayward Regional Shoreline, and Don Edwards San Francisco Bay National Wildlife Refuge in San Francisco Bay, California. We expect a colony size of approximately 2,500 to 3,125 nesting pairs to remain on East Sand Island.

The Corps would continue efforts, such as hazing (e.g., disturbance to terns prior to the nesting season), to prevent Caspian tern nesting on upper estuary islands (e.g., Rice Island, Miller Sands Spit, Pillar Rock Island) of the Columbia River estuary to prevent high tern predation rates of juvenile salmonids and comply with the 1999 Corps Columbia River Channel Operation and Maintenance Program Biological Opinion. The Service would issue an egg take permit to the Corps for upper estuary islands (not including East Sand Island) if the efforts to prevent tern nesting at these sites fail. Additionally, the Corps would resume dredged material (e.g., sand) disposal on the downstream end of Rice Island, on the former Caspian tern nesting site.

Public comments were requested, considered, and incorporated throughout the planning process in numerous ways. Public outreach has included open houses, planning updates, **Federal Register** notices, and a project website. Two previous notices were published in the **Federal Register** concerning this EIS (68 FR 16826, April 7, 2003 and 69 FR 44053, July 23, 2004). During the Draft EIS comment period (July 23, 2004 to September 21, 2004), the Service received a total of 37 comments (e-mails, letters, faxes, or postcards). All substantive issues raised in the comments have been addressed through revisions incorporated into the Final EIS text or in responses to comments contained in Appendix J of the Final EIS.

Dated: December 3, 2004.

**David J. Wesley,**

*Regional Director, U.S. Fish and Wildlife Service, Region 1, Portland, Oregon.*

[FR Doc. 05-4 Filed 1-13-05; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Indian Gaming

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

**ACTION:** Notice of Third Extension to Tribal-State Compact.

**SUMMARY:** This notice publishes the Third Extension of the Tribal-State Compact between the Pyramid Lake Paiute Indian Tribe and the State of Nevada. The Compact is extended until January 5, 2006.

**EFFECTIVE DATE:** January 14, 2005.

#### FOR FURTHER INFORMATION CONTACT:

George T. Skibine, Director, Office of Indian Gaming Management, 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.

On January 6, 1998, the Assistant Secretary-Indian Affairs, Department of the Interior, through his delegated authority, approved the Compact between the Pyramid Lake Paiute Tribe and the State of Nevada, which was executed on August 4, 1997. The Compact is extended until January 5, 2006.

Dated: December 22, 2004.

**Michael D. Olsen,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. 05-813 Filed 1-13-05; 8:45 am]

**BILLING CODE 4310-4N-P**