

subsistence hunters without adversely impacting the health of existing animal populations.

Also included in this ICR, are three forms associated with recruitment and selection of members for regional advisory councils. These forms are currently approved under OMB Control No. 1018-0120 (which will be discontinued upon approval of this ICR):

(1) FWS Form 2321 (Federal Subsistence Regional Advisory Council Membership Application/Nomination).

(2) FWS Form 2322 (Regional Advisory Council Candidate Interview).

(3) FWS Form 2323 (Regional Advisory Council Reference/Key Contact Interview).

The member selection process begins with the information that we collect on the application. Ten interagency review panels interview all applicants and nominees, their references, and regional key contacts. These contacts are all based on the information that the applicant provides on the application form. The information that we collect through the application form and subsequent interviews is the basis of the Federal Subsistence Board's recommendations to the Secretaries of the Interior and Agriculture for appointment and reappointment of council members.

During the renewal process for this ICR, we reviewed our regulations and discovered some information collection requirements not specifically addressed in our previous request for approval. Our regulations at 50 CFR 100 contain procedures for these requirements, including necessary documentation. We collect nonform information on:

(1) Repeal of Federal subsistence rules and regulations (50 CFR 100.14 and 36 CFR 242.14).

(2) Proposed changes to Federal subsistence regulations (50 CFR 100.18 and 36 CFR 242.18).

(3) Special action requests (50 CFR 100.19 and 36 CFR 242.19).

(4) Requests for reconsideration (50 CFR 100.20 and 36 CFR 242.20).

(5) Requests for permits and reports, such as traditional religious/cultural/educational permits; fishwheel permits; fyke net permits; and under ice permits (50 CFR 100.25-27 and 36 CFR 242.25-27).

*Comments:* On May 28, 2009, we published in the **Federal Register** (74 FR 25575) a notice of our intent to request that OMB renew this information collection. In that notice, we solicited comments for 60 days, ending on July 27, 2009. We did not receive any comments in response to that notice.

We again invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;

- The accuracy of our estimate of the burden for this collection of information;

- Ways to enhance the quality, utility, and clarity of the information to be collected; and

- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. 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 OMB in your comment to withhold your personal identifying information from public review, we cannot guarantee that it will be done.

Dated: October 19, 2009.

**Hope Grey,**

*Information Collection Clearance Officer,  
Fish and Wildlife Service.*

FR Doc. E9-25599 Filed 10-22-09; 8:45 am

**BILLING CODE 4310-55-S**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Coquille Indian Tribe Liquor Control Ordinance

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

**ACTION:** Notice.

**SUMMARY:** This notice publishes an amendment to the Tribal Code (Code), Liquor Control, Chapter 200, for the Coquille Indian Tribe Liquor Control Ordinance. The amendment regulates and controls the possession and consumption of liquor within the Tribal lands. The Tribal lands are located in Indian country and this amended Code allows for possession of alcoholic beverages within their boundaries. This Code will increase the ability of the Tribal government to control liquor possession, sale and use in the community.

**DATES:** *Effective Date:* This Ordinance is effective on November 23, 2009.

**FOR FURTHER INFORMATION CONTACT:** Betty Scissons, Tribal Government Services Officer, Northwest Regional Office, 911 NE., 11th Ave., 8th Floor,

Portland, OR 97232, Telephone: (503) 231-6723, Fax (503) 231-2189; or Elizabeth Colliflower, Office of Indian Services, 1849 C Street, NW., Mail Stop 4513-MIB, Washington, DC 20240, Telephone: (202) 513-7640.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Act of August 15, 1953, Public Law 83-277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor ordinances for the purpose of regulating liquor transactions in Indian country. The Coquille Indian Tribe amended the liquor control section of its Tribal Code by Resolution No. CY0933 on February 28, 2009. The purpose of this amended code is to govern the possession of alcohol within Tribal lands of the Tribe.

This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs. I certify that this Liquor Control Ordinance of the Code of the Coquille Indian Tribe was duly adopted by the Tribal Council, on February 28, 2009.

Dated: October 14, 2009.

**Paul Tsosie,**

*Chief of Staff, Assistant Secretary—Indian Affairs.*

The Coquille Indian Tribe Liquor Control Ordinance reads as follows:

#### Coquille Indian Tribal Code

#### Chapter 200

#### Part 2—Economic Development

#### Liquor Control

#### 200.010 General

1. *Purpose.* This Ordinance is for the purpose of regulating the sale, possession and use of alcoholic liquor on the Coquille Indian Reservation and other lands subject to Tribal jurisdiction. The enactment of this ordinance will increase the ability of the Tribal government to regulate liquor distribution and possession on the Coquille Indian Reservation, as defined below.

2. *Background.* Subject to certain limitations, Article VI, Section 1 of the Constitution of the Coquille Indian Tribe vests the Coquille Tribal Council with legislative and executive authority, including the authority to adopt this Ordinance. This Ordinance replaces CITC Chapter 200, enacted on May 9, 1995 and which remained in effect until adoption of this restatement.

3. *Jurisdiction.* This Ordinance conforms to all requisite laws as required by 18 U.S.C. § 1161.

**200.120 Definitions**

To the extent that definitions are consistent with Tribal or Federal law, terms used herein shall have the same meaning as defined in Oregon Revised Statutes Chapter 471, and in Oregon Administrative Rules Chapter 845.

1. "Alcoholic liquor" shall mean any alcoholic beverage containing more than one-half of one percent alcohol by volume, and every liquid or solid, patented or not, containing alcohol and capable of being consumed by a human being.

2. "Coquille Indian Reservation" shall mean all lands held in trust by the United States for the Tribe or its members and all lands over which the Tribe exercises jurisdiction, wherever located.

3. Whenever the words "sell" or "to sell" refer to anything forbidden by this Chapter and related to alcoholic liquor, they include:

(a) To solicit or receive an order;  
(b) To keep or expose for sale;  
(c) To deliver for value or in any way other than purely gratuitously;

(d) To peddle;  
(e) To keep with intent to sell;  
(f) To traffic in, or

(g) To engage in a transaction for any consideration or promise obtained directly or indirectly under any pretext or by any means or to procure or allow to be procured for any other person.

(h) The word "sale" includes every act of selling as defined in subsection (3) of this section.

(i) The word "person" includes a human being or any entity that is recognized by law as having the rights and/or duties of a human being.

**200.150 Civil Violation**

In addition to being grounds for revocation of a license, any of the following shall be a civil violation prosecutable under CIRC Chapter 650, unless they are otherwise authorized by this Ordinance:

1. For any person to sell, trade or manufacture any alcoholic liquor on the Coquille Indian Reservation except as provided for in this Ordinance.

2. For any business establishment or person on the Coquille Indian Reservation to possess, transport or keep with intent to sell, barter or trade to another, any liquor, except for those commercial liquor establishments on the Coquille Indian Reservation licensed by the Tribe, provided, however, that a person may transport liquor from a licensed establishment consistent with the terms of the license.

3. For any person to consume alcoholic liquor on a public highway.

4. For any person to publicly consume any alcoholic liquor at any community function, or at or near any place of business, Indian celebration grounds, recreational areas, including ballparks, and public camping areas, Tribal government facilities, Coquille Indian Housing Authority facilities, and any other public area where minors gather for meetings or recreation, except within a Tribally licensed establishment where alcohol is sold.

5. For any person under the age of 21 years to buy, attempt to buy or to misrepresent their age in attempting to buy, alcoholic liquor.

6. For any person under the age of 21 years to transport, possess or consume any alcoholic liquor on the Coquille Indian Reservation, or to be under the influence of alcohol or to be at an established commercial liquor establishment, except as authorized under this Ordinance.

7. For any person to sell or furnish alcoholic liquor to any person under 21 years of age.

8. For alcoholic liquor to be given as a prize, premium or consideration for a lottery, contest, game of chance or skill, or competition of any kind.

**200.200 Licensing Procedure**

1. Requests for a license under this Ordinance must be presented to the Tribal Council at least 30 days prior to the requested effective date. Tribal Council shall set license conditions at least as strict as those required by Federal law, including at a minimum:

(a) Alcoholic liquor may only be served and handled in a manner no less strict than allowed under Oregon Revised Statutes Chapter 471.

(b) Alcoholic liquor may only be served by employees of the licensee; and

(c) Alcoholic liquor may be served in rooms where gambling is taking place if authorized by Tribal Council resolution.

2. Tribal Council action on a license request must be taken at a regular or special meeting.

3. Unless the request is for a special event license, the Tribal Council shall give at least 14 days' notice of the meeting at which the request will be considered. Notice shall be posted at the Tribal government administration building and at the establishment requesting the license, and will be sent by Certified Mail to the Oregon Liquor Control Commission.

4. The Tribal Council may revoke a license for reasonable cause upon notice and hearing at which the licensee is given an opportunity to respond to any charges against it and to demonstrate

why the license should not be suspended or revoked.

5. Licenses issued by the Tribe shall not be transferable and may only be utilized by the person in whose name it was issued.

**200.300 Sale or Service of Liquor by Licensee's Minor Employees**

1. The holder of a license issued under this Ordinance or Oregon Revised Statutes Chapter 471 may employ persons 18, 19 and 20 years of age who may take orders for, serve and sell alcoholic liquor in any part of the licensed premises when that activity is incidental to the serving of food except in those areas classified by the Oregon Liquor Control Commission as being prohibited to the use of minors.

However, no person who is 18, 19 or 20 years of age shall be permitted to mix, pour or draw alcoholic liquor except when pouring is done as a service to the patron at the patron's table or drawing is done in a portion of the premises not prohibited to minors.

2. Except as stated in this section, it shall be unlawful to hire any person to work in connection with the sale and service of alcoholic beverages in a Tribally licensed liquor establishment if such person is under the age of 21 years.

**200.350 Memorandums of Understanding With the State of Oregon Regarding Certain Liquor Licensing and Regulation**

1. Notwithstanding any other provision of this Ordinance, the Tribe hereby authorizes and ratifies the negotiation and execution of the September 1, 2004 document entitled Memorandum of Understanding Governing Liquor Licensing and Regulation (the "MOU") between the Tribe and the State of Oregon, and this authorization and ratification shall be retroactive to September 1, 2004. Moreover, with regard to the sale of alcoholic liquor at an establishment described in the MOU, any provision of this Ordinance shall yield to a conflicting provision of the MOU.

2. Notwithstanding any other provision of this Ordinance, the sale of alcoholic liquor, by the Tribe or an entity owned by the Tribe, at an establishment described in the MOU shall be governed exclusively by the terms of the MOU.

**200.400 Warning Signs Required**

1. Any person in possession of a valid retail liquor license, who sells liquor by the drink for consumption on the premises or sells for consumption off the premises, shall post a sign informing the public of the effects and risks of

alcohol consumption during pregnancy as required under this section.

2. The sign shall:

(a) Contain the message: "Pregnancy and alcohol do not mix. Drinking alcoholic beverages, including wine, coolers and beer, during pregnancy can cause birth defects."

(b) Be either:

(1) A large sign, no smaller than eight and one-half inches by 11 inches in size with lettering no smaller than five-eighths of an inch in height; or

(2) A reduced sign, five by seven inches in size with lettering of the same proportion as the large sign described in paragraph (1) of this subsection.

(c) Contain a graphic depiction of the message to assist nonreaders in understanding the message. The depiction of a pregnant female shall be universal and shall not reflect a specific race or culture.

(d) Be in English unless a significant number of the patrons of the retail premises use a language other than English as a primary language. In such cases, the sign shall be worded both in English and the primary language or languages of the patrons.

(e) Be displayed on the premises of all licensed retail liquor premises as either a large sign at the point of entry, or a reduced sized sign at points of sale.

#### **200.500 Violations of This Ordinance**

1. Any person who violates the provisions of this Ordinance is deemed to have consented to the jurisdiction of the Tribal Court and may be subject to a civil penalty in Tribal Court for a civil violation. Such civil penalty shall not exceed the sums described in CITC Chapter 650.

2. Such civil violations shall be prosecuted under the procedures set forth in CITC Chapter 650.

3. The Tribal Council hereby specifically finds that such civil penalties are reasonably necessary and are related to the expense of governmental administration necessary in maintaining law and order and public safety on the Reservation and in managing, protecting and developing the natural resources on the Reservation. It is the legislative intent of the Tribal Council that all violations of this Chapter, whether committed by Tribal members, non-member Indians, or non-Indians, be considered civil in nature rather than criminal.

#### **200.600 Severability**

If a court of competent jurisdiction finds any provision of this Ordinance to be invalid or illegal under applicable Federal or Tribal law, such provision shall be severed from this Ordinance

and the remainder of this Ordinance shall remain in full force and effect.

#### **200.700 Compliance With 18 U.S.C. 1161**

The Tribe will comply with Oregon Liquor Laws to the extent required by 18 U.S.C. 1161.

#### **200.800 Effective Date**

This Ordinance shall be effective upon publication in the **Federal Register** after approval by the Secretary of the Interior or his designee.

#### **200.900 Sovereign Immunity**

Nothing in this Ordinance waives the sovereign immunity of the Coquille Indian Tribe or any of its officers, directors or employees.

*History of Amendments to Chapter 200 Liquor Control Ordinance 5/9/95*

Adopted 2/28/09 CY0933.

Amended 5/21/09 CY0986.

[FR Doc. E9-25467 Filed 10-22-09; 8:45 am]

**BILLING CODE 4310-4J-P**

### **DEPARTMENT OF THE INTERIOR**

#### **National Park Service**

#### **National Register of Historic Places; Weekly Listing of Historic Properties**

Pursuant to (36 CFR 60.13(b,c)) and (36 CFR 63.5), this notice, through publication of the information included herein, is to apprise the public as well as governmental agencies, associations and all other organizations and individuals interested in historic preservation, of the properties added to, or determined eligible for listing in, the National Register of Historic Places from August 17, to August 21, 2009.

For further information, please contact Edson Beall via: United States Postal Service mail, at the National Register of Historic Places, 2280, National Park Service, 1849 C St., NW., Washington, DC 20240; in person (by appointment), 1201 Eye St., NW., 8th Floor, Washington, DC 20005; by fax, 202-371-2229; by phone, 202-354-2255; or by e-mail, [Edson\\_Beall@nps.gov](mailto:Edson_Beall@nps.gov).

Dated: October 13, 2009.

**J. Paul Loether,**

*Chief, National Register of Historic Places/  
National Historic Landmarks Program.*

Key: State, County, Property Name, Address/  
Boundary, City, Vicinity, Reference  
Number, Action, Date, Multiple Name.

#### **IOWA**

##### **Madison County**

Seerley, William and Mary (Messersmith)  
Barn and Milkhouse—Smokehouse, 1840

137th La., Earlham vicinity, 09000621,  
LISTED, 8/20/09.

#### **MASSACHUSETTS**

##### **Norfolk County**

Sea Street Historic District, Roughly bounded by Bridge, North, Neck Sts., Crescent Rd., Pearl St. and rear of Standish St., Weymouth, 09000646, LISTED, 8/19/09.

#### **MINNESOTA**

##### **McLeod County**

Komensky School, 19981 Major Ave., Hutchinson vicinity, 09000622, LISTED, 8/20/09.

##### **Ramsey County**

O'Donnell Shoe Company Building, 509 Sibley St., St. Paul, 09000623, LISTED, 8/20/09.

#### **MISSISSIPPI**

##### **Lee County**

Carnation Milk Plant, 520 Carnation St., Tupelo, 09000624, LISTED, 8/20/09.

##### **Marion County**

Columbia North Residential Historic District, Roughly bounded by High School and N. Main St. on the W. and Park Ave. and Branton Ave. on the E., Columbia, 09000625, LISTED, 8/20/09.

#### **MISSOURI**

##### **St. Louis Independent City**

Stickney, William A., Cigar Company Building, 209 N. 4th St., St. Louis, 09000627, LISTED, 8/20/09.

#### **MONTANA**

##### **Missoula County**

Missoula Downtown Historic District, Roughly bounded by Northern Pacific RR, Clak Fork R, Little McCormick Park and Madison St., Missoula, 07000647, LISTED, 8/21/09. (Missoula MPS.)

#### **NEW YORK**

##### **Broome County**

Wells, J. Stuart, House, 71 Main St., Binghamton, 09000628, LISTED, 8/21/09.

##### **Chautauqua County**

Wellman Building, The, 101-103 W. 3rd St. & 215-217 Cherry St., Jamestown, 09000629, LISTED, 8/21/09.

##### **Erie County**

Lafayette Avenue Presbyterian Church, 875 Elmwood Ave., Buffalo, 09000630, LISTED, 8/21/09.

St. Francis Xavier Roman Catholic Parish Complex, 157 East St., Buffalo, 09000631, LISTED, 8/20/09.

##### **Kings County**

Brooklyn Trust Company Building, 177 Montague St., Brooklyn, 09000632, LISTED, 8/20/09.

##### **Lewis County**

Pine Grove Community Church, Austin Rd. & Pine Grove Rd., Pine Grove vicinity, 09000633, LISTED, 8/20/09.