

to reduce the impacts to below a level of significance. Direct and indirect impacts that will be analyzed include disturbance during construction of water control structures, changes in pond water depth and salinity, changes to water quality in the receiving Bay, creeks and sloughs, and effects caused by operation and maintenance.

The list of issues presented below is preliminary both in scope and number. These issues are presented to facilitate public comment on the scope of the EIS/EIR, and are not intended to be all-inclusive or to be a predetermination of impacts to be considered.

Water Quality

The EIS/EIR will describe existing water quality conditions in the salt ponds within the project area and the receiving waters; characterize effects of discharges including changes in salinity, turbidity, dissolved oxygen, BOD, and metals; and consider potential effect of the timing of discharges as well as the specific location of discharges.

Contaminants

The EIS/EIR will describe existing contaminant levels in sediments of the salt ponds and adjacent Bay, creek and sloughs including chromium, copper, lead, nickel, silver, zinc, arsenic, cadmium and mercury; and consider potential effects of water level management in remobilization of buried contaminants.

Biological Resources

The EIS/EIR will describe existing habitat and characterize changes in wildlife habitat and wildlife use in ponds and receiving waters. The EIS/EIR will also identify potential sensitive species and habitats in or near the project area and determine their abundance and extent of sensitive habitats that may be impacted by project implementation. Specific species to be addressed include California clapper rail, snowy plover, California least tern, salt marsh harvest mouse, Chinook salmon and steelhead trout.

Air Quality

The EIS/EIR will evaluate effects of changes in water quality and water elevations that may cause the release of hydrogen sulfide and other odorous organic gases.

Flood Protection

The EIS/EIR will evaluate effects of introduction of water circulation into ponds to changes in flood protection to neighboring developments.

Economics

The EIS/EIR will evaluate effects of the project to commercial fishing of Bay shrimp, including the initial release of pond contents to sloughs and creeks where juveniles are found.

Cumulative Impacts

The EIS/EIR will examine the cumulative impacts of past, ongoing, and probable future projects affecting tidal marsh and estuarine habitats in the South Bay. Projects will include other salt pond restoration projects and wetland habitat improvement project.

Scoping Process

The EIS/EIR will be prepared in compliance with NEPA and Council on Environmental Council Regulations, contained in 40 CFR parts 1500–1508; and with CEQA, Public Resources Code Sec 21000 *et seq.*, and the CEQA Guidelines as amended. Because requirements for NEPA and CEQA are somewhat different, the document must be prepared to comply with whichever requirements are more stringent. The Service will be the lead agency for the NEPA process and the Department of Fish and Game will be the lead agency for the CEQA process. In accordance with both CEQA and NEPA, these lead agencies have the responsibility for the scope, content, and legal adequacy of the document. Therefore, all aspects of the EIS/EIR scope and process will be fully coordinated between these two agencies.

The draft EIS/EIR will incorporate public concerns associated with the project alternatives identified in the scoping process and will be distributed for at least 45-day public review and comment period. During this time, both written and verbal comments will be solicited on the adequacy of the document. The final EIS/EIR will address the comments received on the draft during public review and will be made available to all commenters on the draft EIS/EIR and anyone requesting a copy during the 45-day public review period. The final EIS/EIR shall (1) provide a full and fair discussion of the proposed action's significant environmental impacts, and (2) inform the decision-makers and the public of reasonable measures and alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment.

The final step in the Federal EIS process is the preparation of a Record of Decision (ROD), a concise summary of the decision(s) made by the USFWS. The ROD can be published immediately after the final EIS comment period has

ended. The final step in the State EIR process is certification of the EIR, which includes preparation of a Mitigation Monitoring and Reporting Plan and adoption of its findings, should the project be approved. A certified EIR indicates the following: (1) The document complies with CEQA; (2) the decision-making body of the lead agency reviewed and considered the final EIR prior to approving the project; and (3) the final EIR reflects the lead agency's independent judgment and analysis.

This notice is provided pursuant to regulations for implementing the National Environmental Policy Act of 1969 (40 CFR 1506.6).

Dated: March 13, 2003.

Steve Thompson,

Manager, California/Nevada Operations Office.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Receipt of Petitions for Federal Acknowledgment of Existence as an Indian Tribe

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 83.9(a) notice is hereby given that the following groups have each filed a letter of intent to petition for acknowledgment by the Secretary of the Interior that the group exists as an Indian tribe. Each letter of intent was received by the Bureau of Indian Affairs (BIA) on the date indicated, and was signed by members of the group's governing body.

Western Cherokee of Arkansas/Louisiana Territories, c/o Mr. Floyd H. Masterson, Sr., PO Box 700, Ellington, Missouri 63638. October 5, 2001.

Barbareno/Ventureno Band of Mission Indians, c/o Ms. Beverly Folkes, 1931 Shady Brook Drive, Thousand Oaks, California 91362. January 17, 2002.

Dumna Tribal Council, c/o Ms. Karin Kirkendall, 1003 South Ninth Street, Fresno, California 93702. January 22, 2002.

The Golden Hill Paugussett Tribal Nation, c/o Mr. Samuel E. Dixon, Jr., 205 Ivy Street, New Haven, Connecticut 06511. February 8, 2002.