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In today's notice, OFHEO is soliciting comments to be considered on its revised plan. OFHEO will then submit its Strategic Plan pursuant to the statutory requirements.

Dated: August 5, 2003.

Armando Falcon, Jr.,

Director, Office of Federal Housing Enterprise Oversight.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

RIN 1018-AI39

Notice of Availability; Final Environmental Impact Statement on Double-Crested Cormorant Management

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability of Final Environmental Impact Statement on double-crested cormorant management.

SUMMARY: This notice advises the public of the availability of the Final Environmental Impact Statement (FEIS) on double-crested cormorant management. The FEIS follows publication of a Draft Environmental Impact Statement (DEIS) and a proposed rule, each of which had extensive public comment periods. The FEIS analyzes the direct, indirect, and cumulative impacts related to double-crested cormorant management and provides the public with responses to comments received on the DEIS.

DATES: The period of availability for public review for the FEIS ends 30 days following publication of the EPA notice of availability in the **Federal Register**. After that date, we will publish a final rule and Record of Decision.

ADDRESSES: You can obtain a copy of the FEIS by writing to the Division of Migratory Bird Management, 4401 N. Fairfax Drive, MBSP-4107, Arlington, VA 22203; by emailing us at cormorants@fws.gov; or by calling us at 703/358-1714. We will also post the FEIS on our Web site at <http://migratorybirds.fws.gov/issues/cormorant/cormorant.html>.

FOR FURTHER INFORMATION CONTACT: Brian Millsap, Chief, Division of Migratory Bird Management, at 703/358-1714.

SUPPLEMENTARY INFORMATION: On November 8, 1999, we published a

notice in the **Federal Register** (64 FR 60826) announcing our intent to prepare, in cooperation with the Wildlife Services program of the U.S. Department of Agriculture Animal and Plant Health Inspection Service (APHIS/WS), an Environmental Impact Statement (EIS) to address "impacts caused by population and range expansion of the double-crested cormorant [DCCO] in the contiguous United States." The notice of intent also marked the beginning of a public scoping period. The purpose of scoping, which included 12 public meetings, was to identify significant issues to be addressed in the EIS. More than 900 people attended the public scoping meetings, with 239 providing oral comments, and over 1,450 people submitted written comments. Comments fell into two categories: issues of concern and suggested management options. Issues of concern included impacts on sport fishing, local economies, aquaculture/commercial fishing, bird species, ecological balance, vegetation, human health and safety, and private property. Management options that were suggested included controlling DCCO populations, not managing DCCOs, removing DCCOs from the protection of the Migratory Bird Treaty Act, hunting, focusing on non-lethal control, allowing State management of DCCOs, changing the permit policy, oiling eggs, giving APHIS/WS more authority, basing decisions on the best science, using population objectives, and increasing education efforts. The scoping period ended on June 16, 2000.

On December 3, 2001, we published a notice in the **Federal Register** announcing the availability of the DEIS for public review (66 FR 60218). This was followed by a 100-day public comment period, which included 10 public meetings. The DEIS analyzed the predicted environmental impacts of six management alternatives for addressing problems associated with increasing DCCO populations. These management alternatives were: (1) No Action, or continue current cormorant management practices (Alternative A); (2) implement only nonlethal management techniques (Alternative B); (3) expand current cormorant damage management practices (Alternative C); (4) establish a new depredation order to address public resource conflicts (Alternative D — proposed action); (5) reduce regional cormorant populations (Alternative E); and (6) establish frameworks for a cormorant hunting season (Alternative F). The biological and socioeconomic resource categories

evaluated in relation to each alternative included DCCO populations, fish, other birds, vegetation, federally listed threatened and endangered species, water quality and human health, economic impacts (aquaculture and recreational fishing economies), fish hatcheries and environmental justice, property losses, and existence and aesthetic values.

We received 994 letters, faxes, and email messages commenting on the DEIS. Of the 994 letters received, 764 of these stated a preference for a specific alternative. These results were: 32.2 percent chose Alternative D (proposed action) as the best alternative; 25.8 percent chose Alternative E (population reduction); 16.9 percent chose Alternative A (No Action); 11.8 percent chose Alternative F (hunting); 11.8 percent chose Alternative B (non-lethal methods); and <1 percent chose Alternative C (increased local damage control). Our responses to significant comments can be found in Chapter 7 of the FEIS.

In response to concerns about the public resource depredation order being too broad in scope, we made two changes to the order which were subsequently described in a proposed rule published in the **Federal Register** on March 17, 2003 (68 FR 12653). These changes limit the public resource depredation order to 24 States (rather than the 48 originally proposed in the DEIS) and limit its applicability to land and freshwater (not saltwater). The 24 States were chosen based on locations of significant numbers of wintering, migrating, or breeding birds from the Interior and Southern DCCO populations. Saltwater areas were excluded because impacts have not been documented there.

Additionally, we changed the order so that it applied only to State fish and wildlife agencies, federally recognized Tribes, and APHIS/WS, and we expanded allowable control techniques to include egg oiling, egg and nest destruction, cervical dislocation, shooting, and CO₂ asphyxiation. APHIS/WS was added since it is the chief Federal wildlife damage control agency and has considerable expertise in managing DCCOs. Control techniques were selected to include all effective and humane techniques. As stated in the proposed rule, these modifications do not constitute significant changes to the DEIS analysis and are addressed, as needed, in the FEIS.

Following publication of the proposed rule, the public had 60 days to provide comments. This comment period led to additional modifications to the proposed action, including the addition