

**SUPPLEMENTARY INFORMATION:** This FEIS evaluates the impacts of a range of alternatives for managing off-road vehicles (ORVs) for recreational and subsistence use in the Nabesna District of Wrangell-St. Elias National Park and Preserve. The nine trails under evaluation were in existence at the time the 13.2-million-acre park and preserve was established in 1980. The use of ORVs was determined to be traditionally employed for subsistence activities in the 1986 General Management Plan. Beginning in 1983, the park issued permits for recreational ORV use of these established trails, initially in accordance with 36 CFR 13.14(c) which was replaced by 43 CFR 36.11(g)(2) in 1986. The park issues 200 recreational ORV permits per year on average. The trails also provide for subsistence ORV use and access to inholdings. On June 29, 2006, the National Parks Conservation Association, Alaska Center for the Environment, and The Wilderness Society (Plaintiffs) filed a lawsuit against NPS in the United States District Court for the District of Alaska regarding recreational ORV use on the nine trails that are the subject of this EIS. The plaintiffs challenged the NPS issuance of recreational ORV permits asserting that NPS failed to make the required finding that recreational ORV use is compatible with the purposes and values of the Park and Preserve. They also claimed that the NPS failed to prepare an environmental analysis of recreational ORV use as required by NEPA.

In the May 15, 2007, settlement agreement, NPS agreed to endeavor to complete an EIS, Record of Decision (ROD) and compatibility determination by December 31, 2010 (this has been extended to December 31, 2011), during which time recreational use of ORVs on the Suslota Lake Trail, Tanada Lake Trail, and a portion of the Copper Lake Trail is permitted only when the ground is frozen.

A Draft Environmental Impact Statement (DEIS) was published in August 2010 and made available for a 90-day public comment period. During the 90-day public comment period, five public meetings were held in Fairbanks, Anchorage, Tok, Slana, and Copper Center, Alaska. The purpose of the public meetings was to provide information on the DEIS, answer questions, and facilitate public comment on the document. The NPS received 153 comment letters from various agencies, organizations, and individuals. In response to public comment, the FEIS analyzes a sixth NPS preferred alternative that combines

elements of Alternatives 4 and 5 from the DEIS. Additionally, the FEIS responds to substantive comments in Chapter 5 and numerous changes were made to the DEIS as a result of public comment. These changes are documented in the FEIS.

Alternative 1 evaluates the impacts of no action and describes conditions under the lawsuit settlement. Recreational ORV use would be permitted on all trails except Suslota, Tanada Lake, or Copper Lake trails, until the ground is frozen. There would be no change to subsistence ORV use and no trail improvements.

Alternative 2 would permit recreational ORV use on all nine trails. There would be no change to subsistence ORV use and no trail improvements.

Alternative 3 would prohibit recreational ORV use. Subsistence ORV use would continue, and some trail improvements would be made. Trail conditions would be monitored, and adaptive management steps would be taken to prevent further resource degradation.

Alternative 4 would permit recreational ORV use on designated trails in the preserve (Caribou Creek, Lost Creek, Trail Creek, Soda Lake, Reeve Field) once improvements are made, but not in the park (Tanada Lake, Copper Lake, Boomerang). All trails (except Suslota) would be improved to at least a maintainable condition through trail hardening, tread improvement, or constructed re-routes. Subsistence ORV use would continue subject to monitoring and management activities in the same manners as alternative 3.

Alternative 5 would permit recreational ORV use on all nine trails. All trails (except Suslota) would be improved to at least a maintainable condition as under alternative 4. Until improved, recreational ORV use would not be permitted on trails with the most resource degradation (Tanada Lake, Suslota, and Copper Lake) and subsistence ORV use would continue to be subject to monitoring and adaptive management steps in the same manners as alternative 3, and would be confined to trails in park wilderness.

Alternative 6 is the NPS preferred alternative. All trails would be improved to at least a maintainable condition. After trail improvement, recreational ORV use would be permitted on trails in the national preserve (Suslota, Caribou Creek, Trail Creek, Lost Creek, Soda Lake, and Reeve Field) but not on trails in the national park (Boomerang, Tanada Lake, Copper Lake). Subsistence ORV use would

continue to be subject to monitoring and adaptive management steps in the same manners as alternative 3 and would be confined to designated trails in park wilderness.

**FOR FURTHER INFORMATION CONTACT:**

Bruce Rogers, Project Manager, Wrangell-St. Elias National Park and Preserve, PO Box 439, Copper Center, Alaska 99573. Telephone: 907-822-7276.

Sue E. Masica,

Regional Director, Alaska.

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**DEPARTMENT OF THE INTERIOR**

**National Park Service**

**Captain John Smith Chesapeake National Historic Trail Advisory Council**

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice of meeting.

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**SUMMARY:** As required by the Federal Advisory Committee Act, the National Park Service (NPS) is hereby giving notice that the Advisory Committee on the Captain John Smith Chesapeake National Historic Trail will hold a meeting. Designated through an amendment to the National Trails System Act (16 U.S.C. 1241), the trail consists of "a series of water routes extending approximately 3,000 miles along the Chesapeake Bay and its tributaries in the States of Virginia, Maryland, Delaware, and in the District of Columbia," tracing the 1607-1609 voyages of Captain John Smith to chart the land and waterways of the Chesapeake Bay. This meeting is open to the public. Preregistration is required for both public attendance and comment. Any individual who wishes to attend the meeting and/or participate in the public comment session should register via e-mail at [Christine\\_Lucero@nps.gov](mailto:Christine_Lucero@nps.gov) or telephone: (757) 258-8914. For those wishing to make comments, please provide a written summary of your comments prior to the meeting. The Designated Federal Official for the Advisory Council is John Maounis, Superintendent, Captain John Smith National Historic Trail, telephone: (410) 260-2471.

**DATES:** The Captain John Smith Chesapeake National Historic Trail Advisory Council will meet from 10 a.m. to 4:30 p.m. on Wednesday, September 14, 2011.

**ADDRESSES:** The meeting will be held at the Virginia Commonwealth University Rice Center, 3701 John Tyler Memorial Highway, Charles City, VA 23030. For more information, please contact the NPS Chesapeake Bay Office, 410 Severn Avenue, Suite 314, Annapolis, MD 21403.

**FOR FURTHER INFORMATION CONTACT:** Christine Lucero, Partnership Coordinator for the Captain John Smith Chesapeake National Historic Trail, telephone: (757) 258-8914 or e-mail: [Christine\\_Lucero@nps.gov](mailto:Christine_Lucero@nps.gov).

**SUPPLEMENTARY INFORMATION:** Under section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), this notice announces a meeting of the Captain John Smith Chesapeake National Historic Trail Advisory Council for the purpose of providing advice on the implementation of the Captain John Smith Chesapeake National Historic Trail Action Plan and reviewing the preliminary Concept Plan of the James River Segment of the Captain John Smith Chesapeake National Historic Trail. The Committee meeting is open to the public. Members of the public who would like to make comments to the Committee should preregister via e-mail at [Christine\\_Lucero@nps.gov](mailto:Christine_Lucero@nps.gov) or telephone: (757) 258-8914; a written summary of comments should be provided prior to the meeting. Comments will be taken for 30 minutes at the end of the meeting (from 4 p.m. to 4:30 p.m.). Before including your address, telephone 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 us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All comments will be made part of the public record and will be electronically distributed to all Committee members.

Dated: August 1, 2011.

**John Maounis,**

*Superintendent, Captain John Smith National Historic Trail, National Park Service, Department of the Interior.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Toxic Substances Control Act

Notice is hereby given that on August 15, 2011 a proposed Consent Decree in *United States and the State of Michigan v. Hansons Window and Construction, Inc.*, Civil Action No. 2:11-cv-13561-JCO-MKM was lodged with the United States District Court for the Eastern District of Michigan. The consent decree settles claims against a window manufacturing and replacement corporation located outside of Detroit, Michigan. The claims were brought on behalf of the Environmental Protection Agency ("U.S. EPA") under the Toxic Substances Control Act, 15 U.S.C. 2601 *et seq.*, and on behalf of the State of Michigan Department of Community Health ("Michigan DCH") under the Michigan Lead Abatement Act, 1998 Mich. Pub. Acts 219 § 1 *et seq.*, Mich. Comp. Laws Ann. § 333.5451 *et seq.* The Plaintiffs alleged in the complaint that the Settling Defendant failed to make one or more of the disclosures or to complete one or more of the disclosure activities required by Title IV, section 406(b) of the Toxic Substances Control Act.

Under the Consent Decree, the Settling Defendant will pay to the United States a civil penalty of \$50,000, will certify that it is now in compliance and will develop a compliance program to ensure on-going compliance with residential lead based paint hazard notification requirements in the future. As part of its settlement with the State of Michigan, the Settling Defendant will also perform a Supplemental Environmental Project ("State SEP"). For the State SEP, the Settling Defendant will provide \$250,000 worth of windows to the State of Michigan for installation in housing built before 1978.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States and State of Michigan v. Hansons Window and Construction Inc.*, D.J. Ref. # 90-5-1-1-08900.

During the public comment period, the proposed Consent Decree, may also be examined on the following

Department of Justice website, <http://www.usdoj.gov/enrd/ConsentDecrees.html>. A copy of the proposed consent decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. If requesting a copy from the Consent Decree Library by mail, please enclose a check in the amount of \$11.50 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if requesting by email or fax, forward a check in that amount to the Consent Decree Library at the address given above.

**Karen Dworkin,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that on August 17, 2011, a Consent Decree in *United States of America v. Erie Coke Corporation*, Civil Action No. 1:09-cv-00240-SJM was lodged with the United States District Court for the Western District of Pennsylvania.

In this action, the United States sought injunctive relief and penalties against Erie Coke Corporation ("Erie Coke") pursuant to Section 113(b) of the Clean Air Act, 42 U.S.C. 7413(b), for alleged Clean Air Act violations and violations of the Pennsylvania State Implementation Plan at a coke manufacturing facility in Erie, Pennsylvania owned by Erie Coke. Originally, the complaint was filed jointly with the Commonwealth of Pennsylvania Department of Environmental Protection, but the Commonwealth settled separately with Erie Coke and a consent judgment was entered in the Commonwealth Court of Pennsylvania (the "State Agreement").

Under the terms of the settlement with the United States, the settling defendant will: (1) Pay a \$300,000 civil penalty to the United States; and (2) apply interim measures to control visible air emissions until the Erie Coke facility comes into compliance with the State Agreement.

The Department of Justice will receive comments relating to the Consent