

/s/ Chadwick Smith
Chadwick Smith,
Principal Chief, Cherokee Nation.

Attest:

/s/ Melanie Knight
Melanie Knight,
Secretary of State, Cherokee Nation.

Yeas and Nays as Recorded:

Tina Glory Jordan	Yea
Bill John Baker	Yea
Joe Crittenden	Nay
Jodie Fishinghawk	Yea
Janelle Lattimore Fullbright	Yea
David W. Thornton, Sr.	Yea
Don Garvin	Yea
Harley L. Buzzard	Yea
Curtis G. Snell	Yea
Meredith A. Frailey	Yea
Chris Soap	Yea
Cara Cowan Watts	Yea
Buel Anglen	Yea
Bradley Cobb	Yea
Charles Hoskin, Jr.	Yea
Julia Coates	Yea
Jack D. Baker	Yea

[FR Doc. E9-23542 Filed 9-29-09; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R6-R-2009-N181;60138-1265-6CCP-S3]

Lee Metcalf National Wildlife Refuge, Stevensville, MT

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), intend to gather information necessary to prepare a comprehensive conservation plan (CCP) and associated environmental documents for Lee Metcalf National Wildlife Refuge (NWR) in Stevensville, Montana. We furnish this notice in compliance with Service CCP policy to advise other agencies and the public of our intentions and to obtain suggestions and information on the scope of issues to consider in the planning process.

DATES: To ensure consideration, please send your written comments by November 13, 2009.

ADDRESSES: Send your comments or requests for more information by any of the following methods.

E-mail: leemetcalf@fws.gov. Include "Lee Metcalf CCP" in the subject line of the message.

Fax: Laura King, Planning Team Leader, 406-644-2661.

U.S. Mail: Laura King, Planning Team Leader, National Bison Range, Division of Refuge Planning, 58355 Bison Range Road, Moiese, MT 59824.

In-Person Drop-off: You may drop off comments during regular business hours at the above address or at the Lee Metcalf National Wildlife Refuge office located in Stevensville, Montana, at 4567 Wildfowl Lane.

FOR FURTHER INFORMATION CONTACT:

Laura King, 406-644-2211, extension 210 (phone); or Michael Spratt, Chief, Division of Planning, P.O. Box 25486, Denver Federal Center, Denver, CO 80225.

SUPPLEMENTARY INFORMATION:

Introduction

With this notice, we initiate our process for developing a CCP for Lee Metcalf NWR for the conservation and enhancement of its natural resources. This notice complies with our CCP policy to (1) Advise other Federal and State agencies, tribes, and the public of our intention to conduct detailed planning on this refuge and (2) obtain suggestions and information on the scope of issues to consider in the environmental document and during development of the CCP.

Background

The CCP Process

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee) (Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997, requires us to develop a CCP for each national wildlife refuge. The purpose for developing a CCP is to provide refuge managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Administration Act.

Each unit of the National Wildlife Refuge System was established for specific purposes. We use these purposes as the foundation for developing and prioritizing the management goals and objectives for each refuge within the National Wildlife Refuge System mission, and to determine how the public can use each refuge. The planning process is a way

for us and the public to evaluate management goals and objectives that will ensure the best possible approach to wildlife, plant, and habitat conservation, while providing for wildlife-dependent recreation opportunities that are compatible with each refuge's establishing purposes and the mission of the National Wildlife Refuge System.

Our CCP process provides participation opportunities for tribal, State, and local governments; agencies; organizations; and the public. At this time we encourage input in the form of issues, concerns, ideas, and suggestions for the future management of Lee Metcalf NWR.

We will conduct the environmental review of this project and develop environmental documents in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 *et seq.*); NEPA regulations (40 CFR parts 1500-1508); other appropriate Federal laws and regulations; and our policies and procedures for compliance with those laws and regulations.

Lee Metcalf National Wildlife Refuge

This Refuge was established in 1963 and has two purposes:

(1) "For use as an inviolate sanctuary, or for any other management purpose, for migratory birds" (Migratory Bird Conservation Act); and

(2) "for (a) incidental fish and wildlife oriented recreational development, (b) the protection of natural resources, [and] (c) the conservation of endangered species or threatened species" (Refuge Recreation Act).

This Refuge is located in Ravalli County, 2 miles north of Stevensville, Montana. The Refuge is one of the Nation's smaller refuges, encompassing 2,800 acres, but it is one of the few remaining undeveloped areas in the Bitterroot Valley. The Refuge lies along the meandering Bitterroot River and is comprised of wet meadow and forested habitats and has created and modified wetlands. This Refuge provides numerous opportunities for the public, including walking trails and an outdoor classroom for students and visitors. The Refuge provides habitat for raptors, including ospreys and numerous waterfowl species.

Scoping: Preliminary Issues, Concerns, and Opportunities

We have identified preliminary issues, concerns, and opportunities that we may address in the CCP. During public scoping, we may identify additional issues.

We request input as to which issues affecting management or public use should be addressed during the planning process. We are especially interested in receiving public input in the following areas:

(a) What do you value most about this Refuge?

(b) What problems or issues do you see affecting management of this Refuge?

(c) What changes, if any, would you like to see in the management of this Refuge?

We provide the above questions for your optional use. We have no requirement that you provide information; however, any comments the planning team receives will be used as part of the planning process.

Public Meetings

We will give the public an opportunity to provide input at a public meeting to be scheduled for fall 2009. You can obtain the schedule from the planning team leader or the Refuge office (see **ADDRESSES**). Exact dates and times for these public meetings are yet to be determined, but will be announced via local and State media, the Region 6 planning Web site at <http://www.fws.gov/mountain-prairie/planning/ccp.htm>, and a planning update. If you would like to be notified of this meeting by mail, please provide your mailing address to the planning team leader (**ADDRESSES**). There will be additional opportunities to provide public input once we have prepared a draft CCP.

Public Availability of Comments

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 us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: September 8, 2009.

Noreen E. Walsh,

Deputy Regional Director.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R8-ES-2009-N163; 80221-1113-0000-D3]

Endangered and Threatened Wildlife and Plants; Draft Post-Delisting Monitoring Plan for the Brown Pelican (*Pelecanus occidentalis*)

AGENCY: U.S. Fish and Wildlife Service, Interior.

ACTION: Notice of document availability for review and comment.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce the availability of the draft post-delisting monitoring plan for the brown pelican (*Pelecanus occidentalis*) (draft PDM Plan, Draft Monitoring Plan). The Endangered Species Act (Act) requires that we implement a system, in cooperation with the States, to monitor effectively, for at least 5 years, the status of all species that have been recovered and no longer need the protection afforded by the Act (*i.e.* delisted). The brown pelican has been proposed to be removed from the Federal List of Threatened and Endangered Wildlife and Plants due to recovery. If the brown pelican is removed from the list, we propose to monitor the status of the brown pelican over a 10-year period from 2010 through 2020, through annual evaluation of information collected by the States of California, Texas, and Louisiana; the Commonwealth of Puerto Rico and the U.S. Virgin Islands in the West Indies; Mexico; other partners; and the Service.

DATES: To ensure consideration, please send your written comments by October 30, 2009.

ADDRESSES: An electronic copy of the Draft Monitoring Plan will be available on the Internet at <http://www.fws.gov/Ventura>. Requests for copies of the Draft Monitoring Plan and submission of written comments or materials regarding the plan should be addressed to Field Supervisor, U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office, 2493 Portola Road, Suite B, Ventura, CA 93003. The Draft Monitoring Plan, reference materials, and submitted comments regarding the Draft Monitoring Plan will also be available for inspection, by appointment, during normal business hours at the above address. You may also submit electronic comments on the Draft Monitoring Plan to: FW8pelicanmonitoring@fws.gov.

FOR FURTHER INFORMATION CONTACT: Michael McCrary, Listing and Recovery

Coordinator, at the above address or at telephone 805-644-1766, extension 372. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800-877-8339.

SUPPLEMENTARY INFORMATION:

Background

On February 20, 2008, we published a proposed rule to remove the brown pelican from the Federal List of Endangered and Threatened Wildlife (List) due to recovery (73 FR 9408), with a 60-day comment period that closed on April 21, 2008. Our proposed rule concluded that the primary reason for severe declines in the brown pelican population in the United States, and for designating the species as endangered, was DDT contamination in the 1960s and early 1970s. Banning of DDT, along with other recovery actions, has resulted in increased population numbers and reproductive success, and information now indicates that major threats to brown pelicans have been reduced, managed, or eliminated. We are currently reviewing comments we received on the proposed rule and preparing responses as appropriate.

Section 4(g) of the Act requires the Secretary of the Interior to implement a system in cooperation with the States to monitor effectively for not less than 5 years the status of any species that is delisted due to recovery. The intent of this monitoring is to determine whether the species should be proposed for relisting under the normal listing procedures, relisted under the emergency listing authority of the Act, or kept off of the List because it remains neither threatened nor endangered.

Brown pelican populations currently listed under the Act breed along the coast of the Gulf of Mexico from Mississippi to Texas; along the Pacific Coast from southern California, south through Mexico into Central and South America; and in the West Indies (Shields 2002, pp. 2-4). Additional information about the brown pelican's biology and life history can be found in the Birds of North America, No. 609 (Shields 2002, pp. 1-36).

The brown pelican draft PDM Plan was developed in cooperation with the State resources agencies of California, Louisiana, and Texas and the Commonwealth of Puerto Rico. If the brown pelican is removed from the Federal List of Threatened and Endangered Wildlife and Plants, our Ventura Fish and Wildlife Office will be the lead office responsible for this monitoring effort, and will coordinate all phases of implementation of the plan and ensure that monitoring