

components of the species' biology and ecology that will contribute greatly to the recovery program.

Hungerford's crawling water beetle will be considered for downlisting to threatened status when the likelihood of the species becoming extinct in the foreseeable future has been eliminated by the achievement of the following interim criteria: (1) Life history, ecology, population biology, and habitat requirements are understood well enough to fully identify threats; and (2) a minimum of four U.S. populations, in at least two different watersheds, have had stable or increasing populations for at least 10 years.

Hungerford's crawling water beetle will be considered for delisting when the likelihood of the species becoming threatened in the foreseeable future has been eliminated by the achievement of the following interim criteria: (1) Identify and protect habitat necessary for long-term survival and recovery; and (2) a minimum of four U.S. populations, in at least two different watersheds, are sufficiently secure and adequately managed to assure long-term viability. The recovery criteria are interim because further research is needed to make them fully measurable. As new information about the species becomes available, and if new populations of the species are discovered, the recovery criteria will be revised. Additional detail on downlisting and delisting criteria is available in the draft recovery plan.

These criteria will be met through the following actions: (1) Protect known sites; (2) conduct scientific research to facilitate recovery; (3) conduct additional surveys and monitor existing sites; (4) develop and implement public education and outreach; (5) revise recovery criteria and recovery tasks, as appropriate, based on research and new information; and (6) develop a plan to monitor *B. hungerfordi* after it is delisted.

#### Public Comments Solicited

The Service solicits written comments on the draft recovery plan. All comments received by the date specified will be considered prior to approval of the plan. Written comments and materials regarding the plan should be sent to the Field Supervisor, Ecological Services Field Office (see **ADDRESSES** section). Comments received will be available for public inspection by appointment during normal business hours.

**Authority:** The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: July 23, 2004.

**Mr. Robert Krska,**

*Acting Assistant Regional Director, Ecological Services, Region 3.*

[FR Doc. 04-17975 Filed 8-5-04; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Yurok Tribe Sale and Consumption of Alcoholic Beverages

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

**ACTION:** Notice.

**SUMMARY:** This notice publishes the Yurok Tribe's Liquor Control Ordinance. The Ordinance regulates and controls the possession, sale and consumption of liquor on the Yurok Reservation. This ordinance allows for the possession and sale of alcoholic beverages on the Yurok Reservation, permits alcohol sales by tribally owned and operated enterprises, and increases the ability of the tribal government to control Reservation liquor distribution and possession. At the same time, it will provide an important source of revenue for the continued operation and strengthening of the tribal government and the delivery of tribal services.

**EFFECTIVE DATE:** This Code is effective on August 6, 2004.

**FOR FURTHER INFORMATION CONTACT:** Clay Gregory, Acting Regional Director, Pacific Regional Office, 2800 Cottage Way, Sacramento, CA 95825; Telephone (916) 978-6000 or Ralph Gonzales, Office of Tribal Services, Bureau of Indian Affairs, 1951 Constitution Avenue, NW., MS-320-SIB, Washington, DC 20240; telephone (202) 513-7629.

**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 Yurok Tribe adopted the Liquor Ordinance on December 19, 2003. The purpose of this ordinance is to govern the sale, possession and distribution of alcohol on the Yurok Reservation.

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 the Yurok Tribe's Liquor Ordinance was duly adopted by the

Yurok Tribal Council on December 19, 2003.

Dated: July 30, 2004.

**David W. Anderson,**

*Assistant Secretary—Indian Affairs.*

#### Yurok Tribe of California Liquor Control Ordinance

*Be it enacted* by the Tribal Council of the Yurok Tribe of California as follows:

**Article 1: Name:** This statute shall be known as the Yurok Tribe Liquor Control Ordinance.

**Article 2: Authority:** This statute is enacted pursuant to the Act of August 15, 1953, (Pub. L. 83-277, 67 Stat. 588, 18 U.S.C. 1161) and Article VI of the Constitution of the Yurok Tribe of California.

**Article 3: Purpose:** The purpose of this statute is to regulate and control the possession and sale of liquor on the Yurok Reservation, and to permit alcohol sales by tribally owned and operated enterprises, and at tribally approved special events, for the purpose of the economic development of the Tribe. The enactment of a tribal statute governing liquor possession and sales on the Yurok Reservation will increase the ability of the tribal government to control Reservation liquor distribution and possession, and will provide an important source of revenue for the continued operations and strengthening of the tribal government, the economic viability of tribal enterprises, and the delivery of tribal government services. This Liquor Control Ordinance is in conformity with the laws of the State of California as required by 18 U.S.C. 1161, and with all applicable federal laws.

**Article 4: Effective Date:** This statute shall be effective as of the date of its publication in the **Federal Register**.

**Article 5: Possession of Alcohol:** The introduction or possession of alcoholic beverages shall be lawful within the exterior boundaries of the Yurok Reservation, provided that such sales are in conformity with the laws of the State of California.

**Article 6: Sales of Alcohol:**

(a) The sale of alcoholic beverages by business enterprises owned by and subject to the control of the Tribe shall be lawful within the exterior boundaries of the Yurok Reservation; provided that such sales are in conformity with the laws of the State of California.

(b) The sale of alcoholic beverages by the drink at special events authorized by the Tribe shall be lawful within the exterior boundaries of the Yurok Reservation; provided that such sales are in conformity with the laws of the State of California and with prior approval by the Tribe.

*Article 7: Age Limits:* The drinking age within the Yurok Reservation shall be the same as that of the State of California, which is currently 21 years. No person under the age of 21 years shall purchase, possess or consume any alcoholic beverage. At such time, if any, as California Business and Profession case 25658, which sets the drinking age for the State of California, is repealed or amended to raise or lower the drinking age within California, this Article shall automatically become null and void, and the Tribal Council shall be empowered to amend this Article to match the age limit imposed by State law, such amendment to become effective upon publication in the **Federal Register** by the Secretary of the Interior.

*Article 8: Civil Penalties:* The Tribe, through its Tribal Council shall have the authority to enforce this statute by confiscating any liquor sold, possessed or introduced in violation hereof. The Tribal Council shall be empowered to sell such confiscated liquor for the benefit of the Tribe and to develop and approve such regulation as may become necessary for enforcement of this ordinance.

*Article 9: Prior Inconsistent Enactments:* Any prior tribal laws, resolutions, or statutes, which are inconsistent with this statute, are hereby repealed to the extent they are inconsistent with this statute.

*Article 10: Sovereign Immunity:* Nothing contained in this statute is intended to, nor does in any way, limit, alter, restrict, or waive the sovereign immunity of the Tribe or any of its agencies from un-consented suit or action of any kind.

*Article 11: Severability:* If any provision of this statute is found by any agency or court of competent jurisdiction to be unenforceable, the remaining provisions shall be unaffected thereby.

*Article 12: Amendment:* This statute may be amended by a majority vote of the Tribal Council of the Tribe at a duly noticed Tribal Council meeting, such amendment to become effective upon publication in the **Federal Register** by the Secretary of the Interior.

#### Certification

This is to certify that this Liquor Control Ordinance was approved at a regularly scheduled meeting of the Yurok Tribal Council on 12/19/03, at which a quorum was present and that this ordinance was adopted by a vote of 6 For, 2 Opposed, 0 Abstentions. This ordinance has not been rescinded or amended in any way.

Dated this 19th day of December 2003.

**Howard McConnell,**  
*Chairperson, Yurok Tribal Council.*

Attest:

**Fawn Murphy,**  
*Recording Secretary, Yurok Tribal Council.*  
[FR Doc. 04-17976 Filed 8-5-04; 8:45 am]

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

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#### DEPARTMENT OF THE INTERIOR

##### Bureau of Land Management

[NM-910-04-1020-PH]

##### New Mexico Resource Advisory Council, Notice of Call for Nominations

**AGENCY:** Bureau of Land Management, Department of the Interior.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act and the Federal Advisory Committee Act of 1972, the U.S. Department of the Interior, Bureau of Land Management, New Mexico Resource Advisory Council (RAC) will meet as indicated below.

**DATES:** The meeting will be held on September 14-15, 2004, beginning at 8 a.m. at the Inn of Loretto, 211 Old Santa Fe Trail, Santa Fe, New Mexico. The meeting will adjourn at approximately 5 p.m. on Tuesday, September 14, 2004, and 3:30 p.m. on Wednesday, September 15, 2004. The two established RAC working groups may have a late afternoon or an evening meeting on Tuesday, September 14, 2004. An optional field trip is planned for Monday, September 13, 2004, at 12:30 p.m.

The public comment period is scheduled for Monday, September 14, 2004, from 6-7 p.m. The public may present written comments to the RAC. Depending on the number of persons wishing to comment and time available, individual oral comments may be limited.

**FOR FURTHER INFORMATION CONTACT:**

Theresa Herrera, New Mexico State Office, Office of External Affairs, Bureau of Land Management, P.O. Box 27115, Santa Fe, New Mexico 87502-0115, 505.438.7517.

**SUPPLEMENTARY INFORMATION:** The 15-member RAC advises the Secretary of the Interior, through the Bureau of Land Management, on a variety of planning and management issues associated with public land management in New Mexico. All meetings are open to the public. At this meeting, topics for discussion include: Sierra/Otero Mesa Counties Fluid Mineral Leasing Plan

Amendment, directional drilling of oil and gas wells to mitigate surface impacts, follow-up on rancher monitoring, discussion on the Ecological Site Description Effort, Interim Guidelines for Special Status Species Plan Amendment, the Access Proposal, what are the problems for threatened and endangered and other imperiled species on BLM lands, and election of new officers.

Dated: July 30, 2004.

**Linda S.C. Rundell,**

*State Director.*

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**BILLING CODE 4310-FB-M**

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#### DEPARTMENT OF THE INTERIOR

##### Bureau of Land Management

[CO-820-02-5440-DT-C028]

##### Notice of Availability of the Proposed San Juan/San Miguel Resource Management Plan Amendment and Final Environmental Impact Statement for a Proposed Ski Area Near Silverton, CO

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability of the proposed San Juan/San Miguel Resource Management Plan Amendment and final environmental impact statement (PRMP Amendment /FEIS) for a proposed ski area near Silverton, Colorado.

**SUMMARY:** Pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (FLPMA) and section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), the Bureau of Land Management (BLM) has prepared a PRMP Amendment and FEIS for the proposed ski area. The proposed area lies in San Juan County, Colorado. The PRMP Amendment/FEIS provides direction and guidance for the management of public lands and resources of the ski area, as well as monitoring and evaluation requirements. The PRMP Amendment/FEIS would also amend the San Juan/San Miguel RMP (1985) for the affected lands in the planning area. Once approved in a Record of Decision (ROD), the Amended RMP would supercede all existing management plans for the public lands within the ski area.

**DATES:** BLM Planning Regulations (43 CFR 1610.5-2) state that any person who participated in the planning process, and has an interest that may be adversely affected, may protest. The protest must be filed within 30 days of the date that the Environmental