

APPENDIX A

PUBLIC NOTICES

NOTICE OF INTENT (NOI)

of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. Comments should be received within 60 days of the date of this notice.

ADDRESSES: Interested persons should submit written comments to Muriel B. Anderson, Chief, Records Management Section, Information Resources Management Branch, Information Technology Services Division, Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security, 500 C Street, SW., Room 316, Washington, DC 20472.

FOR FURTHER INFORMATION CONTACT: Contact Cindy Taylor, Assistant Director of Public Affairs at (202) 646-4600 for additional information. You may contact Ms. Anderson for copies of the proposed collection of information at facsimile number (202) 646-3347 or e-mail address: FEMA-Information-Collections@dhs.gov.

Dated: March 3, 2005.

George S. Trotter,
Acting Branch Chief, Information Resources Management Branch, Information Technology Services Division.
{FR Doc. 05-4799 Filed 3-10-05; 8:45 am}
BILLING CODE 9110-15-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

Open Meeting/Conference Call, Board of Visitors for the National Fire Academy

AGENCY: U.S. Fire Administration (USFA), Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Notice of open meeting.

SUMMARY: In accordance with section 10 (a) (2) of the Federal Advisory Committee Act, 5 U.S.C. App. 2, FEMA announces the following committee meeting:

Name: Board of Visitors (BOV) for the National Fire Academy.

Dates of Meeting: April 5-6, 2005.

Place: Building H, Room 300, National Emergency Training Center, Emmitsburg, Maryland.

Time: April 5, 10 a.m.-5 p.m., and April 6, 8:30 a.m.-4 p.m.

Proposed Agenda: Review National Fire Academy Program Activities.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public in the Emmitsburg commuting area with seating available on a first-come, first-served basis. Members of the general public who plan to participate in the meeting should contact the Office of the Superintendent, National Fire Academy, U.S. Fire Administration, 16825 South Seton Avenue, Emmitsburg, MD 21727, (301) 447-1117, on or before April 1, 2005.

Minutes of the meeting will be prepared and will be available for public viewing in the Office of the U.S. Fire Administrator, U.S. Fire Administration, Federal Emergency Management Agency, Emmitsburg, Maryland 21727. Copies of the minutes will be available upon request within 60 days after the meeting.

Dated: March 3, 2005.

R. David Paulison,
U.S. Fire Administrator.
{FR Doc. 05-4798 Filed 3-10-05; 8:45 am}
BILLING CODE 9110-17-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

{Docket No. FR-4980-N-10}

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

EFFECTIVE DATE: March 11, 2005.

FOR FURTHER INFORMATION CONTACT: Kathy Ezzell, Department of Housing and Urban Development, Room 7262, 451 Seventh Street, SW., Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565, (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1-800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance with the December 12, 1988 court order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.), HUD published a notice, on a weekly basis, identifying unutilized, underutilized,

excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today's notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: March 4, 2005.

Mark R. Johnston,
Director, Office of Special Needs Assistance Programs.

{FR Doc. 05-4660 Filed 3-10-05; 8:45 am}
BILLING CODE 4210-29-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Notice of Intent To Prepare an Environmental Impact Statement/ Environmental Impact Report for the Guidiville Band of Pomo Indians of the Guidiville Rancheria's Proposed Trust Acquisition and Casino/Resort Project, City of Richmond, Contra Costa County, CA

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that the Bureau of Indian Affairs (BIA) as lead agency for compliance with the National Environmental Policy Act, and the City of Richmond (City), California, as lead agency for compliance with the California Environmental Quality Act, intend to gather information necessary for preparing an Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for a proposed 415± acre trust acquisition and casino/resort project to be located within the City of Richmond, Contra Costa County, California. The purpose of the proposed action is to restore the Guidiville land base of the Guidiville Band of Pomo Indians of the Guidiville Rancheria (Tribe) and help provide for the economic development of the tribe. The proposed action would additionally serve to meet the City's requirements under the Base Realignment and Closure Act to use a closed Navy fuel depot for economic development purposes. This notice also announces a public scoping meeting to identify potential issues and alternatives for inclusion in the EIS/EIR. **DATES:** Written comments on the scope and implementation of this proposal must arrive by April 15, 2005. The public scoping meeting will be held March 31, 2005, from 7 p.m. to 9 p.m., or until the last public comment is received.

ADDRESSES: You may mail or hand carry written comments to Clay Gregory, Regional Director, Pacific Regional Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825. The public scoping meeting will be held at the Richmond Memorial Auditorium, 403 Civic Center Plaza, Richmond, California.

FOR FURTHER INFORMATION CONTACT: John Rydzik, (916) 978-6042.

SUPPLEMENTARY INFORMATION: The Tribe proposes that 415± acres of land be taken into trust to restore its terminated tribal land base for its people. The 415± acres encompass nine contiguous parcels in the City of Richmond, more commonly known as the former Point Molate Naval Fuel Depot. The project site is located 2 miles northeast of the Richmond-San Rafael Bridge tollbooth, after exiting at Western Avenue off of Highway 580 while heading west.

The Tribe wishes to use the property for multiple tribal purposes, including economic development and the provision of governmental services. The City wishes to use the property for economic development purposes, promoting employment, enhancing City revenues and improving municipal services. More specifically, the Tribe and City contemplate that the site will be used for the development of gaming and related entertainment, retail and lodging facilities, tribal government facilities, police and fire services, public parks, open space, a ferry terminal, public transportation and possible housing. The eventual size and scope of these facilities may be altered based on information obtained through the EIS/EIR process, but the Tribe and City's current proposal is for approximately 150,000 square feet of gaming floor, 300,000 square feet of retail facilities, 25,000 square feet of convention and entertainment facilities, an approximately 400 room hotel and a second phase 700 room hotel, 29 cottages remodeled into hotel suites or offices, a boutique spa/hotel, a fire station, tribal governmental offices, a tribal cultural center, 220+ acres of open space or submerged lands, 40 acres of public parks, a public trail, the ferry terminal and possible limited housing units. The proposed development would also include parking facilities for approximately 3000 vehicles for patrons and employees.

The proposed action encompasses the various federal approvals which would be required to implement the Tribe's efforts to establish a restored tribal land base, including approval of the Tribe's fee-to-trust application, approval of the Tribe's gaming management contract

and approval of the Tribe's request for a reservation proclamation pursuant to a court approved stipulation in *Scotts Valley et al v. United States* case of September 6, 1991 (NO. C-86-3660-VRW), and implementing the intent and findings of the U.S. Department of Navy EIS/EIR for the base closure of the Point Molate Naval Fuel Depot. The proposed action also includes all the actions and approvals by the City necessary to permit and facilitate the land transfer and development, including approval of a proposed municipal services agreement.

Areas of environmental concern identified so far for analysis in the EIS/EIR include land resources, water resources, coastal zone planning consistency, air quality, living resources, cultural resources, Indian burial remains, socioeconomic conditions, traffic and transportation, land use, public utilities and services, noise, lighting, hazardous materials, environmental justice, soils remediation, visual resources/aesthetics, homeland security issues, Bay Trail construction, historical building restoration, and cumulative impacts. The range of issues and alternatives to be addressed in the EIS/EIR may be expanded based on comments received in response to this notice and at the public scoping meeting.

Public Comment Availability

Comments, including names and addresses of respondents, will be available for public review at the BIA address shown in the **ADDRESSES** section, during business hours 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish us to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by the law. We will not, however, consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Authority

This notice is published in accordance with section 1503.1 of the Council of Environmental Quality Regulations (40 CFR Parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as

amended (42 U.S.C. 4371 *et seq.*), Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Principal Deputy Assistant Secretary—Indian Affairs by 209 DM 8.1.

Dated: February 22, 2005.

Michael D. Olsen,

Acting Principal Deputy Assistant Secretary—Indian Affairs.

[FR Doc. 05-4880 Filed 3-10-05; 8:45 am]

BILLING CODE 4310-W7-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Class III gaming compacts taking effect.

SUMMARY: Notice is given that the Tribal-State Compacts between the Kaw Nation, the Kickapoo Tribe, the Peoria Tribe and the State of Oklahoma are considered to have been approved and are in effect.

EFFECTIVE DATE: March 11, 2005.

FOR FURTHER INFORMATION CONTACT: George T. Skibine, Director, Office of Indian Gaming Management, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, (202) 219-4066.

SUPPLEMENTARY INFORMATION: Under Section 11(d)(7)(D) of the Indian Gaming Regulatory Act of 1988 (IGRA), Public Law 100-497, 25 U.S.C. 2710, the Secretary of the Interior must publish in the **Federal Register** notice of any Tribal-State compact that is approved, or considered to have been approved for the purpose of engaging in Class III gaming activities on Indian lands. The Acting Principal Deputy Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority did not approve or disapprove these compacts before the date that is 45 days after the date these compacts were submitted. Therefore, pursuant to 25 U.S.C. 2710(d)(7)(C), these compacts are considered to have been approved, but only to the extent they are consistent with IGRA. These compacts authorize Indian tribes to engage in certain Class III gaming activities, provides for certain geographical exclusivity, limits the number of gaming machines at existing racetracks, and prohibits non-tribal operation of certain machines and covered games, and take effect on the date their approval is published in the **Federal Register**.

NOTICE OF PREPARATION (NOP)

DATE: March 15, 2005
TO: Responsible Agencies, Trustee Agencies, and Interested Persons
FROM: The City of Richmond

**SUBJECT: NOTICE OF PREPARATION OF A JOINT DRAFT ENVIRONMENTAL
IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE POINT MOLATE
RESORT AND CASINO PROJECT**

PUBLIC REVIEW PERIOD: March 15– April 15, 2005

The City of Richmond is the lead agency for the preparation of a Joint Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) for the proposed Point Molate Resort and Casino Project (Proposed Project). The Project Sponsor (Upstream Point Molate LLC, Harrah's Entertainment, and the Guidiville Band of Pomo Indians) proposes to build new facilities, and improve existing buildings and facilities to construct a destination resort on the former footprint of the Naval Fuel Depot site.

The EIR/EIS is being prepared in compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). The CEQA Guidelines (Section 152267) encourage cooperation between a local agency and federal agency to reduce duplication including the preparation of joint environmental documents. The federal Lead Agency for the above referenced project will be the Bureau of Indian Affairs who will have federal decision making authority over the Proposed Project. The EIR/EIS is being prepared as a condition to finalize the purchase of the land from the City, and to provide a basis for the City's discretionary decision whether to approve the Project Sponsor's Design Concept Documents. The Design Concept Documents will outline the permitted land uses and development plans for the site and may include a General Plan amendment or Specific Plan to guide development of the site. The City will not grant any final approvals related to the land transfer or the Municipal Services Agreement, or the approval of the Design Concept Documents for the project until the City has completed and certified an EIR for the Proposed Project. The Bureau of Indian Affairs will use the EIR/EIS in its decision process to either approve or disapprove the acquisition of the property in trust for the Guidiville Band of Pomo Indians. This fee-to-trust process is described in 25 CFR 151 and the acquisition is a necessary component of any proposal to allow gaming under the Indian Gaming Regulatory Act.

CEQA Guideline 15082 states that once a decision is made to prepare an EIR, the lead agency must prepare a Notice of Preparation (NOP) to inform all responsible and trustee agencies that an EIR will be prepared. The purpose of the NOP is to provide responsible agencies, trustee agencies and interested persons with sufficient information describing the Proposed Project and the potential environmental effects to enable them to make a meaningful response as to the scope and content of the information to be included in the EIR. An additional purpose of the NOP is to announce a Planning Commission and Scoping meeting to be held on March 31, 2005, at the Richmond Memorial Auditorium, 3230 MacDonald

Ave, Richmond, California. The meeting will begin at 7:00 p.m. and conclude at 9:00 p.m. or until the last public comment is received. Written comments on this NOP are due to the City of Richmond by 5:00 p.m. on April 15, 2005.

Project Site

Project Location

The project site is located in the City of Richmond, just north of the San Rafael Bridge along the shoreline of San Francisco Bay (Figure 1). The project site, formerly known as the Pt. Molate Naval Fuel Depot when owned by the United States Navy, encompasses approximately 290-acres of land and 120-acres of offshore area. Open space parcels bound the site on the north and south, and the Chevron-Texaco refinery to the east, with Potrero Ridge's 480-foot hillsides separating these two sites. The site is approximately one mile from Hwy 580, with direct freeway access through Western Drive, a City-owned roadway to the site (Figure 2).

Project Setting

Point Molate's topography ranges from sea level on the western shoreline to nearly 500 feet in elevation on the eastern ridge crest. Slopes range from moderate (0 to 10 percent) to steep (greater than 50 percent). Of the 290 terrestrial acres, approximately 90 acres, or 31 percent of the site, are developable and generally below a 15 percent slope. Almost all of these 90 "flatter" acres have been previously developed or impacted by the US Navy. A distinctive feature of the site is the approximately 1,200-foot pier that extends into the bay from the central point of the site. This pier will be used as a commuter ferry terminal for workers and visitors to the site.

The project site is currently vacant as the US Navy ceased its operations on the site on September 30, 1995. The Navy has transferred 90% of the property to the City of Richmond pursuant to the base closure EIS/EIR and the City's Base Reuse Plan. The City of Richmond has subsequently entered into a land option and sales contract with the Guidiville Band of Pomo Indians to be assigned to the Tribe by Upstream Point Molate, LLC. The City has also negotiated, but not yet signed, a form of Municipal Services Agreement (MSA) with the Tribe outlining terms for police, fire, sewer, water, payment in lieu of taxes etc. Required mitigation measures identified in the final EIS/EIR will be incorporated into the MSA as a mitigation and monitoring plan.

The Navy is funding and undertaking remaining cleanup activities at the site, in cooperation with the City of Richmond. Once complete, the land purchase option provides for the remaining 10% of the Point Molate property to be assigned to the Tribe through Upstream Point Molate, LLC.

Project Description

The project includes the development of an 182,000± square foot casino complex, which will consist of a porte cochere, main gaming hall, food and beverage services, retail space, and administration space. Approximately 61,000 square feet of this building space will be devoted to the main gaming hall, while the balance of the facility will include administration space, small retail shops, and food/beverage facilities. The project also includes the construction of up to four hotels (1,100 rooms maximum), business conference and entertainment facilities. Approximately 3,400 parking spaces will be provided with an additional 2,000 spaces in a second parking structure. The entire development will be built on land within the footprint previously used by the Navy. The project will include extensive public transit, including on-site ferry service and linkages to public bus and BART systems.

The project will reuse and redevelop the existing Winehaven Historic District in a way that will preserve its unique historic character, at the same time providing an economic reuse option that will provide the funds necessary to preserve and restore the Winehaven building, cottages and ancillary structures. Winehaven will be developed into an integrated resort and entertainment complex, with gaming, a range of restaurants and small retail shops. The 38 historic cottages on the site will be restored and used as guest suites and related facilities for one of the luxury hotels.

Additional public amenities of the project include development of the ferry terminal on the existing fueling pier (to be retrofitted for ferry service), construction of the Bay Trail, public plazas, and shoreline parks along the entire site shoreline, interior site shuttle facilities, and installation of site infrastructure for the site development. Amenities of the project will also include widening of Western Drive to 4 lanes (total). The project also includes the construction of a 300,000 square-foot retail pedestrian village (including restaurants and cafes) inland from and parallel to the shoreline.

Project Objectives

The federal land trust action and development of the proposed resort and casino project has three critical objectives: 1) to restore the Tribe's land base that was illegally terminated by the federal government over 40 years ago, and approval of the Tribe's request for a reservation proclamation pursuant to a court approved stipulation in *Scotts Valley et. al v. United States* case of September 6, 1991 (NO. C-86-3660-VRW), 2) to assist in improving the long-term economic base of both the Guidiville Band of Pomo Indians and the City of Richmond, and 3) to bring economic development opportunities to the City of Richmond consistent with the economic development objectives of the Base Closure process and federal legislation that provided for the transfer of the property from the US Navy to the City of Richmond. The new reservation land base and the new revenues would be used to strengthen the tribal government and fund a variety of programs that would improve the long-term welfare of the Tribe. Additionally, project revenues, project employment and the proposed economic development will also provide support for City of Richmond governmental purposes, create long-term employment opportunities for non-tribal members and the opportunity to purchase support goods and services within the City of Richmond in Contra Costa County. Simultaneously, the project will increase regional tourism, create new business opportunities, facilitate the early environmental clean-up of the Point Molate Property, enhance regional public transportation facilities, and increase outdoor recreational facilities and opportunities.

Environmental Effects

The City has reviewed the Point Molate Project submittals and related materials and has determined that an EIR is the appropriate environmental document for the project and that the EIR should address the following issues:

Figure 1 – Regional Location

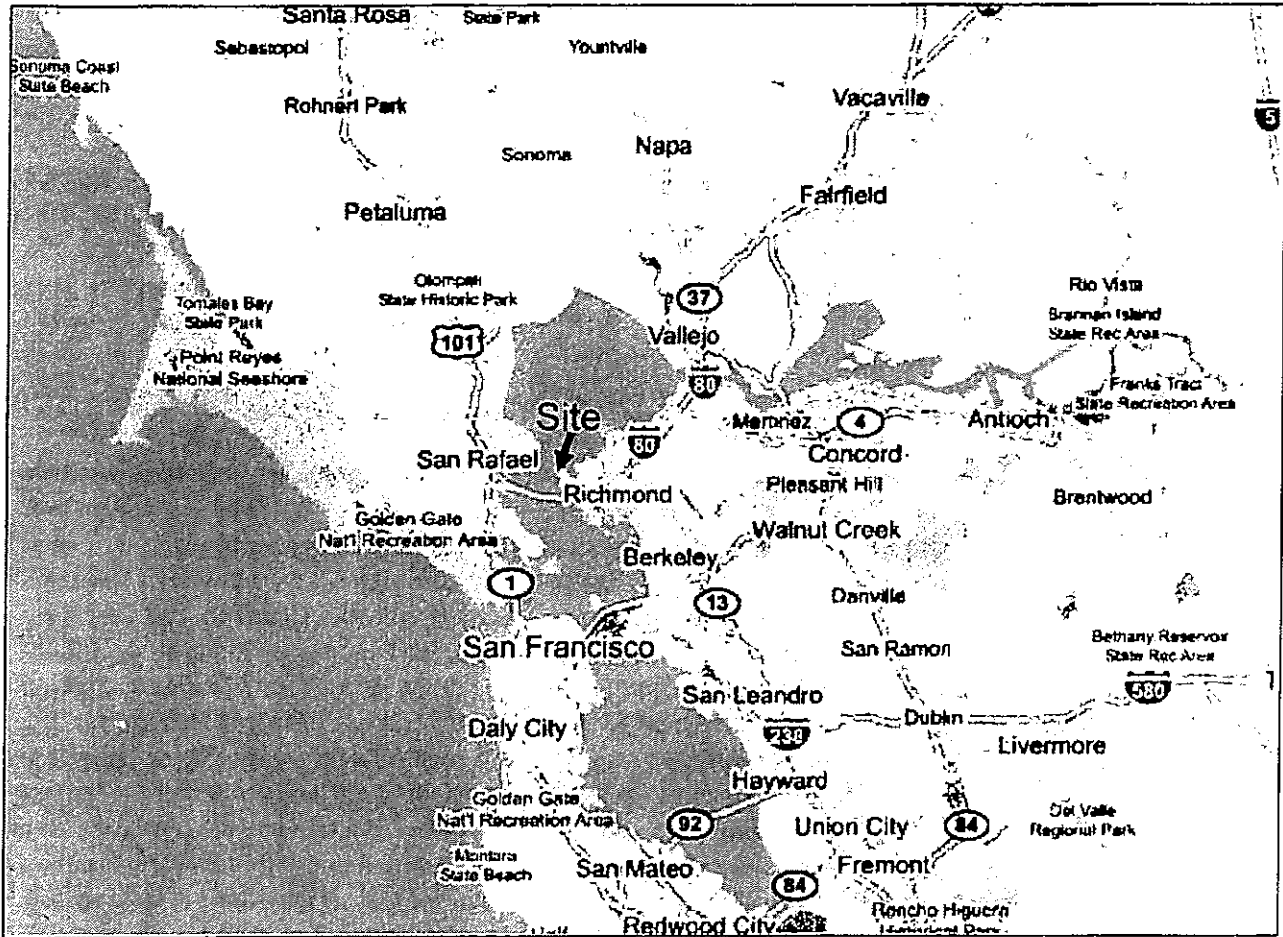
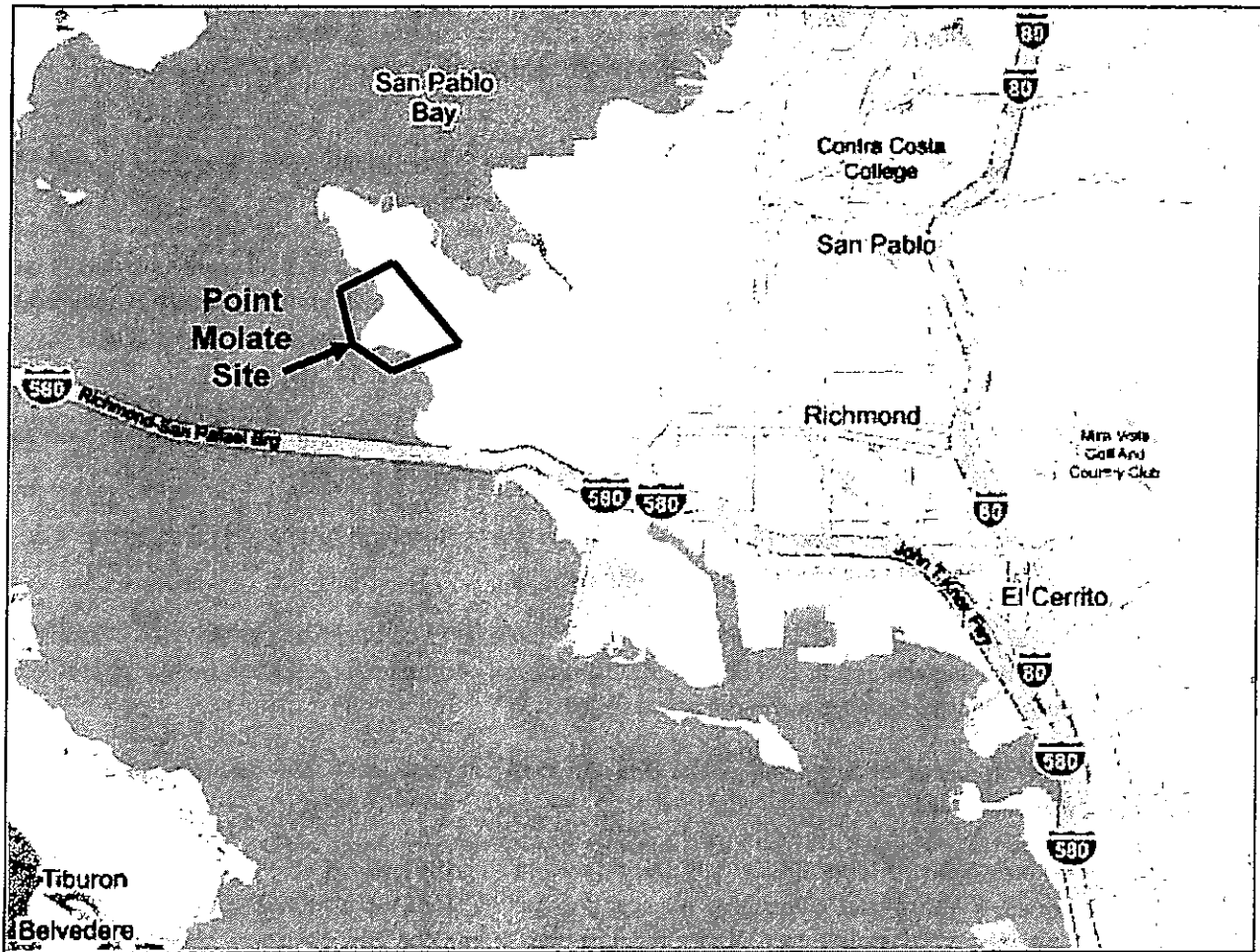


Figure 2- Vicinity Map



- *Land Use Consistency and Compatibility* – The EIR will evaluate the consistency of the Proposed Project with the adopted plans and policies of the City, including but not limited to the General Plan and Zoning Ordinance. The EIR will also analyze the Proposed Project’s compatibility with surrounding land uses.
- *Transportation and Circulation* – The EIR will include a detailed traffic study to assess the potential impacts to surrounding roadways and transportation systems.
- *Air Quality* – The EIR will address the project’s impact on regional air pollutants and their precursors as well as localized fugitive dust impacts utilizing the appropriate air quality modeling tools. The analysis will address both indirect (long-term) and any construction level (short-term) impacts.
- *Biological Resources* – The EIR will analyze the project’s short-term (construction) as well as long-term impacts on waters of the U.S. and other biological resources.
- *Cultural Resources* - The EIR will analyze the project’s short-term (construction) as well as long-term impacts on existing cultural resources.
- *Hazardous Materials* – The EIR will address potential hazards existing at the project site and potential impacts resulting from the storage and use of hazardous materials on the project site during construction and operation of the project.
- *Hydrology and Water Quality* – The EIR will analyze the project’s impacts to drainage patterns and water quality.
- *Growth Inducing, Cumulative, and Short-Term and Long-Term Effects* – The EIR will analyze growth inducing and cumulative impacts pursuant to CEQA Guidelines 15126(d) and 15130, respectively. Pursuant to CEQA Guideline 15126.2(a), the EIR will also identify direct and indirect significant effects of the project on the environment with consideration given to short-term and long-term effects.
- *Socio-economic impacts* – The EIR will analyze socio-economic impacts of the proposed project.

Discussion of Alternatives

CEQA Guideline 15126.6(a) requires that an EIR describe a range of reasonable alternatives for the project. The EIR will evaluate the comparative merits of the alternatives, including “Reduced Project” and “No Project” alternatives. Guidelines 15126(e)(1), et seq. alternatives have not yet been identified; these will be proposed and analyzed during the course of the preparation of the Draft EIR. The alternatives will be determined, in part, by public input received during the NOP comment period. To ensure that the full range of issues and alternatives related to the Proposed Project are adequately addressed and that all significant issues are identified, comments and suggestions are invited from all interested parties.

Responsible Agencies

The City anticipates that approvals for the Proposed Project may be required from the State Lands Commission, SF Bay Conservation and Development Commission, San Francisco Bay Regional Water Quality Control Board, and other agencies. These agencies will likely rely on this EIR in considering whether to grant those approvals.

NOP Responses

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice. Written comments or questions concerning the proposed EIR should be directed to the following address by 5:00 p.m. on April 15, 2005.

City of Richmond
Barry Cromartie
Planning Director, Community & Economic Development Group
1401 Marina Way South
Richmond, CA 94804

AFFIDAVIT OF PUBLICATION NOI/NOP

Notice of Intent To Prepare an Environmental Impact Statement/ Environmental Impact Report for the Guldville Band of Pomo Indians of the Guldville Rancheria's Proposed Trust Acquisition and Casino/Resort Project, City of Richmond, Contra Costa County, CA

AGENCY: Bureau of Indian Affairs, Interior

SUMMARY: This notice advises the public that the Bureau of Indian Affairs (BIA) as lead agency for compliance with the National Environmental Policy Act, and the City of Richmond (City), California, as lead agency for compliance with the California Environmental Quality Act, intend to gather information necessary for preparing an Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for a proposed 415 acre trust acquisition and casino/resort project to be located within the City of Richmond, Contra Costa County, California. The purpose of the proposed action is to restore the Guldville land base of the Guldville Band of Pomo Indians of the Guldville Rancheria (Tribe) and help provide for the economic development of the tribe. The proposed action would additionally serve to meet the City's requirements under the Base Realignment and Closure Act to use a closed Navy fuel depot for economic development purposes. This notice also announces a public scoping meeting to identify potential issues and alternatives for inclusion in the EIS/EIR.

DATES: Written comments on the scope and implementation of this proposal must arrive by April 15, 2005. The public scoping meeting will be held March 31, 2005, from 7 p.m. to 9 p.m., or until the last public comment is received.

ADDRESSES: You may mail or hand carry written comments to Clay Gregory, Regional Director, Pacific Regional Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825. The public scoping meeting will be held at the Richmond Memorial Auditorium, 403 Civic Center Plaza, Richmond, California.

FOR FURTHER INFORMATION CONTACT: John Rydzik, (916) 978-6042.

SUPPLEMENTARY INFORMATION: The Tribe proposes that 415 acres of land be taken into trust to restore its terminated tribal land base for its people. The 415 acres encompass nine contiguous parcels in the City of Richmond, more commonly known as the former Point Molate Naval Fuel Depot. The project site is located 2 miles northeast of the Richmond-San Rafael Bridge tollbooth, after exiting at Western Avenue off of Highway 580 while heading west. The Tribe wishes

es to use the property for multiple tribal purposes, including economic development and the provision of governmental services. The City wishes to use the property for economic development purposes, promoting employment, enhancing City revenues and improving municipal services. More specifically, the Tribe and City contemplate that the site will be used for the development of gaming and related entertainment, retail and lodging facilities, tribal government facilities, police and fire services, public parks, open space, a ferry terminal, public transportation and possible housing. The eventual size and scope of these facilities may be altered based on information obtained through the EIS/EIR process, but the Tribe and City's current proposal is for approximately 150,000 square feet of gaming floor, 300,000 square feet of retail facilities, 25,000 square feet of convention and entertainment facilities, an approximately 400 room hotel and a second phase 700 room hotel, 29 cottages remodeled into hotel suites or offices, a boutique spa/hotel, a fire station, tribal governmental offices, a tribal cultural center, 720+ acres of open space or submerged lands, 40 acres of public parks, a public trail, the ferry terminal and possible limited housing units. The proposed development would also include parking facilities for approximately 3000 vehicles for patrons and employees. The proposed action encompasses the various federal approvals which would be required to implement the Tribe's efforts to establish a restored tribal land base, including approval of the Tribe's fee-to-trust application, approval of the Tribe's gaming management contract and approval of the Tribe's request for a reservation proclamation pursuant to a court approved stipulation in *Scotts Valley et al v. United States* case of September 6, 1991 (NO. C-86-3600-VRW), and implementing the intent and findings of the U.S. Department of Navy EIS/EIR for the base closure of the Point Molloe Naval Fuel Depot. The proposed action also includes all the actions and approvals by the City necessary to permit and facilitate the land transfer and development, including approval of a proposed municipal services agreement. Areas of environmental concern identified so far for analysis in the EIS/EIR include land resources, water resources, coastal zone planning consistency, air quality, living resources, cultural resources, Indian burial remains, socioeconomic conditions, traffic and transportation, land use, public utilities and services, noise, lighting, hazardous materials, environmental justice, remediation, visual resources/aesthetics, homeland security issues, Bay Trail construction, historical building restoration.

tion, and cumulative impacts. The range of issues and alternatives to be addressed in the EIS/EIR may be expanded based on comments received in response to this notice and at the public scoping meeting.

PUBLIC COMMENT AVAILABILITY: Comments, including names and addresses of respondents, will be available for public review at the BIA address shown in the ADDRESSES section, during business hours 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Individual respondents may request confidentiality, if you wish us to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by the law. We will not, however, consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

AUTHORITY: This notice is published in accordance with section 1503.1 of the Council of Environmental Quality Regulations (40 CFR Parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4371 et seq.), Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Principal Deputy Assistant Secretary-Indian Affairs by 209 DM 8.1. (FR Doc. 05-4880 Filed 3-10-05; 8:45 am)
Legal CCT 2333
Publish March 16, 2005

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

STATE OF CALIFORNIA
County of Contra Costa

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter.

I am the Principal Legal Clerk of the Contra Costa Times, a newspaper of general circulation, printed and published at 2640 Shadelanda Drive in the City of Walnut Creek, County of Contra Costa, 94598.

And which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Contra Costa, State of California, under the date of October 22, 1934. Case Number 19764.

The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

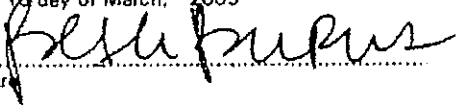
March 16

all in the year of 2005

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 16 day of March, 2005

.....
Signature



Contra Costa Times
P O Box 4147
Walnut Creek, CA 94596
(925) 935-2525

Proof of Publication of:
(attached is a copy of the legal advertisement that published)