

office within 30 days of the date of publication of this notice.

Lynn B. Starnes,
Acting Regional Director, Region 2,
Albuquerque, New Mexico.

[FR Doc. 96-17397 Filed 7-8-96; 8:45 am]
BILLING CODE 4510-55-P

Application for Incidental Take Permit for Mexican Spotted Owl, Pima County, AZ

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of Receipt of Application for Incidental Take Permit for Surveying the Mexican Spotted Owl for the Rincon Mountains, East District of Saguaro National Park, Pima County, Arizona.

APPLICANT: Dr. Charles Van Riper, Flagstaff, Arizona.

SUMMARY: Dr. Charles Van Riper has applied to the Fish and Wildlife Service for an incidental take permit pursuant to Section 10(A)1(a) of the Endangered Species Act, for the purpose of scientific research and enhancement of propagation and survival of the Mexican spotted owl (*Strix occidentalis lucida*) as prescribed by Service recovery documents. The applicant has been assigned permit number PRT-812832. The requested permit, which is for a period of 1 year, would authorize incidental take of the species.

ADDRESSES: Persons wishing to review the application may obtain a copy by writing to the Assistant Regional Director, Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. The request must be received by the Assistant Regional Director within 30 days of the date of this publication. Please refer to permit number PRT-812832 when submitting comments.

Documents and other information submitted with this application are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the above office within 30 days of the date of publication of this notice.

Lynn B. Starnes,
Acting Regional Director, Region 2,
Albuquerque, New Mexico.

[FR Doc. 96-17398 Filed 7-8-96; 8:45 am]
BILLING CODE 4510-55-P

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Amendment to Approved Tribal-State Compact.

SUMMARY: Pursuant to 25 U.S.C. § 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100-497), the Secretary of the Interior shall publish, in the Federal Register, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, has approved the Amendment to the Tribal-State Compact Between the Eastern Band of Cherokee Indians and the State of North Carolina, which was executed on May 28, 1996.

DATES: This action is effective July 9, 1996.

FOR FURTHER INFORMATION CONTACT: George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: June 28, 1996.
Ada E. Deer,
Assistant Secretary—Indian Affairs.
[FR Doc. 96-17429 Filed 7-8-96; 8:45 am]
BILLING CODE 4310-02-M

Bureau of Land Management

[UT-040-06-1220-00]

Utah; Closure of Public Lands

AGENCY: Bureau of Land Management, Interior.

ACTION: Emergency Closure of Public Lands.

NOTICE: Utah, Washington County, Cedar City District Office, Dixie Resource Area.

SUMMARY: Notice is hereby given that effective immediately all public lands in the north half of Section 1, Township 42 South, Range 11 West of the Salt Lake Baseline and Meridian, including the unauthorized Slickrock Swamp Trail, are closed to mountain bike use and motorized vehicles with the exception of fire and emergency vehicles, law enforcement, government officials in the conduct of official business, and authorized permittees of the Bureau of Land Management. This closure is in accordance with the provisions of 43 CFR 8341.2.

The purpose of the closure is to protect the City of Rockville municipal

watershed and to reduce soil erosion on the Rockville Bench. The fragile soils and watershed are threatened because of the creation and use of an unauthorized mountain bike trail. The closure will also curtail trespass problems that are occurring on surrounding private property as a result of mountain bike use on the trail. The closure will remain in effect until specific land use planning is completed for the parcel.

ADDRESSES: More information can be obtained from R.J. Hughes at the Dixie Resource Area, 345 E. Riverside Drive, St. George, Utah 84790, (801) 673-4654.

Dated: June 26, 1996.

G. Von Swain,
Acting District Manager, Cedar City District.
[FR Doc. 96-17435 Filed 7-8-96; 8:45 am]
BILLING CODE 4210-DQ-P-M

[OR-130-1020-00; GP6-0207]

Cancellation of Meetings of the Interior Columbia Basin Ecosystem Management Project Subgroup of the Eastern Washington Resource Advisory Council; and of the Eastern Washington Resource Advisory Council

AGENCY: Bureau of Land Management, Spokane District.

ACTION: Cancellation of meetings of the Interior Columbia Basin Ecosystem Management Project Subgroup of the Eastern Washington Resource Advisory Council; July 18, 1996, in Spokane, Washington; and the cancellation of the meeting of the Eastern Washington Resource Advisory Council; July 19, 1996, in Spokane, Washington.

SUMMARY: The meeting of the Interior Columbia Basin Ecosystem Management Project Subgroup of the Eastern Washington Resource Council scheduled for July 18, 1996; is cancelled. The meeting of the Eastern Washington Resource Advisory Council scheduled for July 19, 1996 is cancelled.

FOR FURTHER INFORMATION CONTACT: Richard Hubbard, Bureau of Land Management, Spokane District Office, 1103 N. Fancher Road, Spokane, Washington, 99212; or call 509-536-1200.

Dated: July 3, 1996.

Joseph K. Buesing,
District Manager.
[FR Doc. 96-17530 Filed 7-8-96; 8:45 am]
BILLING CODE 4310-33-P



United States Department of the Interior



OFFICE OF THE SECRETARY
Washington, D.C. 20240

JUN 2 9 1996

Honorable Joyce C. Dugan
Principal Chief
Eastern Band of Cherokee Indians
Qualla Boundary - P.O. Box 455
Cherokee, North Carolina 28719

Dear Chief Dugan:

On May 29, 1996, we received the Amendment to the Tribal-State Compact between the Eastern Band of Cherokee Indians (Tribe) and the State of North Carolina (State), dated May 28, 1996, (Amendment). We have completed our review of this Amendment and conclude that it does not violate the Indian Gaming Regulatory Act of 1988 (IGRA), Federal law, or our trust responsibility. Therefore, pursuant to Section 11(d)(8)(A) of the IGRA, 25 U.S.C. § 2710(d)(8)(A) and delegated authority in 209 DM 8.1, we approve the Amendment. The Amendment shall take effect when the notice of our approval, pursuant to Section 11 (d)(3)(B) of IGRA, 25 U.S.C. § 2710(d)(3)(B), is published in the FEDERAL REGISTER.

We wish the Tribe and the State success in their economic venture.

Sincerely,

/s/ Ada E. Deer

Ada E. Deer
Assistant Secretary - Indian Affairs

Enclosures

Identical Letter Sent to: Honorable James B. Hunt, Jr.
Governor of North Carolina
State Capitol
Raleigh, North Carolina 27611

cc: Eastern Area Director w/copy of approved Amendment
Supt., Cherokee Agency w/copy of approved Amendment
National Indian Gaming Commission w/copy of approved Amendment
SE Regional Field Solicitor w/copy of approved Amendment
Eastern Dist., North Carolina U.S. Attorney w/copy of approved Amendment

9/6/96 11:00 AM

9/6/96 11:00 AM

**AMENDMENT TO TRIBAL - STATE COMPACT
BETWEEN THE EASTERN BAND OF CHEROKEE INDIANS
AND THE STATE OF NORTH CAROLINA**

This AMENDMENT made and entered into this the 28th day of May, 1996, to that TRIBAL - STATE COMPACT executed by the parties in August 1994 which was approved by the Secretary of the Interior on September 22, 1994, by and between the Eastern Band of Cherokee Indians, a federally recognized Indian tribe (hereafter "Tribe"), acting through its Principal Chief, the Honorable Joyce C. Dugan, and the State of North Carolina (hereafter "State"), acting through its Governor, the Honorable James B. Hunt Jr.;

WITNESSETH:

WHEREAS, the Eastern Band of Cherokee Indians and the State of North Carolina entered into a Compact to regulate Class III gaming conducted by the Tribe within the State as provided by the Indian Gaming Regulatory Act, P.L. 100-497, 25 U.S.C. 2701 et seq., which was approved by the Secretary of Interior September 22, 1994, and the approval published in the Federal Register on October 3, 1994; and,

WHEREAS, as a result of experience from the Eastern Band of Cherokee Indians operation of lawful Class III gaming activities since the approval of the Compact, both the Tribe and the State have recognized a need to make certain technical amendments to the original Compact in order to clarify certain terms and conditions in the Compact and carry out more clearly the intent of the Tribe and the State in the operation and oversight of these tribal gaming activities; and,

WHEREAS, the Tribe and the State have mutually agreed that the following technical amendments to the Compact will benefit the Eastern Band of Cherokee Indians and the State of North Carolina consistent with the objectives of the Indian Gaming Regulatory Act;

NOW, THEREFORE, THE EASTERN BAND OF CHEROKEE INDIANS and the STATE OF NORTH CAROLINA do enter into these Amendments to the Tribal - State Compact as provided herein.

The Compact previously entered between the Tribe and State shall be and is hereby amended by mutual consent and agreement of the parties in the following respects:

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5/24/96
JK

First Amendment:

Section 6. (0) shall be amended as follows:

1. Insert a new paragraph between the first and second paragraphs to read as follows:

The initial commissioners shall serve initial terms as follows: The appointee of the Principal Chief shall serve until September 30, 1997; the appointee of the Governor shall serve until September 30, 1998 and the joint appointee of the Governor and the Principal Chief shall serve until September 30, 1999. The initial commissioners shall be eligible for reappointment to a full term. Following the staggered terms provided for the initial commissioners as set forth above, the full term of a commissioner shall be for five (5) years and until a successor is appointed or until removal by his or her appointing authority.

2. Delete the fourth and last paragraph, consisting of one sentence.
3. Add a new fourth paragraph to read as follows:

The Certification Commission shall be authorized to retain independent legal counsel to advise the Commission on legal issues and matters presented to the Commission on an as needed basis with the request for such services and compensation to be approved by the Tribal Council.

4. Add a new fifth paragraph to read as follows:

The Commission members shall be compensated by the Tribe for their services. The Commission shall be compensated at a rate to be established by the Tribal Council.

5. Add a new sixth paragraph to read as follows:

Modifications of the following technical features on video games already approved for play by the Certification Commission may be approved by letter signed by the Chairman when the independent testing laboratory has notified all commissioners in writing of successful testing under the terms of the Compact of the following hardware modifications: coin or bill acceptor modifications, progressive modifications, security features involving software functions, none of which will affect skill or dexterity features or the play of the game as originally approved by the Commission and will otherwise meet the standards and requirements of the Compact.

Second Amendment:

Section 6. (J) shall be amended as follows:

Replace the comma in the fourth sentence with a period and strike the remaining words in the sentence so that the sentence shall read:

The Tribe may continue to operate at pre-existing gaming facilities with complying equipment without meeting the facility restrictions set forth in Section 5 (D) until thirty (30) days after the opening of the tribal facility as set forth in Section 5 (D).

Third Amendment:

Section 13. (A) shall be amended as follows:

The sentence shall be rewritten to read as follows:

The duration of this Compact shall be for a period of seven (7) years from the issuance of a Certificate of Completion for the facility authorized in Sec. 5 (D) by the Architect of Record. In no event shall this term exceed ten (10) years from the execution of this amendment.

Fourth Amendment:

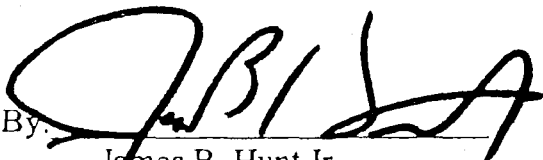
Section 8. (B) shall be amended as follows:

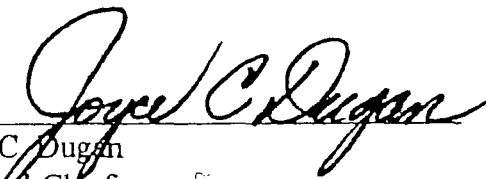
Delete the semicolon following the word "by."

IN WITNESS WHEREOF, the State of North Carolina and the Eastern Band of Cherokee Indians have hereunto set their hands and seals.

Dated: 5-14-96
STATE OF NORTH CAROLINA

Dated: 5-28-96
EASTERN BAND OF CHEROKEE INDIANS

By: 
James B. Hunt Jr.
Governor

By: 
Joyce C. Dugan
Principal Chief

CERTIFICATE
OF
EASTERN BAND OF CHEROKEE INDIANS

I, Gerard Parker, do hereby certify that:

1. I am duly elected Vice-Chief of the Eastern Band of Cherokee Indians (the "Tribe").

2. The foregoing is a true and correct copy of the Amendment To Tribal - State Compact, which was duly adopted by the Tribe, is in full force and effect on the date hereof, and has been in effect since May 28, 1996.

IN WITNESS WHEREOF, I have hereunto set my hand this 12 day of November, 1996.



Attest:

By: Janice H. Faulkner
Janice H. Faulkner
Secretary of State

Approved as to form and
procedure for the State:

Michael F. Easley
Michael F. Easley
Attorney General

Approved as to form and
procedure for the Tribe:

Ben Oshel Bridgers
Ben Oshel Bridgers
Tribal Attorney

Approved this the 28th day of June, 1996.

By: Ada E. Deer
Ada E. Deer
Assistant Secretary of the Interior
Indian Affairs