

associated species such as Curtiss reedgrass.

Lighting along roads and around and within buildings within newly developed areas of Alternative 2 (Phases A–E) may impact the federally listed bald eagle (*Haliaeetus leucocephalus*) by disrupting movement and breeding behaviors. A monitoring program, conducted in accordance with Bald Eagle Monitoring Guidelines (USFWS 2002), for any development activities occurring within 1 km (0.6 mi) of a bald eagle nest tree would be implemented to determine the eagle's response to these potential impacts. If significant changes in behavior were identified, then mitigation actions would be employed. For example, construction would be prohibited during the nesting season or nighttime lighting would be reduced to levels tolerated by the species.

Cumulative impacts of habitat fragmentation from habitat loss and introduction of new roads and increased human presence under Alternative 2 could cause the mortality or substantial harassment of numerous individual indigo snakes. Over time, this impact could negatively influence population viability. To reduce the adverse effects of this cumulative impact NASA would: (1) create an education program aimed at informing employees about the indigo snake's protected status and consequences of violating applicable laws, the indigo snake's high susceptibility to road mortality, its beneficial roles, and its generally gentle disposition towards humans (Breininger *et al.* 1994); (2) design new roads and retrofit, where practicable, existing roads to provide underpasses for movement between habitats; and (3) establish a monitoring program that would evaluate the effectiveness of the underpasses and address needed demographic data gaps to enable future establishment of sound conservation strategies. The second action presented would be expected to benefit other important wide-ranging wildlife.

Soils: Construction of the proposed ISRP would change the soil composition, structure, and function only within the proposed ISRP site under Alternatives 1 and 2. Construction impacts to on-site soils are considered unavoidable since on-site soils would need to be moved and augmented to raise finish floor elevations of facilities to be constructed. Therefore, no mitigation measures are proposed for reducing impacts to on-site soils. No impacts to soils are expected to occur off site. Operation of the ISRP would not impact soils either on or off-site.

Under the No Action Alternative, no adverse impacts would result. The activities associated with the development and operation of the proposed ISRP would not occur, therefore, no additional activities would occur to produce such impacts or contribute to cumulative impacts. Alternative 1 (after the citrus grove leases expire) and Alternative 2 sites would continue to be part of the undeveloped buffer area at KSC and as such be managed by the USFWS as part of the Merritt Island National Wildlife Refuge.

Jeffrey E. Sutton,

Assistant Administrator for Management Systems.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 04–010]

NASA Advisory Council, Biological and Physical Research Advisory Committee Meeting

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of Meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92–463, as amended, the National Aeronautics and Space Administration announces a meeting of the NASA Advisory Council, Biological and Physical Research Advisory Committee.

DATES: Thursday, February 12, 2004, from 9 a.m. until 6 p.m. and Friday, February 13, 2004 from 8 a.m. until 12 Noon.

ADDRESSES: NASA Headquarters, 300 E Street SW, Room 9H40, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Dr. Bradley Carpenter, Code UG, National Aeronautics and Space Administration, Washington, DC 20546, 202/358–0826.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the seating capacity of the meeting room. The agenda for the meeting is as follows:

- Review Recommendations
- Program Overview
- Implementation of the Administration Vision
- Division Reports
- International Space Station Research Status
- NASA 2004–2007 Strategic Planning Cycle

Attendees will be requested to sign a register and to comply with NASA

security requirements, including the presentation of a valid picture ID, before receiving an access badge. Foreign nationals attending this meeting will be required to provide the following information: Full name; gender; date/place of birth; citizenship; visa/green card information (number, type, expiration date); employer/affiliation information (name of institution, address, county, phone); and title/position of attendee. To expedite admittance, attendees can provide identifying information in advance by contacting Dr. Brad Carpenter via e-mail at bcarpent@hq.nasa.gov or by telephone at (202) 358–0826. Persons with disabilities who require assistance should indicate this.

It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants.

Michael F. O'Brien,

Assistant Administrator for External Relations, National Aeronautics and Space Administration.

[FR Doc. 04–1728 Filed 1–26–04; 8:45 am]

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NATIONAL INDIAN GAMING COMMISSION

Fee Rates

AGENCY: National Indian Gaming Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given, pursuant to 25 CFR 514.1(a)(3), that the National Indian Gaming Commission has adopted preliminary annual fee rates of 0.00% for tier 1 and 0.069% (.0069) for tier 2 for calendar year 2004. These rates shall apply to all assessable gross revenues from each gaming operation under the jurisdiction of the Commission. If a tribe has a certificate of self-regulation under 25 CFR part 518, the preliminary fee rate on class II revenues for calendar year 2004 shall be one-half of the annual fee rate, which is 0.0345% (.00345).

FOR FURTHER INFORMATION CONTACT: Bobby Gordon, National Indian Gaming Commission, 1441 L Street, NW., Suite 9100, Washington, DC 20005; telephone (202) 632–7003; fax (202) 632–7066 (these are not toll-free numbers).

SUPPLEMENTARY INFORMATION: The Indian Gaming Regulatory Act established the National Indian Gaming Commission which is charged with, among other things, regulating gaming on Indian lands.