

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.

[FR Doc. 04–1694 Filed 1–26–04; 8:45 am]

BILLING CODE 7510–01–P

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]

BILLING CODE 7510–01–P

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.

The regulations of the Commission (25 CFR part 514), as amended, provide for a system of fee assessment and payment that is self-administered by gaming operations. Pursuant to those regulations, the Commission is required to adopt and communicate assessment rates; the gaming operations are required to apply those rates to their revenues, compute the fees to be paid, report the revenues, and remit the fees to the Commission on a quarterly basis.

The regulations of the Commission and the preliminary rate being adopted today are effective for calendar year 2004. Therefore, all gaming operations within the jurisdiction of the Commission are required to self-administer the provisions of these regulations and report and pay any fees that are due to the Commission by March 31, 2004.

Gary Pechota,

Chief of Staff, National Indian Gaming Commission.

[FR Doc. 04-1723 Filed 1-26-04; 8:45 am]

BILLING CODE 7565-01-M

NATIONAL LABOR RELATIONS BOARD

Notice of Meeting

Agency Holding the Meeting: National Labor Relations Board.

Time and Date: Immediately following an 11 a.m. case adjudicatory meeting, Wednesday, January 21, 2004.

Place: Board Conference Room, Eleventh Floor, 1099 Fourteenth St., NW., Washington, DC 20570.

Status: Closed to public observation pursuant to 5 U.S.C. 552b(c)(2) (internal personnel rules and practices); (6) (personal information where disclosures would constitute a clearly unwarranted invasion of personal privacy); 9(B) (disclosure would significantly frustrate implementation of a proposed Agency action * * *); and/or (10) deliberation on adjudicatory matters).

Matters to be Considered: Internal administrative matters.

Contact Person for More Information: Lester A. Heltzer, Executive Secretary, Washington, DC 20570. Telephone: (202) 273-1067.

Dated: Washington, DC, January 21, 2004.
By direction of the Board.

Lester A. Heltzer,

Executive Secretary, National Labor Relations Board.

[FR Doc. 04-1773 Filed 1-23-04; 10:47 am]

BILLING CODE 7545-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 030-03916]

Notice of Finding of No Significant Impact and Availability of Environmental Assessment for Amendment of License No. 08-00408-06, Department of Justice—Federal Bureau of Investigation, Washington, DC

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability of environmental assessment and finding of no significant impact.

FOR FURTHER INFORMATION CONTACT:

Kathy Dolce Modes, Nuclear Materials Safety Branch 2, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5251, fax (610) 337-5269; or by e-mail: kad@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to the Department of Justice—Federal Bureau of Investigation for Materials License No. 08-00480-06, to authorize release of its facility in Washington, DC for unrestricted use and has prepared an Environmental Assessment (EA) in support of this action in accordance with the requirements of 10 CFR part 51. Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate.

II. EA Summary

The purpose of the proposed action is to allow for the release of the licensee's Washington, DC facility for unrestricted use. The Department of Justice—Federal Bureau of Investigation was authorized by NRC from March 25, 1965, to use radioactive materials for research and development purposes at the site. On September 8, 2003, the Department of Justice—Federal Bureau of Investigation requested that NRC release the facility for unrestricted use. The Department of Justice—Federal Bureau of Investigation has conducted surveys of the facility and determined that the facility meets the license termination criteria in subpart E of 10 CFR part 20.

III. Finding of No Significant Impact

The NRC staff has evaluated the Department of Justice—Federal Bureau of Investigation's request and the results of the surveys and has concluded that

the completed action complies with the criteria in subpart E of 10 CFR part 20. The staff has prepared the EA (summarized above) in support of the proposed license amendment to terminate the license and release the facility for unrestricted use. The staff has found that the environmental impacts from the proposed action are bounded by the impacts evaluated by the "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Facilities" (NUREG-1496). On the basis of the EA, the NRC has concluded that the environmental impacts from the proposed action are expected to be insignificant and has determined not to prepare an environmental impact statement for the proposed action.

IV. Further Information

The EA and the documents related to this proposed action, including the application for the license amendment and supporting documentation, are available for inspection at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html> (ADAMS Accession Nos. ML032540763, ML033000506 and ML040150585). These documents are also available for inspection and copying for a fee at the Region I Office, 475 Allendale Road, King of Prussia, Pennsylvania, 19406. Persons who do not have access to ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or (301) 415-4737, or by e-mail to pdr@nrc.gov.

Dated in King of Prussia, Pennsylvania this 20th day of January, 2004.

For the Nuclear Regulatory Commission.

John D. Kinneman,

Chief, Nuclear Materials Safety Branch 2, Division of Nuclear Materials Safety, Region I.

[FR Doc. E4-115 Filed 01-26-04; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 030-34655]

Notice of Finding of No Significant Impact and Availability of Environmental Assessment for Amendment of Materials License No. 37-30433-01, OSI Pharmaceuticals, Inc.

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability of environmental assessment and finding of no significant impact.