

[INT FES 74-71]

PROPOSED LOSTWOOD WILDERNESS
AREANotice of Availability of Final
Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 Pub. L. 91-190, the Department of the Interior has prepared a Final Environmental Statement for the Proposed Lostwood Wilderness Area, Burke County, North Dakota.

The proposal recommends that approximately 5,577 acres of the Lostwood National Wildlife Refuge in Burke County, North Dakota be designated as wilderness within the National Wilderness Preservation System.

Copies of the Final Statement are available for inspection at the following locations:

Regional Director
U.S. Fish and Wildlife Service
16597 West Sixth Avenue
Lakewood, Colorado 80215

Refuge Manager
Box 578
Kenmare, North Dakota 58748

U.S. Fish and Wildlife Service
Office of Environmental Coordination
Department of the Interior
Room 2252
18th and C Streets NW
Washington, D.C. 20240

Single copies may be obtained by writing the Chief, Office of Environmental Coordination, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

STANLEY D. DOREMUS,
Deputy Assistant Secretary
of the Interior.

DECEMBER 26, 1974.

[FR Doc.75-97 Filed 1-2-75; 8:45 am]

RENEWAL OF ADVISORY COMMITTEES

This notice is published in accordance with the provisions of section 7(a) of the Office of Management and Budget Circular A-63, which was published in the FEDERAL REGISTER on April 5, 1974 (39 FR 12389). Pursuant to the authority contained in section 14(a) of the Federal Advisory Committee Act (Pub. L. 92-463), the Secretary of the Interior has determined that renewal of the advisory committees listed below is necessary and in the public interest. The listing of renewed committees also includes the Department of the Interior bureau or office primarily responsible for support and functions of each advisory committee.

Also published below is a charter for the Fish and Wildlife and Parks Natural Sciences Advisory Committee which the Secretary has renewed. The scope of the National Park Service Natural Sciences Advisory Committee has been revised and expanded to include scientific matters pertaining to the Fish and Wildlife Service.

Further information regarding these renewals may be obtained from the Committee Management Officer, Office of Management Consulting, U.S. Depart-

ment of the Interior, Washington, D.C. 20240, telephone: 202-343-2195.

DECEMBER 27, 1974.

RICHARD R. HITE,
Deputy Assistant Secretary
of the Interior.

ADVISORY COMMITTEE DETERMINATIONS

I. The following advisory committees, whose continued utilization is necessary and in the public interest, are hereby renewed for a two year period commencing January 1, 1975, in accordance with the provisions of section 14(a) of Pub. L. 92-463:

BONNEVILLE POWER ADMINISTRATION
Bonneville Regional Advisory Council

BUREAU OF MINES
Lignite Advisory Committee

DEFENSE ELECTRIC POWER ADMINISTRATION
Industry Advisory Committee to the Defense Electric Power Administration

GEOLOGICAL SURVEY
Earthquake Studies Advisory Panel
Committee on Minority Participation in Earth Science and Mineral Engineering
Advisory Committee on Water Data for Public Use

MINING ENFORCEMENT AND SAFETY ADMINISTRATION
Federal Metal & Nonmetal Mine Safety Advisory Committee

BUREAU OF LAND MANAGEMENT
National Advisory Board Council
O&C Advisory Board
O&C District Advisory Boards (5 each)
State Multiple-use Advisory Boards (11 each)

OFFICE OF WATER RESEARCH AND TECHNOLOGY
Water Resources Research Advisory Panel

FISH AND WILDLIFE SERVICE
Annual Regulations Conference for Migratory Shore and Upland Game Birds
Waterfowl Advisory Committee

NATIONAL PARK SERVICE
Committee for the Recovery of Archeological Remains
Historic American Buildings Survey Advisory Board
Historic American Engineering Record Advisory Committee
Consulting Committee for the National Survey of Historic Sites and Buildings
Hot Springs National Park Examining Board for Technicians
Hot Springs National Park Registration Board

Independence National Historical Park Commission
National Capital Memorial Advisory Committee
Minute Man National Historical Park Advisory Commission

Regional Advisory Committee, Western Region
Regional Advisory Committee, Pacific Northwest Region
Regional Advisory Committee, Southeast Region

Regional Advisory Committee, Midwest Region
Regional Advisory Committee, Southwest Region
Advisory Board on the San Jose Mission National Historic Site

II. The following advisory committees are hereby terminated:

BUREAU OF INDIAN AFFAIRS
Indian Education for Health Committee
NATIONAL PARK SERVICE

Advisory Committee for Saint Gaudens National Historic Site
Wolf Trap Farm Park Advisory Board

NOVEMBER 18, 1974.

JOHN C. WHITAKER,
Acting Secretary
of the Interior.

CHARTER

FISH AND WILDLIFE AND PARKS NATURAL SCIENCES ADVISORY COMMITTEE

1. The official designation of the committee is the Fish and Wildlife and Parks Natural Sciences Advisory Committee.

2. The purpose of the committee is to advise the Secretary of the Interior with regard to the planning and execution of the fish and wildlife research and habitat preservation programs and natural history scientific research programs. In view of the goals and purposes of the committee, it will be expected to continue beyond the foreseeable future. However, its continuation will be subject to biennial review and renewal as required by section 14 of Public Law 92-463.

3. The committee files its reports and minutes with the Assistant Secretary for Fish and Wildlife and Parks.

4. Support of the committee is provided by the Office of the Assistant Secretary for Fish and Wildlife and Parks, U.S. Department of the Interior.

5. The duties of the committee are solely advisory and are as stated in paragraph 2 above.

6. The estimated annual operating costs for the committee are \$5,000 and involve less than one-fourth man-year of time.

7. The committee meets when needed approximately three to four times a year.

8. The committee will terminate on December 31, 1976, unless prior to that date renewal action is taken as described in paragraph 2 above.

9. Membership on the committee is limited to professionals in the fields of natural sciences.

10. The committee is composed of not to exceed nine members who will be designated to serve for two year terms. Members may be reappointed for additional terms.

11. The chairman of the committee will be appointed by the Secretary.

12. The committee is necessary in connection with the performance of duties imposed on the Department of the Interior by a series of laws principally including the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742-745) and the National Park Service Act of 1916, as amended (16 U.S.C. 1 et seq.).

13. This charter shall become effective on January 1, 1975.

NOVEMBER 18, 1974.

JOHN C. WHITAKER,
Acting Secretary
of the Interior.

[FR Doc.75-82 Filed 1-2-75; 8:45 am]

[Order No. 2969]

TRUST TERRITORY PUBLIC LANDS

Transfer to District Control

Whereas, the United States Government is administering authority for the Trust Territory of the Pacific Islands has always considered public lands in the Trust Territory

to be the property of the peoples of the Trust Territory, and

Whereas, the people of Micronesia have long desired the return of their public lands in each district to their control and management and have made their wishes in this respect known to the Administering Authority; and

Whereas, in response to these requests and in accordance with his responsibilities for the faithful exercise by the United States of its duties under the Trusteeship Agreement, the Secretary of the Interior issued a formal statement on November 4, 1973, declaring a United States policy for returning such lands; and

Whereas, the Congress of Micronesia was asked to enact enabling legislation to effect his policy, but has been unable to pass acceptable guidelines in certain important respects to implement this policy.

Now therefore, pursuant to the authority vested in me by Executive Order 11921, the following basic Order respecting the Government of the Trust Territory of the Pacific Islands is issued:

SECTION 1. Purpose. The purpose of this Order is to implement the provisions of the United States Policy Statement of November 4, 1973; to authorize and empower each of the district legislatures to create or to designate a legal entity within its district to hold title to public lands within that district in trust for the people thereof and to manage or dispose of the same; to authorize and empower each district legislature to enact laws providing for the exercise of the power of eminent domain and to establish adjudicatory bodies which may utilize traditional means, when appropriate, for settlement of claims to title or rights in the lands transferred; and to authorize the High Commissioner, upon a formal request by a district legislature, to convey certain public lands to such a legal entity within each district.

Sec. 2. Definitions. As used in this Order, unless it is otherwise provided or the context requires a different construction, application or meaning:

(a) "District" means any administrative district of the Trust Territory of the Pacific Islands as described in section 1, Title 3, of the Trust Territory Code.

(b) "District Legislature" means any district legislature of the Trust Territory of the Pacific Islands.

(c) "Public Lands" means:

(1) those lands defined as public lands by section 1 and 2, title 67, of the Trust Territory Code except those lands designated as military retention lands held, used, or occupied by the United States under use and occupancy agreements and not returned to the public domain, and,

(2) those lands placed under control of the "Alien Property Custodian" as defined by section 1, title 27, of the Trust Territory Code, except those lands designated as military retention lands held, used, or occupied by the United States under use and occupancy agreements and not returned to the public domain.

(d) "Legal Entity" means, a non-profit public or municipal corporation, trust, council, board, or other juridical, as distinguished from a natural, person established or designated by a district legislature with the powers, duties and competence set forth in section 3. Members or officers of a legal entity may be made up, in whole or in part, of the traditional leadership of a district, and members or officers may be elected, designated, or appointed.

Sec. 3. Authority of District Legislatures. The district legislatures are hereby given the exclusive authority within their respective districts to:

(a) Create or designate a legal entity for the district which shall have the exclusive competence to represent the district legislature with respect to all public lands located in that district and which shall have the following powers, duties, legal capacities, and characteristics:

(1) perpetual juridical existence.

(2) to receive and hold title to public lands in trust for the people of the district.

(3) to administer, manage, and regulate the use of lands and income arising therefrom in trust for the people of the district.

(4) to sell, lease, exchange, use, dedicate for public purposes, or make other disposition of such public lands pursuant to the laws of the district in which the land is located.

(5) to enter into contracts, sue or be sued, and have such other powers and duties as may be necessary or appropriate to further the purposes of this Order, and

(6) to negotiate in good faith, and execute binding formal agreements to meet the land requirements of the United States as designated under the terms of a future status agreement;

(b) establish an adjudicatory body to resolve claims disputes as to titles or rights in land transferred to the district legal entity; provided, however, that no such body shall have the authority to redetermine any claim or dispute as to right or title to land between parties or their successors or assigns where such claim or dispute has already been finally determined or is in the process of being finally determined either by a Land Title Officer, by a Land Commission or a court of competent jurisdiction, and all final determinations arising therefrom shall be res judicata; and provided further, that a certified copy of all determinations of such adjudicatory bodies as to title of lands within a district shall be recorded as a public document with the district land commission, and the Clerk of Courts of the district;

(c) establish rules and regulations for such adjudicatory body which may include use of local, traditional rules not in conflict with applicable law; provided, however, that the requirements of due process shall be incorporated therein which shall include the right to a trial de novo upon appeal within not more than 30 days to the High Court by any party to a dispute involving a claim of title or right to lands and who has been aggrieved by the adjudication of the district adjudicatory body;

(d) authorize the district legal entity to exercise the power of eminent domain to acquire land for district public purposes, and enact laws and establish procedures therefor;

(e) establish a program for homesteading on the land transferred to the district legal entity and require such district legal entity to administer such program.

Sec. 4. Authority of the High Commissioner. Upon request, the High Commissioner is authorized and directed, subject to valid existing rights, to transfer and convey, pursuant to the provisions of this Order, to each district legal entity all right, title and interest of the Government of the Trust Territory of the Pacific Islands in public lands, except Ujelang Atoll, within their respective districts.

Sec. 5. Reservations. Notwithstanding the provisions of section 4 of this Order, the High Commissioner shall not convey to a district legal entity any right, title or interest to lands in the following categories:

(a) Public lands actively used by the central government of the Trust Territory of the Pacific Islands or by agencies, instrumentalities, or political subdivisions thereof as of the effective date of this Order; provided, that such public lands in a district shall be transferred to the district's legal

entity when such lands are no longer needed for use by the central Government;

(b) public lands specifically determined by the High Commissioner to be needed for currently planned capital improvement projects extending five years from the effective date hereof; provided that such public lands in a district shall be transferred to the respective district's legal entity upon determination by the High Commissioner that such lands are no longer needed by the central Government, or upon a determination by the district that a project for which land has been reserved is not wanted.

(c) public lands as to which there are valid homestead entry permits, or certificates evidencing compliance with such permits, and as to which deeds have not been issued, as of the effective date hereof.

Sec. 6. Limitations. Notwithstanding the provisions of Section 4 of this Order, the High Commissioner shall not convey any right, title or interest in public land to any district legal entity until the district legislature shall have enacted laws satisfactory to the High Commissioner, providing for:

(a) a district legal entity with the powers, duties, and characteristics set forth in this Order;

(b) reservation of the paramount power of eminent domain in the central government of the Trust Territory of the Pacific Islands to take lands for public purposes pursuant to applicable law;

(c) reservation of the right of the central government of the Trust Territory of the Pacific Islands to regulate all activities affecting conservation, navigation, or commerce in and to the navigable waters and tidelands, filled lands, submerged lands and lagoons; provided that, in the exercise of such right, the central government will not unnecessarily interfere with exercise in any particular district of all prior traditional rights in and to such lands;

(d) compliance with all provisions of existing leases and land use and occupancy agreements previously entered into by the central or district Governments of the Trust Territory of the Pacific Islands, their agencies, instrumentalities, or political subdivisions;

(e) continued possession of public land actually occupied and used at the effective date of this Order, with the concurrence of the Government of the Trust Territory of the Pacific Islands, by tenants at will and tenants by sufferance, for a reasonable period of additional years to be mutually agreed to by the legal entity and the High Commissioner;

(f) receipt, use and disposition pursuant to district law for public purposes of all revenues derived by district legal entities from public lands transferred to such entities under this Order;

(g) all transfers and conveyances to be made subject to all valid and existing claims relating to such land;

(h) holding the United States Government and the central Government of the Trust Territory of the Pacific Islands and their agencies or political subdivisions harmless from any and all claims arising after the conveyance of public land other than those resulting directly from the actions of the United States Government, the Government of the Trust Territory of the Pacific Islands or their duly authorized agents.

Sec. 7. Time of Transfer and Conveyances. Conveyance of rights, titles or interests to public lands under this act to any particular district legal entity may be made at any time after a district legislature has complied with all the applicable provisions of this Order, provided, however, that such conveyance shall be made without unreasonable delay.

Sec. 8. Amendments to Trust Territory Code.

Section 2, of title 10, of the Trust Territory Code, is amended, in accordance with the provisions of this Order, to read as follows:

"Section 2. *Power denied private corporations.* No private corporation except as may be authorized by a district legislature shall have the right of eminent domain in the Trust Territory."

(b) Section 3, of Title 10, of the Trust Territory Code, is amended to read as follows:

"Section 3. *Definitions.* As used in this Chapter, the following terms shall have the meanings set forth below:

(1) ("Eminent Domain").

(a) "Eminent domain" is the right of the central government or a district legal entity as may be provided for by district law in accordance with the provisions of this Order to condemn property for public use or purposes and to appropriate the ownership and possession of such property for such public use upon paying the owner a just compensation to be ascertained according to the law."

(c) Section 112 of Title 67 of the Trust Territory Code is hereby amended to read as follows:

"Sec. 112. *Conduct of Hearings.* In conducting hearings, each adjudicatory body referred to in section 3 of Secretarial Order 2969, each Land Commission and each land registration team shall be guided by the Trust Territory Rules of Civil Procedures and the Rules of Evidence. Each adjudicatory body referred to in section 3 of Secretarial Order 2969, each Commission and each registration team is authorized to consider any evidence that will be helpful in reaching a just decision. Neither an adjudicatory body referred to in section 3 of Secretarial Order 2969 nor a Commission nor a land registration team, however, shall endeavor to redetermine any matter already decided between the same parties or those under whom the present parties claim, by a Court, an adjudicatory body referred to in section 3 of Secretarial Order 2969, Commissions, and land registration teams shall accept such prior determinations as binding on such parties without further evidence than the judgment or determination of ownership. All hearings shall be public and every person claiming an interest in land under consideration shall be given an opportunity, by actual or constructive notice, to be heard. Hearings must be held in the municipality in which the land involved lies and when practicable shall be held in the village in which or near which the land lies. All parties, including any representative (appointed under section 113 of this chapter, or by a court or other proper authority) of a minor or incompetent, may be represented and assisted by counsel."

Sec. 9. Citizenship of District Legal Entity.

A district entity shall be deemed to be a citizen of the Trust Territory for the purposes of section 11101 of title 57 of the Trust Territory Code; except that, no district legal entity may own, hold title to, manage, or dispose of any lands in another district other than the district under the laws of which it was established or designated.

Sec. 10. Powers and Duties of Division of Lands and Surveys. The statutory powers and duties of the Division of Lands and Surveys shall not extend to public lands transferred to district legal entities pursuant to this Order.

Sec. 11. Superseded Authority. The Order supersedes all provisions of prior Secretarial Orders and of the Code of the Trust Territory of the Pacific Islands inconsistent herewith.

Sec. 12. Effective Date. This Order shall take effect upon the date of its approval by the Secretary of the Interior.

ROGERS C. B. MORTON,
Secretary of the Interior.

DECEMBER 26, 1974.

[FR Doc. 75-67 Filed 1-2-75; 8:45 am]

DEPARTMENT OF AGRICULTURE**Forest Service****MINERAL KING RECREATION DEVELOPMENT; SEQUOIA NATIONAL FOREST****Notice of Availability of Draft Environmental Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Mineral King Recreation Development, Sequoia National Forest, California, USDA-FS-R5-DES(Adm)-75-02.

The proposal is to develop Mineral King for intensified year-round recreational use. Mineral King is a 16,000-acre area of valley and surrounding alpine mountains in the Sequoia National Forest, Tulare County, California. The planned development by Walt Disney Productions eventually will provide for about 10,000 visitors a day. Facilities at Mineral King will include campsites for over 1,000 persons, 15 miles of new hiking trails, 18 ski lifts, lodging for up to 6,000 people, food and other services to meet public needs.

To provide improved access to Mineral King a multi-modal transportation system is proposed which will include 6.6 miles of improved two-lane road from State Highway 198 to the Oak Grove parking and transfer area. A 13-

mile electric cog-assisted railway is the preferred mode of moving the visitors from Oak Grove across a portion of the Sequoia National Park to the 25-acre Mineral King Village. An alternative transportation system would substitute diesel buses on an improved existing roadway from Oak Grove to Silver City, with a transfer to a cog-assisted railway for the remaining three miles to the Village. General public access by private vehicle from Oak Grove to Mineral King will not be provided.

This draft environmental statement was transmitted to the Council on Environmental Quality (CEQ) on December 30, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Building, Room 3231
12th Street and Independence Avenue, SW
Washington, D.C. 20250

USDA Forest Service, California Region
630 Sansome Street, Room 529
San Francisco, California 94111

Sequoia National Forest
900 W. Grand
Porterville, California 93257

Angeles National Forest
150 South Los Robles Avenue
Pasadena, California 91101

District Ranger
Tule River Ranger District
32588 Highway 190
Porterville, California 93257

District Ranger
Greenhorn Ranger District
Federal Building, Room 326,
800 Truxtun Ave.
Bakersfield, California 93301

A limited number of single copies are available, upon request, from Regional Forester Douglas R. Leisz, California Region, U.S. Forest Service, 630 Sansome Street, San Francisco, California 94111.

Copies of the draft environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental effect for which comments have not been specifically requested.

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