

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management**[LLOROR957000-L62510000-PM000:  
HAG10-0084]**Filing of Plats of Survey: Oregon/  
Washington****AGENCY:** Bureau of Land Management,  
Interior.**ACTION:** Notice.

**SUMMARY:** The plats of survey of the following described lands are scheduled to be officially filed in the Bureau of Land Management Oregon/Washington State Office, Portland, Oregon, 30 days from the date of this publication.

**Willamette Meridian***Oregon*T. 39 S., R. 2 E., accepted November 20,  
2009.T. 38 S., R. 3 E., accepted November 20,  
2009.T. 29 S., R. 11 W., accepted December 2,  
2009.

T. 35 S., R. 8 W., accepted December 8, 2009.

**ADDRESSES:** A copy of the plats may be obtained from the Land Office at the Oregon/Washington State Office, Bureau of Land Management, 333 SW., 1st Avenue, Portland, Oregon 97204, upon required payment. A person or party who wishes to protest against a survey must file a notice that they wish to protest (at the above address) with the Oregon/Washington State Director, Bureau of Land Management, Portland, Oregon.

**FOR FURTHER INFORMATION CONTACT:** Chief, Branch of Geographic Sciences, Bureau of Land Management, 333 SW., 1st Avenue, Portland, Oregon 97204.

Dated: December 10, 2009.

**Fred O'Ferrall,***Branch of Lands and Minerals Resources.*

[FR Doc. E9-30001 Filed 12-16-09; 8:45 am]

**BILLING CODE 4310-33-P****DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[CO-933-00-1320-01; COC 71978]

**Notice of Public Hearing and Request  
for Comments on Environmental  
Assessment, Geologic Engineering  
Report, and Maximum Economic  
Recovery for COC-71978; Colorado****AGENCY:** Bureau of Land Management,  
Interior.**ACTION:** Notice of public hearing.

**SUMMARY:** Bureau of Land Management, Colorado State Office, Lakewood,

Colorado, hereby gives notice that a public hearing will be held to receive comments on the environmental assessment, geologic engineering report, and maximum economic recovery of Federal coal to be offered. An application for coal lease was filed by New Elk Coal Company, LLC, requesting the Bureau of Land Management offer for competitive lease 1,279.62 acres of Federal coal in Las Animas County, Colorado.

**DATES:** The public hearing will be held at 6 p.m., March 25, 2010. Written comments should be received no later than March 05, 2010.

**ADDRESSES:** The public hearing will be held at La Quinta Inn, 2833 Toupal Drive, Trinidad, Colorado 81082. Written comments should be addressed to the Bureau of Land Management, Attn: Melissa Smeins, 3028 E. Main St, Canon City, Colorado 81212. You may also send a fax to 719-269-8599 or e-mail at [Melissa\\_Smeins@co.blm.gov](mailto:Melissa_Smeins@co.blm.gov).

**FOR FURTHER INFORMATION CONTACT:** Melissa Smeins, at the address above, or by telephone at 719-269-8523.

**SUPPLEMENTARY INFORMATION:** Bureau of Land Management, Colorado State Office, Lakewood, Colorado, hereby gives notice that a public hearing will be held on 6 p.m., March 25, 2010, at the La Quinta Inn at the address given above.

An application for coal lease was filed by New Elk Coal Company, LLC, requesting the Bureau of Land Management offer for competitive lease Federal coal in the lands outside established coal production regions described as:

T. 33 S., R. 67 W., 6th P.M.

Sec. 6, lots 2 to 7, inclusive, and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;

Sec. 7, lot 2;

Sec. 17, E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 18, lots 2 to 4, inclusive, and

E $\frac{1}{2}$ SW $\frac{1}{4}$ ;Sec. 19, lot 1, inclusive, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ,NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;

T. 33 S., R. 68 W., 6th P.M.

Sec. 1, lots 1 & 2, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ ,E $\frac{1}{2}$ SE $\frac{1}{4}$ ;Sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;Sec. 13, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

Containing approximately 1,279.62 acres more or less.

The coal resource to be offered is limited to coal recoverable by underground mining methods.

The purpose of the hearing is to obtain public comments on the environmental assessment and on the following items:

1. The method of mining to be employed to obtain maximum economic recovery of the coal,

2. The impact that mining the coal in the proposed leasehold may have on the area, and

3. The methods of determining the fair market value of the coal to be offered.

Written requests to testify orally at the March 25, 2010, public hearing should be received at the Bureau of Land Management Office in Canon City by 12 p.m., March 25, 2010. Those who indicate they wish to testify when they register at the hearing may have an opportunity if time is available.

In addition, the public is invited to submit written comments concerning the fair market value and maximum economic recovery of the coal resource. Public comments will be utilized in establishing fair market value for the coal resource in the described lands. Comments should address specific factors related to fair market value including, but not limited to:

1. The quality and quantity of the coal resource.

2. The price that the mined coal would bring in the market place.

3. The cost of producing the coal.

4. The interest rate at which anticipated income streams would be discounted.

5. Depreciation and other accounting factors.

6. The mining method or methods which would achieve maximum economic recovery of the coal.

7. Documented information on the terms and conditions of recent and similar coal land transactions in the lease area, and

8. Any comparable sales data of similar coal lands.

Should any information submitted as comments be considered proprietary by the commenter, the information should be labeled as such and stated in the first page of the submission. Written comments on the environmental assessment, maximum economic recovery, and fair market value should be sent to Melissa Smeins at the above address prior to close of business on March 05, 2010. Substantive comments, whether written or oral, will receive equal consideration prior to any lease offering.

The environmental assessment, maximum economic recovery report, and comments submitted by the public will be available from the Bureau of Land Management Field Office in Canon City (*see above*) upon request.

A copy of the environmental assessment, the maximum economic recovery report, the case file, and the comments submitted by the public, except those portions identified as proprietary by the commenter and

meeting exemptions stated in the Freedom of Information Act, will be available for public inspection at the Colorado State Office, 2850 Youngfield, Lakewood, Colorado 80215.

Dated: December 9, 2009.

**Kurt M. Barton,**

*Land Law Examiner, Solid Minerals.*

[FR Doc. E9-29980 Filed 12-16-09; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLNML003100 L14300000.ES0000; NMNM 122512]

#### Notice of Realty Action; Recreation and Public Purposes (R&PP) Act Classification; New Mexico

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of realty action.

**SUMMARY:** The Bureau of Land Management (BLM) has examined approximately 5 acres of public land in Dona Ana County, New Mexico, and found them suitable for classification for lease and/or conveyance under the provisions of the Recreation and Public Purposes (R&PP) Act, as amended. The Property Control Division of the New Mexico General Services Department proposes to construct buildings for the Department of Public Safety, New Mexico State Police District 4 Headquarters.

**DATE:** Interested parties should submit written comments regarding the proposed lease/conveyance or classification of the land on or before February 1, 2010.

**ADDRESSES:** Written comments concerning this notice should be addressed to: District Manager, BLM Las Cruces District Office, 1800 Marquess Street, Las Cruces, New Mexico 88005.

**FOR FURTHER INFORMATION CONTACT:** Frances Martinez, Realty Specialist, at the above address or at (575) 525-4385.

**SUPPLEMENTARY INFORMATION:** In accordance with Section 7 of the Taylor Grazing Act (43 U.S.C. 315f), the following public land in Dona Ana County, New Mexico, has been examined and found suitable for classification for lease and conveyance to the New Mexico General Services Department under the provisions of the R&PP Act, as amended (43 U.S.C. 869 *et seq.*):

#### New Mexico Principal Meridian

T. 22 S., R. 2 E.,

Sec. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains 5 acres, more or less, in Dona Ana County.

In accordance with the R&PP Act, the Property Control Division of the New Mexico General Services Department proposes to construct buildings for the Department of Public Safety, New Mexico State Police District 4 Headquarters, which will include offices for the District 4 Uniform Bureau, the Investigations Bureau, and the Special Investigations Bureau, a communication center for District 4 and District 12, and a full service automobile repair garage. This will consolidate the three offices currently leased for officers and agents. Additional detailed information pertaining to this application, plan of development, and site plans are contained in case file NMNM 122512 located in the BLM Las Cruces District Office. The above-described land is not needed for any Federal purpose. Lease and conveyance of the land to the Property Control Division of the New Mexico General Services Department is consistent with the BLM Mimbres Resource Management Plan, dated December 1993, and would be in the public interest. The Property Control Division of the New Mexico General Services Department has not applied for more than the 640-acre annual limitation for public purposes other than recreation use and has submitted a statement in compliance with the regulations at 43 CFR 2741.4(b).

The lease and conveyance, if issued, will be subject to the following terms, conditions, and reservations:

1. Provisions of the R&PP Act and to all applicable regulations of the Secretary of the Interior, including, but not limited to, the terms required by 43 CFR 2741.9;

2. A right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890, 26 Statute (stat.) 391 (43 U.S.C. 945);

3. Lease or patent of the public land shall be subject to valid existing rights. Subject to limitations prescribed by law and regulation, prior to patent issuance, a holder of any right-of-way within the lease area may be given the opportunity to amend the right-of-way for conversion to a new term, including perpetuity, if applicable;

4. All minerals shall be reserved to the United States, together with the right to prospect for, mine, and remove the same;

5. An appropriate indemnification clause protecting the United States from claims arising out of the lessee's/patentee's use, occupancy, or operations on the leased/patented lands;

6. Any other reservations that the authorized officer determines appropriate to ensure public access and proper management of Federal land and interests therein.

Detailed information concerning this proposed project, including, but not limited to, documentation relating to compliance with applicable environmental and cultural resource laws, is available for review at the address above.

On December 17, 2009, the land described above will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease and conveyance under the R&PP Act, and leasing under the mineral leasing laws.

*Classification Comments:* Interested parties may submit comments involving the suitability of the land for the proposed use. Comments on the classification are restricted to whether: (1) The land is physically suited for the proposal; (2) The use will maximize the future use or uses of the land; (3) The use is consistent with local planning and zoning; and (4) The use is consistent with state and Federal programs.

*Application Comments:* Interested parties may submit comments regarding the specific use proposed in the application and plan of development, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the land for R&PP use.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Any adverse comments will be reviewed by the BLM State Director who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the classification will become effective February 16, 2010. The land will not be available for lease or conveyance until after the classification becomes effective.

**Authority:** 43 CFR 2741.5.

**Bill Childress,**  
*District Manager.*

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