

*Estimated Reporting and Recordkeeping Non-Hour Cost Burden:* We have identified two non-hour cost burdens, both of which are cost recovery fees. Note that the actual fee amounts are specified in 30 CFR 250.125, which provide a consolidated table of all the fees required under the 30 CFR 250 regulations. The non-hour cost burden total in this collection of information is an estimated \$344,279. The cost burdens are for: (1) filing fees associated with submitting requests for approval of simple applications (applications to temporarily reroute production (for a duration not to exceed 6 months); production tests prior to pipeline construction; departures related to meter proving, well testing, or sampling frequency (\$1,271 per application)) or, (2) submitting a request for approval of a complex application (creation of new facility measurement points (FMPs); association of leases or units with existing FMPs; inclusion of production from additional structures; meter updates which add buyback gas meters or pigging meters; other applications which request deviations from the approved allocation procedures (\$3,760 per application)).

*Public Disclosure Statement:* The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

*Comments:* Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.*) requires each agency “. . . to provide notice . . . and otherwise consult with members of the public and affected agencies concerning each proposed collection of information . . .” Agencies must specifically solicit comments to: (a) evaluate whether the collection is necessary or useful; (b) evaluate the accuracy of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of technology.

To comply with the public consultation process, on November 15, 2012, we published a **Federal Register** notice (77 FR 68144) announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. In addition, § 250.199 provides the OMB control number for the information collection requirements imposed by the 30 CFR 250 regulations. The regulation also informs the public that they may comment at any time on the collections

of information and provides the address to which they should send comments. We received one comment in response to the **Federal Register** notice, but it was not germane to the paperwork burden of this collection.

*Public Comment Procedures:* Before including your address, phone number, email 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.

*BSEE Information Collection Clearance Officer:* Cheryl Blundon (703) 787-1607.

Dated: June 20, 2013.

**Robert W. Middleton,**  
Deputy Chief, Office of Offshore Regulatory Programs.

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**BILLING CODE 4310-VH-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R1-R-2013-N034; 1265-0000-10137-S3]

#### Malheur National Wildlife Refuge, Harney County, OR; Record of Decision for Final Environmental Impact Statement

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the availability of the record of decision (ROD) for the final environmental impact statement (EIS) for the Malheur National Wildlife Refuge (Refuge). We completed a thorough analysis of the environmental, social, and economic considerations and presented it in our Final Comprehensive Conservation Plan (CCP) and EIS, which we released to the public on December 21, 2012.

**DATES:** The Regional Director, Pacific Region, U.S. Fish and Wildlife Service, signed the ROD on January 24, 2013.

**ADDRESSES:** You may view or download a copy of the CCP/ROD at <http://www.fws.gov/pacific/planning>, or request a copy of the CCP/ROD by any of the following methods:

*Email:*  
[FW1PlanningComments@fws.gov](mailto:FW1PlanningComments@fws.gov).  
Include “Malheur NWR DCCP/EA” in the subject line.

*Fax:* Attn: Tim Bodeen, Project Leader, (541) 493-2405.

*U.S. Mail:* Tim Bodeen, Project Leader, Malheur National Wildlife Refuge, 36391 Sodhouse Lane, Princeton, OR 97221.

*In-Person Viewing or Pickup:* Call the Refuge at (541) 493-2612 to make an appointment to review or pick up a copy of the CCP/ROD during regular business hours.

Printed copies of the CCP/ROD are also available for review at Harney County Library, 80 West “D” St., Burns, OR 97720.

**FOR FURTHER INFORMATION CONTACT:** Tim Bodeen, Project Leader, Malheur National Wildlife Refuge, phone (541) 493-2612.

#### SUPPLEMENTARY INFORMATION:

##### Introduction

With this notice, we complete the CCP process for Malheur Refuge. We started this process through a **Federal Register** notice (74 FR 31046; June 29, 2009). We released the Draft CCP/EIS to the public, and requested comments on it in a notice of availability in the **Federal Register** (76 FR 55937, September 9, 2011). We also announced the availability of the final CCP/EIS in the **Federal Register** (77 FR 75644, December 21, 2012).

The Refuge was established on August 18, 1908, by President Theodore Roosevelt, as the Lake Malheur Bird Reservation; it was originally set aside to prevent plume hunters from decimating colonial nesting bird populations. The Refuge protected unclaimed lands encompassed by Malheur, Mud, and Harney Lakes “as a preserve and breeding ground for native birds.” The Refuge boundary was expanded in 1935 to include the Blitzen Valley, and again in 1941 to include the Double-O Unit. Refuge purposes include “a refuge and breeding ground for migratory birds and other wild life . . .” and “for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.”

The Refuge consists of more than 187,000 acres of open water (marsh, river, and stream), wetlands, springs, riparian areas, irrigated meadows, grain fields, and shrub-steppe uplands. With its abundance of water in an otherwise arid landscape, the Refuge attracts a significant number of birds from the Pacific Flyway during spring migration. The Refuge is included in several flyway and regional bird conservation plans, and is designated an Important Bird Area by the National Audubon Society. However, populations of breeding waterfowl and waterbirds on

Refuge lakes and wetlands have dropped substantially from historic levels. The decline is widely attributed to high populations of nonnative common carp in Harney Lake and adjacent water bodies.

We announce the availability of the Refuge's Final CCP/ROD in accordance with National Environmental Policy Act (NEPA) (40 CFR 1506.6(b)) requirements. We completed a thorough analysis of impacts on the human environment in the final CCP/EIS. The CCP will guide us in managing and administering the Refuge for the next 15 years. Alternative 2, as we described in the final CCP/ROD, is the foundation for the CCP. Implementing the CCP is subject to the availability of funding and any other compliance regulations.

## Background

### *The CCP Process*

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee) (Refuge Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act), requires us to develop a CCP for each national wildlife refuge. The purpose for developing a CCP is to provide refuge managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System (NWRS), consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction for conserving wildlife and habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

The Refuge engaged a diverse stakeholder base during the CCP process. Collectively, we are committed to ongoing collaboration throughout implementation of the CCP, integrating science and active adaptive management, and improving the health of the aquatic ecosystem. In collaboration with our stakeholders, we will review and update the CCP at least every 15 years in accordance with the Improvement Act.

### **CCP Alternatives and the Selected Alternative**

In collaboration with our stakeholders, partners, and the public, we identified a number of issues in our draft CCP/EIS. We developed Refuge management alternatives to address the

issues, and to achieve the Refuge's purposes, goals, and objectives; and support the NWRS mission. In our draft and final CCP/EIS documents, we fully analyzed three alternatives for the future management of the Refuge, they included Alternative 1 (current management), Alternative 2 (our preferred alternative), and Alternative 3. Alternative 1 satisfies the NEPA required "no action" alternative, and Alternative 2 was identified as the Service's preferred alternative. More details on the alternatives are available in the final CCP/EIS.

### *Selected Alternative*

After considering the comments we received on the draft and final CCP/EIS documents, we selected Alternative 2, our preferred alternative, for implementation on the Refuge. Alternative 2 will result in the greatest amount of improvements to the Refuge's native habitat conditions, will best meet the Service's policies and directives, is compatible with Refuge purposes, and will achieve balance among the Refuge's management needs and programs.

Under Alternative 2, our management focus will be to improve the aquatic health of Refuge lakes and wetlands, primarily by controlling common carp populations. As turbidity caused by carp decreases, and vegetation and invertebrate species become more abundant, the productivity of Malheur Lake and other water bodies within the Refuge (e.g., Boca Lake and Warbler Pond) will improve for a variety of waterbirds, waterfowl, and shorebirds. With the aid of partners, a variety of tools will be used to reduce carp populations, including the application of pesticides, chemo-attractants, and chemo-repellants; and barrier placements, commercial harvest, angling, water manipulation, and other tools. We will also consider the need for continued amendments to and construction of additional in-stream traps, screens, and fish wheels that allow native fish to pass through the system, while impeding carp movement. We will also complete a riverine/wetland rehabilitation plan based on assessments of hydrologic, geomorphic, and biologic features; and pilot projects will be tested as resources become available.

Wetlands and terrestrial habitats will be managed for the life history needs of focal species identified in the CCP, with an emphasis on flexibility. Tools will include but not be limited to late summer haying and autumn/winter rakebunch grazing to meet the foraging needs of early-arriving wildlife species. During the Refuge's growing season,

tools will include prescriptive grazing, mowing, farming, and extended dewatering to reduce invasive plants such as common cattail and reed canarygrass and rehabilitate plant communities to desired conditions.

Viewing overlooks, elevated viewing platforms, and photography blinds will be upgraded and developed. The Refuge will maintain and replant cottonwoods and other trees and shrubs at six historic sites for rare and incidental passerine birds enjoyed by birders. Trails will be added, and several trails will be upgraded or built to Architectural Barriers Act (ABA) standards. Docent-led Refuge tours will occur approximately monthly at various locations, and will include opportunities for guided kayak and canoe tours on Malheur Lake. A stronger emphasis will be placed on modern media for interpretation. The George Benson Memorial Museum will be enhanced, and outdoor interpretive panels added. Additional special events, public presentations, and EE opportunities will be provided. An EE shelter will be built at Refuge Headquarters.

Increased vehicle access will be provided. Visitors will be able to drive year-round to Krumbo Reservoir, along Boat Landing Road near Refuge Headquarters, and along the southern portion of East Canal Road to the Bridge Creek confluence. Outdoor welcome and orientation panels will be provided to guide visitors. Visitor amenities, such as picnic tables, shelters, and vault toilets will be upgraded or developed. An enlarged visitor contact station and gift shop will be built at Refuge Headquarters, and a seasonal contact station will be built at P Ranch.

The upland game hunt will open approximately three weeks earlier than it does currently. The northern part of Malheur Lake and the Buena Vista hunt unit will remain open under existing regulations. We will more than double the existing waterfowl hunt area, by opening the Buena Vista Unit and a portion of Malheur Lake to waterfowl hunting. Waterfowl hunting season in the new areas will extend from the fourth Saturday in October to the end of the State waterfowl hunting season. The existing youth hunt will be promoted, and access at Saddle Butte will improve. In partnership with potential users, the Refuge will support adding facilities in the Buena Vista hunt unit that are accessible to waterfowl hunters with mobility impairments.

To reduce our administration of unmarked lands within the Boundary hunt unit, we will pursue a land exchange with the Bureau of Land

Management (BLM) to transfer unit lands located west of State Highway 205 and other small parcels to BLM. Hunting in the unit will likely continue unaffected by the potential land exchange.

Existing fishing opportunities at Krumbo Reservoir, along the upper Blitzen River, at the southern portion of East Canal, and at Mud and Bridge Creeks will continue, and vehicle access to fishing sites will increase. In addition, the Refuge will develop a pedestrian crossing at Bridge Creek, and open a late-summer bank fishing opportunity on the Blitzen River from Sodhouse Lane to the bridge on Boat Landing Road. Information will be available at fishing areas. At Krumbo Reservoir, triploid rainbow trout stocking will continue, and a redband trout genetic introgression study will be conducted.

We will improve cultural and paleontological resource programs by developing step-down management plans in cooperation with partners. Opportunities for American Indians to collect plants for traditional uses will expand. Monitoring and inventory of archaeological resources and interpretation of historic sites will increase.

We will pursue sustainable practices, energy independence, and carbon negative operations, and emphasize partnerships to maximize adaptive management. Our volunteer program will continue, with emphasis on increasing recruitment, retention, and return rates. Step-down inventory and monitoring plans will be developed, emphasizing focal species and national monitoring efforts. We will create a geodatabase to track data collected during inventory and monitoring efforts.

Dated: March 1, 2013.

**Richard R. Hannan,**  
*Acting Regional Director, Pacific Region,  
Portland, Oregon.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLNM-921200-L5110-GA0000-  
LVEMG12CG300; NMNM-126813]

#### Notice of Competitive Coal Lease Sale NMNM-126813, NM

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Department of the Interior, Bureau

of Land Management (BLM), New Mexico State Office, in conjunction with the Farmington District Office, will offer certain coal resources in the tract described below in McKinley County, New Mexico, for competitive sale by sealed bid in accordance with the provisions of the Mineral Leasing Act of 1920, as amended.

**DATES:** The lease sale will be held at 10 a.m., Wednesday, August 14, 2013. Sealed bids must be submitted on or before 9 a.m. on August 14, 2013.

**ADDRESSES:** The lease sale will be held in the BLM Conference Room, New Mexico State Office, 301 Dinosaur Trail, Santa Fe, NM 87508. Sealed bids must be submitted to: Cashier, New Mexico State Office, 301 Dinosaur Trail, Santa Fe, NM 87508.

**FOR FURTHER INFORMATION CONTACT:** Ida T. Viarreal at 505-954-2163, or [iviareea@blm.gov](mailto:iviareea@blm.gov). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** This coal lease sale is being held in response to a lease by application filed by Peabody Natural Resources Company (Peabody). The Federal coal reserves to be offered consist of all reserves recoverable by surface mining methods in the following described lands in McKinley County, New Mexico:

#### New Mexico Principal Meridian

T. 17 N., R. 9 W.,  
Sec. 34, ALL;

Containing 640 acres more or less.

The tract contains an estimated 9.2 million tons of recoverable coal reserves, occurring in five seams in the Cleary Coal Member of the basal Menefee Formation. The coal is ranked as subbituminous B or C coal. The estimated weighted average quality of all seams (as received) is as follows: 9,856 BTU/lb., 16.5 percent moisture, 13.2 percent ash, 36.9 percent fixed carbon, 33.4 percent volatile matter, and 1.32 percent sulfur. The tract will be leased to the qualified bidder submitting the highest cash offer provided that the high bid meets or exceeds the fair market value of the tracts as determined by the authorized officer after the sale. No bid that is less than \$100 per acre, or fraction thereof, will be considered. This \$100 per acre is a regulatory minimum, and is not intended to reflect fair market value of the tracts.

The sealed bids should be sent by certified mail, return receipt requested, or should be hand delivered to the Cashier, New Mexico State Office, at the address given above and clearly marked "Sealed Bid for NMNM 126813 Coal Sale—Not to be opened before 10 a.m., August 14, 2013." The cashier will issue a receipt for each hand delivered sealed bid. Bids received after 9 a.m., August 14, 2013, will not be considered. If identical high sealed bids are received, the tying bidders will be requested to submit follow-up sealed bids until a high bid is received. All tie-breaking sealed bids must be within 15 minutes following the sale official's announcement at the sale that identical sealed bids have been received. Prior to lease issuance, the high bidder, if other than the applicant, must pay the BLM the cost recovery fees in the amount of \$107,642.17 in addition to all processing costs the BLM incurs after the date of this sale notice (43 CFR 3473.2). If the high bidder is other than Peabody, the BLM would then refund to Peabody the amount of \$107,642.17 previously paid by Peabody.

There is one qualified surface owner. A consent document from the qualified surface owner has been filed and verified by the BLM and meets the criteria as required by the regulations. A copy of the consent is attached to the detailed statement of sale. The lands within the lease tract which consent is filed are shown below:

T. 17 N., R. 9 W., New Mexico Principal  
Meridian  
Sec. 34, ALL;

The lease issued as a result of this offering will require payment of an annual rental of \$3 per acre or fraction thereof, and a royalty payable to the United States of 12½ percent of the value of the coal removed from a surface mine and 8 percent of the value of the coal removed from an underground mine. The value of the coal will be determined in accordance with 30 CFR part 1206, subpart F, 1206.250 *et seq.* Bidding instructions for the offered tracts are included in the Detailed Statement of Coal Lease Sale. Copies of the Statement, which includes detailed geological information on the coals and surface owners, are available upon request in person or by mail from the New Mexico State Office at 301 Dinosaur Trail, Santa Fe, NM 87508 or the Farmington District Office at 6251 College Blvd. Ste. A., Farmington, NM 87402. The case files are available for inspection during normal business