

204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f), the Secretary determines that the withdrawal shall be extended.

Dated: August 2, 2004.

Rebecca W. Watson,
Assistant Secretary—Land and Minerals
Management.
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DEPARTMENT OF THE INTERIOR

Minerals Management Service

Agency Information Collection Activities: Proposed Collection, Comment Request

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of an extension of a currently approved information collection (OMB Control Number 1010–0095).

SUMMARY: To comply with the Paperwork Reduction Act (PRA) of 1995, we are inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. We changed the title of this information collection request (ICR) to clarify the regulatory language we are covering under 30 CFR Part 206. The previous title of this ICR was “Request to Exceed Regulatory Allowance Limitation.” The new title of this ICR is “30 CFR Part 206—Product Valuation (Request to Exceed Transportation and Processing Allowance Limitation), Subpart B—Indian Oil, § 206.54(b)(2); Subpart C—Federal Oil, § 206.109(c)(2); Subpart D—Federal Gas, §§ 206.156(c)(3), 206.158(c)(3), and 206.158(d)(2)(i); and Subpart E—Indian Gas, §§ 206.177(c)(2) and 206.177(c)(3).”

DATES: Submit written comments on or before October 18, 2004.

ADDRESSES: Submit written comments to Sharron L. Gebhardt, Lead Regulatory Specialist, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 302B2, Denver, Colorado 80225. If you use an overnight courier service, our courier address is Building 85, Room A–614, Denver Federal Center, Denver, Colorado 80225. You may also e-mail your comments to us at mrm.comments@mms.gov. Include the title of the information collection

and the OMB control number in the “Attention” line of your comment. Also include your name and return address. Submit electronic comments as an ASCII file avoiding the use of special characters and any form of encryption. If you do not receive a confirmation that we have received your e-mail, contact Ms. Gebhardt at (303) 231–3211.

FOR FURTHER INFORMATION CONTACT: Sharron L. Gebhardt, telephone (303) 231–3211, FAX (303) 231–3781, or e-mail sharron.gebhardt@mms.gov.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR Part 206—Product Valuation (Request to Exceed Transportation and Processing Allowance Limitation), Subpart B—Indian Oil, § 206.54(b)(2); Subpart C—Federal Oil, § 206.109(c)(2); Subpart D—Federal Gas, §§ 206.156(c)(3), 206.158(c)(3), and 206.158(d)(2)(i); and Subpart E—Indian Gas, §§ 206.177(c)(2) and 206.177(c)(3).

OMB Control Number: 1010–0095.

Bureau Form Number: Form MMS–4393.

Abstract: The Secretary of the U.S. Department of the Interior is responsible for collecting royalties from lessees who produce minerals from leased Federal and Indian lands. The Secretary is required by various laws to manage mineral resources production on Federal and Indian lands, collect the royalties due, and distribute the funds in accordance with those laws.

The Secretary also has an Indian trust responsibility to manage Indian lands and seek advice and information from Indian beneficiaries. The MMS performs the royalty management functions and assists the Secretary in carrying out the Department’s Indian trust responsibility. Applicable citations of the laws pertaining to mineral leases include 5 U.S.C. 301, *et seq.*; 25 U.S.C. 396a, *et seq.*, 2101, *et seq.*; 30 U.S.C. 185, 351, *et seq.*, 1001, *et seq.*, 1701, *et seq.*; 31 U.S.C. 9701; and 43 U.S.C. 1301, *et seq.*, 1331, *et seq.*, and 1801, *et seq.*

When a company or an individual enters into a lease to explore, develop, produce, and dispose of minerals from Federal or Indian lands, that company or individual agrees to pay the lessor a share (royalty) of the value received from production from the leased lands. The lease creates a business relationship between the lessor and the lessee. The lessee is required to report various kinds of information to the lessor relative to the disposition of the leased minerals.

Such information is similar to data reported to private and public mineral interest owners and is generally available within the records of the lessee or others involved in developing, transporting, processing, purchasing, or selling of such minerals. The information collected includes data necessary to ensure that the royalties are paid appropriately.

Proprietary information submitted to MMS under this collection is protected, and no items of a sensitive nature are collected. A response is required to obtain the benefit of exceeding a regulatory allowance limitation.

Under certain circumstances, lessees are authorized to deduct from royalty payments the reasonable actual costs of transporting the royalty portion of produced oil and gas from the lease to a processing or sales point not in the immediate lease area. When gas is processed for the recovery of gas plant products, lessees may claim a processing allowance. Transportation and processing allowances are a part of the product valuation process that MMS uses to determine if the lessee is reporting and paying the proper royalty amount.

To request permission to exceed an allowance limit, royalty payors must write a letter to MMS explaining why a higher allowance limit is necessary and provide supporting documentation. The MMS developed Form MMS–4393, Request to Exceed Regulatory Allowance Limitation, to accompany the payor’s letter requesting approval to exceed the allowance limit. The form provides MMS the data necessary to make a decision on the request and track deductions on royalty reports. Data reported on Form MMS–4393 is also subject to subsequent audit and adjustment.

Frequency of Response: Annually.

Estimated Number and Description of Respondents: 26 lessees.

Estimated Annual Reporting and Recordkeeping “Hour” Burden: 121 hours.

Since the previous renewal of this ICR, we have obtained more accurate estimates of the number of respondents and the time required to provide the information requested, and we have adjusted the burden hours accordingly. The following chart shows the estimated burden hours by CFR section and paragraph:

RESPONDENTS' ESTIMATED ANNUAL BURDEN HOURS

30 CFR section	Reporting and recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
<i>Subpart B—Indian Oil (Transportation Allowances)</i>				
206.54(b)(2)	* * * An application for exception (using Form MMS-4393, Request to Exceed Regulatory Allowance Limitation) shall contain all relevant and supporting documentation necessary for MMS to make a determination. * * *	4.25	1	4.25
<i>Subpart C—Federal Oil (Transportation Allowances)</i>				
206.109(c)(2)	Limits on transportation allowances. * * * You may ask MMS to approve a transportation allowance in excess of the limitation in paragraph (c)(1) of this section. * * * Your application for exception (using Form MMS-4393, Request to Exceed Regulatory Allowance Limitation) must contain all relevant and supporting documentation for MMS to make a determination. * * *	4.25	1	4.25
<i>Subpart D—Federal Gas (Transportation Allowances)</i>				
206.156(c)(3)	* * * An application for exception (using Form MMS-4393, Request to Exceed Regulatory Allowance Limitation) shall contain all relevant and supporting documentation necessary for MMS to make a determination. * * *	4.25	2	8.5
<i>Subpart D—Federal Gas (Processing Allowances)</i>				
206.158(c)(3)	Upon request of a lessee, MMS may approve a processing allowance in excess of the limitation prescribed by paragraph (c)(2) of this section. * * * An application for exception (using Form MMS-4393, Request to Exceed Regulatory Allowance Limitation) shall contain all relevant and supporting documentation for MMS to make a determination. * * *	4.25	19	80.75
206.158(d)(2)(i)	If the lessee incurs extraordinary costs for processing gas production from a gas production operation, it may apply to MMS for an allowance for those costs which shall be in addition to any other processing allowance. * * *	9.5	2	19
<i>Subpart E—Indian Gas (Transportation Allowances)</i>				
206.177(c)(2)	If you ask MMS, MMS may approve a transportation allowance deduction in excess of the limitation in paragraph (c)(1) of this section. * * *	4.25	1	4.25
206.177(c)(3)	Your application for exception (using Form MMS-4393, Request to Exceed Regulatory Allowance Limitation) must contain all relevant and supporting documentation necessary for MMS to make a determination.	See 206.177(c)(2)		
Total burden	26	121

Estimated Annual Reporting and Recordkeeping “Non-hour Cost” Burden: We have identified no “non-hour” cost burdens.

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

Comments: Before submitting an ICR to OMB, PRA Section 3506(c)(2)(A) 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 proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency’s estimate 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 automated collection techniques or other forms of information technology.

The PRA also requires agencies to estimate the total annual reporting “non-hour cost” burden to respondents

or recordkeepers resulting from the collection of information. We have not identified non-hour cost burdens for this information collection. If you have costs to generate, maintain, and disclose this information, you should comment and provide your total capital and startup cost components or annual operation, maintenance, and purchase of service components. You should describe the methods you use to estimate major cost factors, including system and technology acquisition, expected useful life of capital equipment, discount rate(s), and the period over which you incur costs. Capital and startup costs include, among other items, computers and

software you purchase to prepare for collecting information; monitoring, sampling, and testing equipment; and record storage facilities. Generally, your estimates should not include equipment or services purchased: (i) Before October 1, 1995; (ii) to comply with requirements not associated with the information collection; (iii) for reasons other than to provide information or keep records for the Government; or (iv) as part of customary and usual business or private practices.

We will summarize written responses to this notice and address them in our ICR submission for OMB approval, including appropriate adjustments to the estimated burden. We will provide a copy of the ICR to you without charge upon request. The ICR also will be posted on our Web site at http://www.mrm.mms.gov/Laws_R_D/FRNotices/FRInfColl.htm.

Public Comment Policy: We will post all comments in response to this notice on our Web site at http://www.mrm.mms.gov/Laws_R_D/FRNotices/FRInfColl.htm. We also will make copies of the comments available for public review, including names and addresses of respondents, during regular business hours at our offices in Lakewood, Colorado. Upon request, we will withhold an individual respondent's home address from the public record, as allowable by law. There also may be circumstances in which we would withhold from the rulemaking record a respondent's identity, as allowable by law. If you request that we withhold your name and/or address, state your request prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

MMS Information Collection Clearance Officer: Arlene Bajusz (202) 208-7744.

Dated: August 12, 2004.

Lucy Querques Denett,

Associate Director for Minerals Revenue Management.

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DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Agua Fria Linear Recharge Project, Maricopa County, Arizona

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent to prepare an environmental impact statement (EIS) and public scoping meetings.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA, the Bureau of Reclamation (Reclamation) plans to prepare an EIS on the Agua Fria Linear Recharge Project. Reclamation is authorized to participate in this project with the Sub-Regional Operating Group (SROG), a partnership formed by the cities of Glendale, Mesa, Phoenix, Scottsdale, and Tempe, pursuant to Section 1608 of Public Law 102-575, Title XVI "Reclamation Wastewater and Groundwater Study and Facilities Act," passed by Congress in 1992. The Agua Fria Linear Recharge Project consists of transporting reclaimed water from the 91st Avenue Wastewater Treatment Plant (WWTP) located adjacent to the Salt River at 91st Avenue in Phoenix, Arizona, to a 10-mile recharge area along the channel of the Agua Fria River, in central Maricopa County. SROG collectively owns the 91st Avenue WWTP.

As lead Federal agency for this project, Reclamation is initiating public scoping for the EIS and will be conducting scoping meetings pursuant to section 102(2)(C) of NEPA. Two public scoping meetings will be held to receive comments from the general public on the environmental impacts, concerns, and issues that should be addressed in the EIS.

DATES: To ensure consideration in the preparation of the draft EIS, written comments must be received by October 6, 2004.

The public scoping meeting dates are:

(1) September 21, 2004, 6:30 p.m., Avondale, AZ.

(2) September 22, 2004, 4 p.m., Surprise, AZ.

ADDRESSES: Written comments should be sent to Mr. Bruce Ellis, Chief, Environmental Resources Management Division, Bureau of Reclamation, Phoenix Area Office (PXAO-1500), PO Box 81169, Phoenix, AZ 85069-1169; or by faxogram (602) 216-4006.

The public scoping meeting locations are:

(1) Estrella Community College, Community Room, 3000 North Dysart Road, Avondale, AZ.

(2) West Valley Arts Museum, 17420 North Avenue of the Arts, Surprise, AZ.

FOR FURTHER INFORMATION CONTACT: Ms. Sandra Eto, at (602) 216-3857, or at the above address.

SUPPLEMENTARY INFORMATION: Section 1608 of Public Law 102-575, Title XVI, provides Reclamation with the authority to participate in the Agua Fria Linear Recharge Project as a Federal sponsor. SROG is the local sponsor for the project. The SROG partners each share wastewater treatment capacity at the 91st Avenue WWTP in Phoenix, Arizona.

The Agua Fria Linear Recharge Project would transport reclaimed water from the 91st Avenue WWTP to different points within a 10-mile recharge area along the Agua Fria River channel between Bell Road and Indian School Road. An estimated 60,000 acre-feet per year of reclaimed water would be available for recharge in the future. Once released into the Agua Fria River, the quality of the reclaimed water would be improved through natural soil aquifer treatment processes as it is recharged into the groundwater aquifer. Credits accrued from the Agua Fria Linear Recharge Project would be recovered by the SROG cities at a later time within each city's respective water service area.

Currently, SROG and Reclamation are evaluating whether to pipe the reclaimed water directly from the WWTP or after it passes through the Tres Rios wetlands, a joint project of the U.S. Army Corps of Engineers and the City of Phoenix consisting of a series of wetlands that are to be constructed downstream of the WWTP in late 2008. Reclamation and SROG are also studying different pipeline routes to convey the reclaimed water for release into the Agua Fria riverbed. Recharge berms, dikes, and other features within the river channel are being considered as a means of enhancing recharge of this water. Opportunities are also being considered for supporting limited habitat restoration and enhancement activities along the Agua Fria River corridor and recreational/educational facilities within the river corridor, subject to existing and known future planning constraints within the project area. Additional information on the Agua Fria Linear Recharge Project can be found at the following internet site: <http://www.phoenix.gov/AGUAFRIA/>.

Currently, the following issues and concerns have been identified for consideration in the EIS: Biological and