

issues including, but not limited to, the role of public comment, the government-to-government relationship, affected employee considerations, and other issues as may be raised during the process of developing this policy. The Service will seek input from Indian Country, nongovernment organizations, and the public as it develops its policy.

Issue 15: No process identified to resolve disagreements over performance deficiencies.

Concern: Section 10.3.b provides no final guidance for resolution of disagreements on performance.

Comment: "This says that after the Refuge Manager informs CSKT of a deficiency, the CSKT will have a 'reasonable amount of time to either remedy the performance deficiency or establish that no deficiency exists. * * * This implies that CSKT can unilaterally decide that the Refuge Manager is wrong and that they are not deficient in performance.'"

Response: Section 18 of the AFA refers to 25 CFR part 1000, subpart R ("Appeals"), as well as 25 U.S.C. 450m-1, as the authority and process for dispute resolution. To address this public concern, the AFA was amended to read that the CSKT would "demonstrate to the Refuge Manager" that an alleged deficiency does not exist. The revised Section 10.A.3.b(2) now reads as follows:

(2) *Written Notice.* The Refuge Manager will notify the Tribal Council in writing of any other performance deficiency, including any performance deficiency that constitutes grounds for reassumption under Section 16.C of this AFA. The written notice will identify the Activity and describe the performance deficiency at issue, the applicable Operational Standard or term or condition of this AFA, and why the performance of the CSKT does not meet the Operational Standard or term or condition. The notice will give the CSKT a reasonable amount of time to either remedy the performance deficiency or demonstrate to the Refuge Manager that no performance deficiency exists, the amount of time to be set by the Refuge Manager depending on the nature of the deficiency.

Dated: January 6, 2005.

Matt Hogan,

Deputy Director, U.S. Fish and Wildlife Service.

[FR Doc. 05-1785 Filed 1-31-05; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Rate Adjustments for Indian Irrigation Projects

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of proposed rate adjustments.

SUMMARY: The Bureau of Indian Affairs (BIA) owns, or has an interest in, irrigation facilities located on various Indian reservations throughout the United States. We are required to establish rates to recover the costs to administer, operate, maintain, and rehabilitate those facilities. We request your comments on the proposed rate adjustments.

DATES: Interested parties may submit comments on the proposed rate adjustments on or before April 4, 2005.

ADDRESSES: All comments on the proposed rate adjustments must be in writing and addressed to: Arch Wells, Director, Office of Trust Services, Attn: Irrigation and Power, MS-4655-MIB, Code 210, 1849 C Street, NW., Washington, DC 20240, Telephone (202) 208-5480.

FOR FURTHER INFORMATION CONTACT: For details about a particular irrigation project, please use the tables in **SUPPLEMENTARY INFORMATION** section to contact the regional or local office where the project is located.

SUPPLEMENTARY INFORMATION: The tables in this notice list the irrigation project contacts where the BIA recovers its costs for local administration, operation, maintenance, and rehabilitation, the current irrigation assessment rates, and the proposed rates for the 2005 irrigation season and subsequent years where applicable.

What Are Some of the Terms I Should Know for This Notice?

The following are terms we use that may help you understand how we are applying this notice.

Administrative costs means all costs we incur to administer our irrigation projects at the local project level. Local project level does not normally include the Agency, Region, or Central Office costs unless we state otherwise in writing.

Assessable acre means lands designated by us to be served by one of our irrigation projects and to which we provide irrigation service and recover our costs. (See *Total assessable acres*.)

BIA means the Bureau of Indian Affairs.

Bill means our statement to you of the assessment charges and/or fees you owe the United States for administration, operation, maintenance, and/or rehabilitation. The date we mail or hand deliver your bill will be stated on it.

Costs mean the costs we incur for administration, operation, maintenance, and rehabilitation to provide direct support or benefit to an irrigation facility.

Customer means any person or entity that we provide irrigation service to.

Due date is the date on which your bill is due and payable. This date will be stated on your bill.

I, me, my, you, and your means all interested parties, especially persons or entities that we provide irrigation service to and who receive beneficial use of our irrigation projects affected by this notice and our supporting policies, manuals, and handbooks.

Irrigation project means, for the purposes of this notice, the facility or portions thereof, that we own, or have an interest in, including all appurtenant works, for the delivery, diversion, and storage of irrigation water to provide irrigation service to customers for whom we assess periodic charges to recover our costs to administer, operate, maintain, and rehabilitate. These projects may be referred to as facilities, systems, or irrigation areas.

Irrigation service means the full range of services we provide customers of our irrigation projects, including, but not limited to, water delivery. This includes our activities to administer, operate, maintain, and rehabilitate our projects.

Maintenance costs means all costs we incur to maintain and repair our irrigation projects and equipment of our irrigation projects and is a cost factor included in calculating your operation and maintenance (O&M) assessment.

Must means an imperative or mandatory act or requirement.

Operation and maintenance (O&M) assessment means the periodic charge you must pay us to reimburse our costs.

Operation or operating costs means costs we incur to operate our irrigation projects and equipment and is a cost factor included in calculating your O&M assessment.

Past due bill means a bill that has not been paid by the close of business on the 30th day after the due date, as stated on the bill. Beginning on the 31st day after the due date we begin assessing additional charges accruing from the due date.

Rehabilitation costs means costs we incur to restore our irrigation projects or features to original operating condition or to the nearest state which can be achieved using current technology and

is a cost factor included in calculating your O&M assessment.

Total assessable acres means the total acres served by one of our irrigation projects.

Total O&M cost means the total of all the allowable and allocatable costs we incur for administering, operating, maintaining, and rehabilitating our irrigation projects serving your farm unit.

Water means water we deliver at our projects for the general purpose of irrigation and other purposes we agree to in writing.

Water delivery is an activity that is part of the irrigation service we provide our customers when water is available.

We, us, and our means the United States Government, the Secretary of the Interior, the BIA, and all who are authorized to represent us in matters covered under this notice.

Does This Notice Affect Me?

This notice affects you if you own or lease land within the assessable acreage of one of our irrigation projects, or you have a carriage agreement with one of our irrigation projects.

Where Can I Get Information on the Regulatory and Legal Citations in This Notice?

You can contact the appropriate office(s) stated in the tables for the irrigation project that serves you, or you can use the Internet site for the Government Printing Office at <http://www.gpo.gov>.

Why Are You Publishing This Notice?

We are publishing this notice to notify you that we propose to adjust one or more of our irrigation assessment rates. This notice is published in accordance with the BIA's regulations governing its operation and maintenance of irrigation projects, specifically, 25 CFR 171.1. These sections provide for the fixing and announcing of the rates for annual assessments and related information for our irrigation projects.

What Authorizes You To Issue This Notice?

Our authority to issue this notice is vested in the Secretary of the Interior by 5 U.S.C. 301 and the Act of August 14, 1914 (38 Stat. 583; 25 U.S.C. 385). The Secretary has in turn delegated this authority to the Assistant Secretary—Indian Affairs under part 209, chapter 8.1A, of the Department of the Interior's Departmental Manual.

When Will You Put the Rate Adjustments Into Effect?

We will put the rate adjustments into effect for the 2005 irrigation season and subsequent years where applicable.

How Do You Calculate Irrigation Rates?

We calculate irrigation assessment rates in accordance with 25 CFR 171.1(f) by estimating the cost of normal operation and maintenance at each of our irrigation projects. The cost of normal operation and maintenance means the expenses we incur to provide direct support or benefit for an irrigation project's activities for administration, operation, maintenance, and rehabilitation. These costs are then applied as stated in the rate table in this notice.

What Kinds of Expenses Do You Include in Determining the Estimated Cost of Normal Operation and Maintenance?

We include the following expenses:

- (a) Personnel salary and benefits for the project engineer/manager and project employees under their management control;
- (b) Materials and supplies;
- (c) Major and minor vehicle and equipment repairs;
- (d) Equipment, including transportation, fuel, oil, grease, lease and replacement;
- (e) Capitalization expenses;
- (f) Acquisition expenses;
- (g) Maintenance of a reserve fund available for contingencies or emergency expenses for, and insuring, reliable operation of the irrigation project; and
- (h) Other expenses we determine necessary to properly perform the activities and functions characteristic of an irrigation project.

When Should I Pay My Irrigation Assessment?

We will mail or hand deliver your bill notifying you of the amount you owe to the United States and when such amount is due. If we mail your bill, we will consider it as being delivered no later than 5 business days after the day we mail it. You should pay your bill no later than the close of business on the 30th day after the due date stated on the bill.

What Information Must I Provide for Billing Purposes?

We must obtain certain information from you to ensure we can properly process, bill for, and collect money owed to the United States. We are required to collect the taxpayer identification number or social security

number to properly bill the responsible party and service the account under the authority of, and as prescribed in, Public Law 104-143, the Debt Collection Improvement Act of 1996.

(a) At a minimum, this information is:

- (1) Full legal name of person or entity responsible for paying the bill;
- (2) Adequate and correct address for mailing or hand delivering our bill; and
- (3) The taxpayer identification number or social security number of the person or entity responsible for paying the bill.

(b) It is your responsibility to ensure we have correct and accurate information for paragraph (a) of this section.

(c) If you are late paying your bill due to your failure to furnish such information or comply with paragraph (b) of this section, you cannot appeal your bill on this basis.

What Can Happen if I Do Not Provide the Information Required for Billing Purposes?

We can refuse to provide you irrigation service.

If I Allow My Bill To Become Past Due, Could This Affect My Water Delivery?

If we do not receive your payment before the close of business on the 30th day after the due date stated on your bill, we will send you a past due notice. Your bill will have additional information concerning your rights. We will consider your past due notice as delivered no later than 5 business days after the day we mail it. We have the right to refuse water delivery to any of your irrigated land on which the bill is past due. We can continue to refuse water delivery until you pay your bill or make payment arrangements that we agree to. Our authority to demand payment of your past due bill is 31 CFR 901.2, "Demand for Payment."

Are There Any Additional Charges If I Am Late Paying My Bill?

Yes. We will assess you interest on the amount owed and use the rate of interest established annually by the Secretary of the United States Treasury (Treasury) to calculate what you will be assessed (31 CFR 901.9(b)). You will not be assessed this charge until your bill is past due. However, if you allow your bill to become past due, interest will accrue from the due date, not the past due date. Also, you will be charged an administrative fee of \$12.50 for each time we try to collect your past due bill. If your bill becomes more than 90 days past due, you will be assessed a penalty charge of 6 percent per year and it will accrue from the date your bill initially

became past due. Our authority to assess interest, penalties, and administration fees on past due bills is prescribed in 31 CFR 901.9, "Interest, penalties, and costs."

What Else Can Happen To My Past Due Bill?

If you do not pay your bill or make payment arrangements that we agree to,

we are required to send your past due bill to the Treasury for further action. We must send your bill to Treasury no later than 180 days after the original due date of your irrigation assessment bill. The requirement for us to send your unpaid bill to Treasury is prescribed in 31 CFR 901.1, "Aggressive agency collection activity."

Who Can I Contact for Further Information?

The following tables are the regional and project/agency contacts for our irrigation facilities.

BILLING CODE 4310-W7-P

| Northwest Region Contacts | |
|--|---|
| Stanley Speaks, Regional Director Bureau of Indian Affairs, Northwest Regional Office 911 N.E. 11 th Avenue Portland, Oregon 97232-4169 Telephone: (503) 231-6702 | |
| <i>Project Name</i> | <i>Project/Agency Contacts</i> |
| Flathead Irrigation Project | Ernest T. Moran, Superintendent Flathead Agency Irrigation Division PO Box 40 Pablo, Montana 59855-0040 Telephone: (406) 675-2700 |
| Fort Hall Irrigation Project | Eric J. LaPointe, Superintendent Fort Hall Agency PO Box 220 Fort Hall, Idaho 83203-0220 Telephone: (208) 238-2301 |
| Wapato Irrigation Project | Pierce Harrison, Project Administrator Wapato Irrigation Project PO Box 220 Wapato, WA 98951-0220 Telephone: (509) 877-3155 |

| Rocky Mountain Region Contacts | |
|---|--|
| Keith Beartusk, Regional Director Bureau of Indian Affairs, Rocky Mountain Regional Office 316 North 26th Street Billings, Montana 59101. Telephone: (406) 247-7943 | |
| <i>Project Name</i> | <i>Agency/Project Contacts</i> |
| Blackfoot Irrigation Project | Ross Denny, Superintendent Box 880 Browning, MT 59417 Telephone: (406) 338-7544, Superintendent (406) 338-7519, Irrigation |
| Crow Irrigation Project | Frank Merchant, acting Superintendent Dan Lowe, Irrigation Manager PO Box 69 Crow Agency, MT 59022 Telephone: (406) 638-2672, Superintendent (406) 638-2863, Irrigation |
| Fort Belknap Irrigation Project | Cleo Hamilton, Superintendent Dan Spencer, Irrigation Manager R.R. 1, Box 980 Harlem, MT 59526 Telephone: (406) 353-2901, Superintendent (406) 353-2905, Irrigation |
| Fort Peck Irrigation Project | Spice Bighorn, Superintendent PO Box 637 Poplar, MT 59255 Rhonda Knudsen, Irrigation Manager 602 6th Avenue North Wolf Point, MT 59201 Telephone: (406) 768-5312, Superintendent (406) 653-1752, Irrigation |
| Wind River Irrigation Project | Ray Nation, acting Superintendent Hilaire Peck, Irrigation Manager PO Box 158 Fort Washakie, WY 82514 Telephone: (307) 332-7810, Superintendent (307) 332-2596, Irrigation |

| Southwest Region Contacts | |
|---|---|
| Larry Morrin, Regional Director Bureau of Indian Affairs, Southwest Regional Office 615 First Street, NW Albuquerque, New Mexico 87102 Telephone: (505) 346-7590/91 | |
| <i>Project Name</i> | <i>Project/Agency Contacts</i> |
| Pine River Irrigation Project | Michael Stancampiano, Superintendent John Formea, Irrigation Engineer PO Box 315 Ignacio, CO 81137-0315 Telephone: (970) 563-4511, Superintendent (970) 563-1017, Irrigation |

| Western Region Contacts | |
|--|--|
| Wayne Nordwall, Regional Director Bureau of Indian Affairs, Western Regional Office PO Box 10 Phoenix, Arizona 85001 Telephone: (602) 379-6600 | |
| <i>Project Name</i> | <i>Project/Agency Contacts</i> |
| Colorado River Irrigation Project | Allen Anspach, Superintendent R.R. 1 Box 9-C Parker, AZ 85344 Telephone: (928) 669-7111 |
| Duck Valley Irrigation Project | Paul Young, Superintendent 1555 Shoshone Circle Elko, Nevada 89801 Telephone: (775) 738-0569 |
| Fort Yuma Irrigation Project | William Pyott, Land Operations Officer P.O. Box 11000 Yuma, Arizona Telephone: (520) 782-1202 |
| San Carlos Irrigation Project Joint Works | Randy Shaw, Supervisory General Engineer 13805 N. Arizona Boulevard Coolidge, AZ 85228 Telephone: (520) 723-6216 |
| San Carlos Irrigation Project Indian Works | Joe Revak, Supervisory General Engineer Pima Agency, Land Operations Box 8 Sacaton, AZ 85247 Telephone: (520) 562-3372 |
| Uintah Irrigation Project | Lynn Hansen, Irrigation Manager PO Box 130 Fort Duchesne, UT 84026 Telephone: (435) 722-4341 |
| Walker River Irrigation Project | Robert Hunter, Superintendent 1677 Hot Springs Road Carson City, Nevada 89706 Telephone: (775) 887-3500 |

What Irrigation Assessments or Charges Are Proposed for Adjustment By This Notice?

The rate table below contains the current rates for all of our irrigation

projects where we recover our costs for operation and maintenance. The table also contains the proposed rates for the 2005 season and subsequent years where applicable. An asterisk

immediately following the name of the project notes the irrigation projects where rates are proposed for adjustment.

| <i>Project Name</i> | <i>Rate Category</i> | <i>Current 2004 Rate</i> | <i>Proposed 2005 Rate</i> |
|--|---|--------------------------|---------------------------|
| Flathead Irrigation Project | Basic per acre | \$21.45 | \$21.45 |
| Fort Hall Irrigation Project | Basic per acre | \$22.00 | \$22.00 |
| Fort Hall Irrigation Project Minor Units | Basic per acre | \$14.00 | \$14.00 |
| Fort Hall Irrigation Project * Michaud | Basic per acre | \$30.00 | \$33.00 |
| | Pressure per acre | \$43.50 | \$46.50 |
| Wapato Irrigation Project Simcoe Units | Billing Charge Per Tract | \$5.00 | \$5.00 |
| | Farm unit/land tracts up to one acre (minimum charge) | \$13.00 | \$13.00 |
| | Farm unit/land tracts over one acre - per acre | \$13.00 | \$13.00 |
| Wapato Irrigation Project Ahtanum Units | Billing Charge Per Tract | \$5.00 | \$5.00 |
| | Farm unit/land tracts up to one acre (minimum charge) | \$13.00 | \$13.00 |
| | Farm unit/land tracts over one acre - per acre | \$13.00 | \$13.00 |
| Wapato Irrigation Project Satus Unit | Billing Charge Per Tract | \$5.00 | \$5.00 |
| | Farm unit/land tracts up to one acre (minimum charge) | \$51.00 | \$51.00 |
| | "A" farm unit/land tracts over one acre - per acre | \$51.00 | \$51.00 |
| | Additional Works farm unit/land tracts over one acre - per acre | \$56.00 | \$56.00 |
| | "B" farm unit/land tracts over one acre - per acre | \$61.00 | \$61.00 |
| | Water Rental Agreement Lands - per acre | \$62.00 | \$62.00 |

Rocky Mountain Region Rate Table

| <i>Project Name</i> | <i>Rate Category</i> | <i>Current 2004 Rate</i> | <i>Proposed 2005 Rate</i> |
|---------------------------------|----------------------|--------------------------|---------------------------|
| Blackfeet Irrigation Project | Basic-per acre | \$13.00 | \$13.00 |
| Crow Irrigation Project | Basic-per acre | \$16.00 | \$16.00 |
| Fort Belknap Irrigation Project | Indian per acre | \$7.75 | \$7.75 |
| | non-Indian per acre | \$15.50 | \$15.50 |
| Fort Peck Irrigation Project * | Basic-per acre | \$14.00 | \$17.50 |
| Wind River Irrigation Project | Basic-per acre | \$14.00 | \$14.00 |

Southwest Region Rate Table

| <i>Project Name</i> | <i>Rate Category</i> | <i>Current 2004 Rate</i> | <i>Proposed 2005 Rate</i> |
|-------------------------------|--------------------------|--------------------------|---------------------------|
| Pine River Irrigation Project | Minimum Charge per tract | \$25.00 | \$25.00 |
| | Basic-per acre | \$8.50 | \$8.50 |

Western Region Rate Table

| <i>Project Name</i> | <i>Rate Category</i> | <i>Current 2004 Rate</i> | <i>Proposed 2005 Rate</i> | <i>Proposed 2006 Rate</i> | |
|---|--|--------------------------|---------------------------|---------------------------|---------|
| Colorado River Irrigation Project | Basic per acre up to 5.75 acre-feet | \$47.00 | \$47.00 | To be Determined | |
| | Excess Water per acre-foot over 5.75 acre-feet | \$17.00 | \$17.00 | | |
| Duck Valley Irrigation Project | Basic-per acre | \$5.30 | \$5.30 | | |
| Fort Yuma Irrigation Project (See Note #1) | Basic-per acre up to 5.0 acre-feet | \$60.00 | \$60.00 | | |
| | Excess Water per acre-foot over 5.0 acre-feet | \$10.50 | \$10.50 | | |
| San Carlos Irrigation Project (Joint Works) * (See Note #2) | Basic-per acre | \$20.00 | \$30.00 | | \$30.00 |
| San Carlos Irrigation Project (Indian Works) * | Basic-per acre | \$56.00 | \$77.00 | | |
| Uintah Irrigation Project * | Basic-per acre | \$11.00 | \$11.00 | | |
| | Minimum Bill | \$10.00 | \$25.00 | | |
| Walker River Irrigation Project | Indian per acre | \$7.32 | \$7.32 | | |
| | non-Indian per acre | \$15.29 | \$15.29 | | |

Note #1– The Fort Yuma Irrigation Project is owned and operated by the Bureau of Reclamation (Reclamation). The irrigation rates assessed for operation and maintenance are established by Reclamation and are provided for informational purposes only. The BIA collects the irrigation assessments on behalf of Reclamation.

Note #2 – The 2005 irrigation rate of \$30 per acre has been established through a previously publicized notice. The rate of \$30 per acre for 2006 is being proposed as part of this notice.

Consultation and Coordination With Tribal Governments (Executive Order 13175)

The BIA irrigation projects are vital components of the local agriculture economy of the reservations on which they are located. To fulfill its responsibilities to the tribes, tribal organizations, water user organizations, and the individual water users, the BIA communicates, coordinates, and consults on a continuing basis with these entities on issues of water delivery, water availability, costs of administration, operation, maintenance, and rehabilitation. This is accomplished at the individual irrigation projects by Project, Agency, and Regional representatives, as appropriate, in accordance with local protocol and procedures. This notice is one component of the BIA's overall coordination and consultation process to provide notice and request comments from these entities on adjusting our irrigation rates.

Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (Executive Order 13211)

The rate adjustments will have no adverse effects on energy supply, distribution, or use (including a shortfall in supply, price increases, and increase use of foreign supplies) should the proposed rate adjustments be implemented. This is a notice for rate adjustments at BIA owned and operated irrigation projects, except for the Fort Yuma Irrigation Project. The Fort Yuma Irrigation Project is owned and operated by the Bureau of Reclamation with a portion serving the Fort Yuma Reservation.

Regulatory Planning and Review (Executive Order 12866)

These rate adjustments are not a significant regulatory action and do not need to be reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

This rate making is not a rule for the purposes of the Regulatory Flexibility Act because it is "a rule of particular applicability relating to rates." 5 U.S.C. 601(2).

Unfunded Mandates Act of 1995

These rate adjustments impose no unfunded mandates on any governmental or private entity and are in compliance with the provisions of the Unfunded Mandates Act of 1995.

Takings (Executive Order 12630)

The Department has determined that these rate adjustments do not have significant "takings" implications. The rate adjustments do not deprive the public, state, or local governments of rights or property.

Federalism (Executive Order 13132)

The Department has determined that these rate adjustments do not have significant Federalism effects because they pertain solely to Federal-tribal relations and will not interfere with the roles, rights, and responsibilities of states.

Civil Justice Reform (Executive Order 12988)

In accordance with Executive Order 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

Paperwork Reduction Act of 1995

These rate adjustments do not affect the collections of information which have been approved by the Office of Information and Regulatory Affairs, Office of Management and Budget, under the Paperwork Reduction Act of 1995. The OMB Control Number is 1076-0141 and expires April 30, 2006.

National Environmental Policy Act

The Department has determined that these rate adjustments do not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4370(d)).

Dated: January 12, 2005.

David W. Anderson,

Assistant Secretary—Indian Affairs.

[FR Doc. 05-1747 Filed 1-31-05; 8:45 am]

BILLING CODE 4310-W7-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY-060-1320-EL, WYW154432]

Notice of Intent To Prepare an Environmental Impact Statement, To Initiate Scoping, Provide Notice of a Public Meeting, and To Solicit Comments on Fair Market Value and Maximum Economic Recovery for a Federal Coal Lease Application Received From Cordero Mining Company for a Coal Tract in the Decertified Powder River Federal Coal Production Region, WY

AGENCY: Bureau of Land Management, Interior.

SUMMARY: The Bureau of Land Management (BLM) has received a competitive coal lease application from Cordero Mining Company for a maintenance tract of Federal coal adjacent to the company's Cordero Rojo Mine in Campbell County, Wyoming. A maintenance tract is a parcel of land containing coal reserves nominated for leasing that may be used to extend an existing mine. This tract, which was applied for as a lease by application (LBA) under the provisions of 43 Code of Federal Regulations (CFR) 3425.1, is called the Maysdorf Tract and has been assigned LBA case number WYW154432. Consistent with the National Environmental Policy Act (NEPA) regulations, BLM must prepare an environmental analysis prior to holding a competitive Federal coal lease sale. In accordance with the provisions of section 102(2)(C) of NEPA, BLM is announcing it will prepare an Environmental Impact Statement (EIS) for this lease application and is soliciting public comments regarding issues and resource information.

DATES: This notice initiates the EIS scoping process and request for Fair Market Value (FMR) and Maximum Economic Recovery (MER) comments (see 43 CFR 3425.4). The BLM can best use public input if comments and resource information are submitted within 60 days of publication of this notice in the **Federal Register**. On February 15, 2005, the BLM will host an open house between 3:30 and 5:30 p.m. and a public scoping meeting will be held at 7 p.m. at the Clarion Western Plaza Motel, 2009 South Douglas Highway, Gillette, Wyoming. The purpose of an open house is to provide information to the public regarding the Powder River Basin (PRB) Coal Review. At the public scoping meeting the public is invited to submit comments and resource information, and offer issues or concerns to be considered in