

- Sec. 20, All that portion of the Southeast Quarter of Sec. 20 lying Southerly of the Southerly Right-of-Way line of Twin-Buttes Road as it existed on March 12, 1986; and Block 2, Pimeria Alta Estates, according to Book 38 of Maps, at Page 9, Records of Pima County, Arizona. (87.97 Ac. more or less)
- Sec. 21, The South Half of the Southwest Quarter and the South Half of the Southeast Quarter of Sec. 21. (160 Ac. more or less)
- Sec. 22, The South Half of the Southwest Quarter of Sec. 22; EXCEPT the East 75 feet thereof. (77.72 Ac. more or less)
- Sec. 28, All of Sec. 28. (640 Ac. more or less)
- Sec. 29, All of Sec. 29; EXCEPT any of said Sec. 29, lying Northwesterly of the Southeasterly Right-of-Way of the Mission-Twin Buttes Road as it existed on March 12, 1986. (639.89 Ac. more or less)
- Sec. 30, All that portion of Lots 1, 2, 5, 6, 7 and 10, the Northeast Quarter and the East Half of the Northwest Quarter of Sec. 30, lying Southerly of the Southerly Right-of-Way line of Twin Buttes Road as it existed on March 12, 1986, and Easterly and Southerly of Mission-Twin Buttes Road as shown in Book 12 of Road Maps, at Page 31, Pima County Records, including that portion of Mission-Twin Buttes Road No. 5, lying within said Sec. 30, as abandoned by proceedings No. 1568, and shown in Book 12 of Road Maps, at Page 32; EXCEPT any portion lying within patented Mineral Survey No. 2640. (229.74 Ac. more or less)
- Sec. 31, All of Sec. 31, including that portion of Mission-Twin Buttes Road No. 5, lying within said Sec. 31, as abandoned by proceedings No. 1568, and shown in Book 12 of Road Maps, at Page 32 and that portion of Twin Buttes-McGee Road No. 85-A, lying within Sec. 31, as abandoned by proceedings No. 1569, and shown in Book 12 of Road Maps, at Page 33, Pima County Records; EXCEPT any portion lying within patented Mineral Survey Nos. 2640, 2642, 2643, 3754, 4491, and the patented portion of Mineral Survey No. 4627. (392.60 Ac. more or less)
- Sec. 32, All of Sec. 32; EXCEPT any portion lying within patented Mineral Survey No. 3754 and the patented portion of Mineral Survey No. 4627. (445.55 Ac. more or less)
- Sec. 33, All of Sec. 33; EXCEPT any portion lying within the patented portion of Mineral Survey No. 4627. (630.01 Ac. more or less)
- T. 18 S., R. 12 E.  
 Sec. 1, Lots 3, 4, 5 and 6, the South Half of the Northeast Quarter, and all that portion of the South Half of the Northwest Quarter and the Southeast Quarter of Sec. 1, lying Northeasterly of the Northeasterly Right-of-Way line of Mission-Twin Buttes Road as shown in Book 12 of Road Maps, at Page 31, Pima County Records; EXCEPT any portion lying within patented Mineral Survey Nos. 2643, 4490, 4492, and the patented portion of Mineral Survey No. 4627. (405.52 Ac. more or less)
- T. 18 S., R. 13 E.  
 Sec. 3, Lot 4, and that portion of the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Sec. 3, lying Northwesterly of the Northwesterly Right-of-Way line of Duval Mine Road as shown in Book 8 of Road Maps, at Page 16, Pima County Records; EXCEPT any portion lying within the property described in Deed to Southern Pacific Transportation Company, a corporation, recorded in Docket 4045, at Page 603, Pima County Records. (85.68 Ac. more or less)
- Sec. 4, Lots 1, 2, 3 and 4, the South Half of the North Half and the South Half of Sec. 4, lying Northwesterly of the Northwesterly Right-of-Way line of Duval Mine Road as shown in Book 8 of Road Maps, at Page 16, Pima County Records; EXCEPT any portion lying within the patented portion of Mineral Survey No. 4627; and EXCEPT any portion lying within the property described in Deed to Southern Pacific Transportation Company, a corporation, recorded in Docket 4045, at Page 603, Pima County Records. (404.19 Ac. more or less)
- Sec. 5, All that portion of the Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southeast Quarter of Sec. 5; EXCEPT any portion lying within the patented portion of Mineral Survey No. 4627. (9.04 Ac. more or less)
- Sec. 6, All of Sec. 6; EXCEPT any portion lying within patented Mineral Survey Nos. 2643, 4489, 4491, 4492, 4494, and the patented portion of Mineral Survey No. 4627. (357.86 Ac. more or less)
- Sec. 7, All that portion of Sec. 7, including that portion of Mission-Twin Buttes Road No. 5, lying within said Sec. 7, as abandoned by proceedings No. 1568, and shown in Book 12 of Road Maps, at Page 32, lying Northwesterly of the Northwesterly Right-of-Way line of Duval Mine Road as shown in Book 8 of Road Maps, at Page 16, and Northeasterly of the Northeasterly Right-of-Way line of Mission-Twin Buttes Road as shown in Book 1 of Road Maps, at Page 22, Pima County Records. (559.62 Ac. more or less)
- Total Acres 5,290.90 more or less.
- Effective immediately, the BLM will process the pending application in accordance with the regulations stated in 43 CFR Part 2720. Written comments concerning the application must be received by no later than the date specified above in this notice for that purpose. The purpose for a purchase and conveyance is to allow consolidation of surface and subsurface minerals ownership where (1) there are no known mineral values or (2) in those instances where the Federal mineral interest reservation interferes with or precludes appropriate nonmineral

development and such development is a more beneficial use of the land than the mineral development.

On June 19, 2006 the mineral interests owned by the United States in the above described lands will be segregated to the extent that they will not be subject to appropriation under the public land laws, including the mining laws. The segregative effect shall terminate upon issuance of a patent or deed of such mineral interest; upon final rejection of the mineral conveyance application; or June 19, 2008, whichever occurs first.

(Authority: 43 CFR 2720.1-1(b))

Dated: May 3, 2006.

**Teresa A. Raml,**

*Acting Associate State Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM-922-1320-06, OKNM 96155]

#### Extension of the "Category 5" Royalty Rate Reduction Qualification for Oklahoma Federal Coal within a Designated Area of Nine (9) Oklahoma Counties

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

**ACTION:** Notice.

**SUMMARY:** The notice announces that the Federal coal lands within the nine (9) Oklahoma Counties of Atoka, Coal, Haskell, Latimer, LeFlore, McIntosh, Muskogee, Pittsburgh, and Sequoyah continue to qualify as a Category 5 royalty rate reduction "Area" as set forth in the Bureau of Land Management (BLM) Royalty Rate Reduction Guidelines (55 FR 6841 and 55 FR 18401) and BLM Manual 3485, Reports, Royalties, and Records. Analysis by the Bureau of Land Management, New Mexico State Office indicates that there have been no significant changes in the coal market for the Area during the last 5 years. Therefore, the State Director of the New Mexico State Office of the BLM has determined to extend the qualification of the Area for Category 5 Royalty Rate Reductions for five (5) additional years.

**DATES:** The Qualification of the Designated Area for "Category 5" Royalty Rate Reductions is extended for five (5) years from December 17, 2005 to, and inclusive of, December 17, 2010.

**ADDRESSES:** New Mexico State Office, Bureau of Land Management, P.O. Box 27115, Santa Fe, NM 87502-0115.

**FOR FURTHER INFORMATION CONTACT:** Vincent N. Vogt, at (505) 438-7455, or Darwyn F. Pogue, at (505) 438-7466.

**SUPPLEMENTARY INFORMATION:** The New Mexico State Office first designated these same nine counties in Oklahoma as a Category 5 "Area" effective December 17, 1990 (56 FR 27771-27773). A Category 5 Area may be established only if all of the following criteria are affirmed to exist within the Area.

1. The Federal coal resources are not the dominate coal resources available for mining in the Area.

2. The royalty rate for Federal coal leases (43 CFR 3473.3-2(a)) is greater than the royalty rate for comparable non-Federal coal in the Area.

3. The Federal coal resources in the Area would be bypassed or remain undeveloped in favor of development of non-Federal coal resources due to the difference in royalty rate.

4. The above conditions exist throughout the Area.

5. A royalty rate reduction under this Category is not likely to result in undue competitive advantages over neighboring coal producing areas.

The BLM has concluded that the nine county Oklahoma Area continues to meet all of these criteria. The royalty rates for Federal coal in the Area shall continue to be: 2% for Federal coal mined by underground mining methods, and 4% for Federal coal mined by surface mining methods. These royalty rates are only granted if the Federal coal lessee applies to BLM in writing for a Category 5 royalty rate reduction and the application is approved by BLM.

Dated: May 17, 2006.

**Gary Johnson**

*Deputy State Director, Minerals & Lands.*

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**BILLING CODE 4310-FB-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Outer Continental Shelf, Headquarters, Long Island Offshore Wind Park Development

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of intent to prepare an Environmental Impact Statement (EIS), invitation for participation by cooperating agencies, and scoping period.

**SUMMARY:** The MMS has received a request from Long Island Offshore Wind Park, LLC (LIOWP) for a lease, easement, or right-of-way to construct

and operate a wind energy facility in Federal waters off Long Island, 3.6 miles southwest of Jones Beach Island, Nassau and Suffolk Counties, New York. The purpose of this project is to provide a utility-scale renewable energy facility providing power to the New York electrical grid. Forty wind turbine generators are proposed to generate 140 megawatts of electricity and deliver it to an existing substation near West Amityville by means of a buried transmission line. By this notice, the MMS announces: (1) Its intention to prepare an EIS; (2) an invitation for participation by interested cooperating agencies in the review; and (3) the beginning of EIS scoping under the National Environmental Policy Act (NEPA); and (4) the dates and locations for two public meetings to receive comments on the scope of the EIS.

**DATES:** The MMS will receive written comments on the LIOWP proposal for 60 days beginning on the date of this notice. Scoping meetings will be held to receive input from the general public, interest groups, Indian tribes, and interested State and Federal agencies. A meeting is scheduled on July 10, 2006, from 7 p.m. to no later than midnight at the West Babylon High School Performing Arts Center, 500 Great East Neck Road, West Babylon, New York, 11704. Another meeting is scheduled on July 11, 2006, from 7 p.m. to no later than midnight at Massapequa High School (auditorium), 4925 Merrick Road, Massapequa, New York, 11758. Registration at each site will begin at 5:30 p.m. Instructions for offering comments via the internet and in writing are provided below.

**FOR FURTHER INFORMATION CONTACT:** Mr. Doug Slitor, Project Manager, at (703) 787-1030 in MMS's Headquarters office for questions about this NOI. For questions about scoping for this EIS contact Dr. Thomas Bjerstedt at 504-736-5743 in our Gulf of Mexico regional office.

#### SUPPLEMENTARY INFORMATION:

##### 1. Background

The LIOWP proposal is for construction and operation of a wind energy facility on approximately 8 sq miles of the OCS off Long Island. Forty wind turbine generators are proposed to be mounted on monopole foundations driven into the sea bed. A 3-bladed nacelle and rotor unit is proposed to be mounted at the top of each monopole 260 feet above water level and give each turbine a generating capacity of 3.6 Mw of electricity. A system of buried gathering lines is proposed to carry electricity from each turbine to an

electrical service platform. From there, a proposed 10-mile-long 138 kV transmission cable buried in the sea bed from the service platform would extend across New York state waters to landfall and tie-in to the existing Sterling electrical substation in Nassau County that is operated by Long Island Power Authority (LIPA).

On April 26, 2005, LIOWP/LIPA filed a joint application with the U.S. Army Corps of Engineers (USACOE) in anticipation of constructing the LIOWP under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403, *et seq.*). On June, 9, 2005, the USACOE issued a Public Notice (2005-00365-L4) seeking written comments on the LIOWP proposal. The initial July 22 comment deadline was later extended to August 12, 2005. On August 8, 2005, however, the Energy Policy Act of 2005 (Act) was signed by the President. Section 388 of the Act authorizes the Department of the Interior (MMS) to issue leases, easements, or rights-of-way for renewable energy projects on the U.S. Outer Continental Shelf. MMS will undertake environmental evaluation and decision-making for these proposals in Federal waters, and subsequently monitor and regulate the offshore facilities used for renewable energy production and energy support services.

The MMS has determined that an EIS is required for an appropriate NEPA review of this proposal. This review will consider potential impacts from pre-construction to decommissioning. The review will consider all relevant information, including but not limited to the information developed by LIOWP/LIPA in pursuit of a USACOE Section 10 permit under the Rivers and Harbors Act.

##### 2. Cooperating Agency

The MMS invites other Federal, State, tribal, and local governments to consider becoming cooperating agencies during preparation of the EIS for the LIOWP proposal. Per guidelines from the Council on Environmental Quality (CEQ), qualified agencies and governments are those with "jurisdiction by law or special expertise." Potential cooperating agencies should consider their authority and capacity to assume the responsibilities of a cooperating agency and remember that their role in the environmental analysis neither enlarges nor diminishes the final decision making-authority of any other agency involved in the NEPA process. Upon request, the MMS will provide potential cooperating agencies with a written summary of ground rules for cooperating agencies, including time