of another month for allowing roost control under the aquaculture depredation order (October to April). In compliance with Section 7 of the Endangered Species Act, we completed informal consultation and, subsequently, added conservation measures to protect bald eagles, wood storks, piping plovers, and interior least terns. These changes are considered in the FEIS analysis and will be discussed in greater detail in the final rule.

Like the DEIS, the FEIS analyzed the direct, indirect, and cumulative environmental impacts we predict would be associated with six DCCO management alternatives. The first chart below summarizes the impacts of DCCOs under the No Action alternative (*i.e.*, the status quo), as detailed in the FEIS. The second chart below summarizes effects on the FEIS resource categories that we predicted would occur as a result of implementing the proposed action.

Alternative A: no action	
Other bird populations	Suspected conflicts and in some cases confirmed conflicts associated with habitat destruction and nest site competition; significance localized.
Fish	Suspected and in some cases confirmed conflicts; significance localized.
Vegetation/habitat	Destruction of vegetation confirmed; significance localized.
Threatened and endangered species	Suspected but not confirmed conflicts with Atlantic salmon and various Pacific salmonids; very likely, however, that other factors are more important than DCCOs in the decline of salmon.
Water quality and human health	Accused of being a source of groundwater contamination but this is not confirmed; can cause direct, open water contamination.
Aquaculture	Confirmed economic impacts on aquaculture production.
Recreational fishing economies	Correlative evidence that DCCOs are a factor behind economic declines in communities dependent on recreational fishing; not confirmed.
Fish hatcheries and justice	Confirmed depredation of hatchery stock with significance localized; effect on ability to provide hatchery fish to low-income groups not confirmed.
Property losses	Confirmed conflicts with some property interests; significance localized.
Existence and aesthetic values	Effect on values differs with perspective; DCCOs may appeal to some individual's sense of aesthetics, while not appealing to others.

Proposed action alternative D: public resource depredation order	
DCCO populations	No significant impact to regional or continental populations; estimated annual take of 159,635.
Other bird populations	Local disturbances likely, but can be managed to avoid significant impacts; will help overall.
Fish	Will help reduce predation in localized situations.
Vegetation/habitat	Will help reduce impacts in localized situations.
Threatened and endangered species	No adverse impacts with implementation of conservation measures.
Water quality and human health	Will help reduce impacts in localized situations
Aquaculture	Will help reduce depredation.
Recreational fishing economies	Not likely to benefit.
Fish hatcheries and environmental justice	Will help reduce depredation.
Property losses	Could help to indirectly reduce losses.
Existence and aesthetic values	Effects on values differs with perspective.

Dated: August 1, 2003.

Steve Williams,

Director.

[FR Doc. 03–20376 Filed 8–8–03; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO–200–1020–AC–241A]

Notice of Amendment of Meeting Date, Front Range Resource Advisory Council (Colorado)

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of amendment of public meeting date.

SUMMARY: In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, Bureau of Land Management (BLM) Front Range Resource Advisory Council (RAC), will meet as indicated below.

DATES: The meeting originally published in the July 8, 2003, **Federal Register** for August 12 and 13, 2003, has been changed and will be held on August 13 only. The meeting will be held on August 13 at the Holy Cross Abbey Community Center, 2951 E. Highway 50, Canon City, Colorado from 9:15 a.m. to 4 p.m.

SUPPLEMENTARY INFORMATION: The 15 member Council advises the Secretary of the Interior, through the Bureau of Land Management, on a variety of planning and management issues associated with public land management in the Front Range Center, Colorado. The planned agenda topic is for the Council to discuss the Sustaining Working Landscapes Initiative Overview and provide comments and advice to the BLM Colorado State Director through the Center Manager.

All meetings are open to the public. The public is encouraged to make oral comments to the Council between 10 a.m. and 11 a.m. or written statements may be submitted for the Councils consideration. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited. Summary minutes for the Council Meeting will be maintained in the Front Range Center Office and will be available for public inspection and reproduction during regular business hours within thirty (30) days following the meeting.

FOR FURTHER INFORMATION CONTACT: Bureau of Land Management (BLM), Attn: Ken Smith, 3170 East Main Street, Canon City, Colorado 81212. Phone (719) 269–8500.

Dated: August 4, 2003.

John L. Carochi,

Front Range Center Manager.

[FR Doc. 03–20236 Filed 8–8–03; 8:45 am]

BILLING CODE 4310–JB–M

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Royalty-in-Kind (RIK) Eligible Refiner, Determination of Need

AGENCY: Minerals Management Service, Interior.

ACTION: Solicitation of comments.

SUMMARY: The Minerals Management Service (MMS), an agency of the U.S. Department of the Interior, is requesting written comments from interested parties—particularly from small and/or independent petroleum refiners—regarding their experiences in the crude oil marketplace. Specifically, we are interested in small and/or independent refiners' experiences in gaining access to adequate supplies of crude oil at equitable prices. This Determination of Need process will assist the Secretary of the Interior in deciding whether or not to continue with sales of Federal Government royalty oil under the RIK eligible refiner program.

DATES: Submit written comments on or before September 25, 2003.

ADDRESSES: Address your comments and suggestions regarding this proposal to Sharron L. Gebhardt, Regulatory Specialist.

By regular U.S. mail: Center for Excellence, Minerals Revenue Management, Minerals Management Service, P.O. Box 25165, MS 320B2, Denver, Colorado 80225–0165; or

By overnight mail or courier: Attn: Sharron L. Gebhardt, (303) 231–3211, Center for Excellence, Minerals Revenue Management, Minerals Management Service, Building 85, Room A614, Denver Federal Center, Denver, Colorado 80225–0165; or

By fax: Please submit fax Attn: Sharron L. Gebhardt, fax (303) 231–3781, Re: ''Determination of Need'' and your name and return address in your fax message. If you do not receive a confirmation that we have received your fax message, call the contact person listed below.

By e-mail: MRM.comments@mms.gov. Please submit Internet comments as an ASCII file and avoid the use of special characters and any form of encryption. Also, please include ''Attn: Determination of Need'' and your name and return address in your Internet message. If you do not receive a confirmation that we have received your Internet message, call the contact person listed below.

FOR FURTHER INFORMATION CONTACT: Sharron L. Gebhardt at telephone (303) 231–3211, fax (303) 231–3781, or P.O. Box 25165, MS320B2, Denver Federal Center, Denver, Colorado 80225–0165.

SUPPLEMENTARY INFORMATION:

Introduction: Under the provisions of the Mineral Leasing Act of 1920 (MLA), as amended (30 U.S.C. 192), and the Outer Continental Shelf Lands Act (OCSLA) of August 7, 1953, as amended (43 U.S.C. 1334, 1353), the Secretary of the Interior can take Federal royalty oil in kind, in lieu of royalty payment, and sell it to ''eligible refiners'' for use in their refineries. The sale of royalty oil from Federal leases by the United States to eligible refiners is governed by the regulations at 30 CFR 208, effective December 1, 1987 (52 FR 41908, 10/30/1987).

An ''eligible refiner,'' as defined at 30 CFR 208.2, means a refiner of crude oil meeting the following criteria to purchase royalty oil:

(1) For the purchase of royalty oil from onshore leases, it means a refiner that has an operating refinery and qualifies as a small and independent refiner as those terms are defined below:

- The term ''independent refiner'' means a refiner who (a) obtained, directly or indirectly more than 70 percent of his refinery input of domestic crude oil (or 70 percent of his refinery input of domestic and imported crude oil) from producers who do not control, are not controlled by, and are not under common control with, such refiner for the calendar quarter immediately preceding the date of the applicable ''Notice of Availability of Royalty Oil,'' and (b) marketed or distributed in such quarter and continues to market and distribute a substantial volume of gasoline refined by him through branded independent marketers or non-branded independent marketers.
- The term ''small refiner'' means a refiner whose total refinery capacity (including the refinery capacity of any person who controls, is controlled by, or is under common control with such refiner) does not exceed 175,000 barrels per day.

Crude oil received in exchange for the refiner's own production is considered to be part of that refiner's own production for purposes of this section.

(2) For the purchase of royalty oil from offshore leases, it means a refiner that has an operating refinery and qualifies as a small business enterprise under the rules of the Small Business Administration (SBA) (13 CFR Part 121) as updated in **Federal Register** Notice (68 FR 15047, 03/28/2003). The SBA standard for a small business within the Petroleum Refining Industry is a concern with a total Operable Atmospheric Crude Oil Distillation Capacity of less than or equal to 125,000 barrels per calendar day, and that has no more than 1,500 employees. Capacity includes owned or leased facilities as well as facilities under a processing agreement or an arrangement such as an exchange agreement or throughput.

The regulation at 30 CFR 208.4(a) governs the Determination of Need process and states that:

> The Secretary may evaluate crude oil market conditions from time to time. The evaluation will include, among other things, the availability of crude oil and the crude oil requirements of the Federal Government, primarily those requirements concerning matters of national interest and defense. The Secretary will review these items and will determine whether eligible refiners have access to adequate supplies of crude oil and whether such oil is available to eligible refiners at equitable prices. Such determinations may be made on a regional basis * * *.

In accordance with its practice of conducting periodic reviews of market trends and conditions, MMS believes that undertaking another Determination of Need will be beneficial in formulating any decision to hold future royalty oil sales to eligible refiners.

Background: The RIK eligible refiner program has been an important source of crude oil for these refiners in the past. Currently, there are six eligible refiner RIK contracts (involving Gulf of Mexico and Pacific Region offshore leases).

In 1997, MMS undertook an examination of the eligible refiner RIK program and determined that a ''proactive, structured, and documented methodology'' should be used to conduct future RIK Determinations of Need. The MMS performed a full analysis in 1999 and an update of that analysis in 2001. These analyses supported the continuation of the program, and each was followed by subsequent RIK sales to eligible refiners.

More recently, MMS has expanded the percentage of the oil royalties it takes in kind (apart from the eligible refiner program) to improve the efficiency and effectiveness of collecting and distributing royalties. In doing so, it has improved the administration of its RIK programs to better interface with standard industry practices. These improvements include:

- Changing the way we conduct our operations by implementing logical