

conduct presence/absence surveys for the following species within Arizona, New Mexico, and Texas: lesser long-nosed bat (*Leptonycteris curasoae* (=sanborni) *yerbabuenae*), cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*), southwestern willow flycatcher (*Empidonax traillii extimus*), Sonoran tiger salamander (*Ambystoma tigrinum stebbinsi*), desert pupfish (*Cyprinodon macularius*), and Gila topminnow (*Poeciliopsis occidentalis*).

**Permit No. TE-103860**

*Applicant:* Roberg Environmental Consulting Services, Cabot, Arkansas.

Applicant requests a new permit for research and recovery purposes to survey, trap, and relocate for the American burying beetle (*Nicrophorus americanus*) within Arkansas and Oklahoma.

**Permit No. TE-103862**

*Applicant:* Texas Department of Transportation, Houston, Texas.

Applicant requests a new permit for research and recovery purposes to conduct presence/absence surveys for the following species within Texas: Attwater's greater prairie chicken (*Tympanuchus cupido attwateri*), brown pelican (*Pelecanus occidentalis*), Eskimo curlew (*Numenius borealis*), red-cockaded woodpecker (*Picoides* (=Dendrocopos) *borealis*), whooping crane (*Grus americana*), and Texas prairie dawn-flower (*Hymenoxys texana*).

**Authority:** 16 U.S.C. 1531, *et seq.*

Dated: May 10, 2005.

**Steve Chambers,**

*Acting Assistant Regional Director, Ecological Services, Region 2, Albuquerque, New Mexico.*

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## DEPARTMENT OF THE INTERIOR

### U.S. Geological Survey

#### Patent, Trademark & Copyright Acts

**AGENCY:** U.S. Geological Survey.

**ACTION:** Notice of prospective intent to award exclusive license.

**SUMMARY:** The United States Geological Survey (USGS) is contemplating awarding an exclusive license to: Geovision Solutions, Inc., 1410 Gunston Road, Bel Air, Maryland 21015 on U.S. Patent Application Serial No. 09/877,786, entitled "Integrated Method for

Disseminating Large Spatial Data Sets in a Distributed Form Via the Internet."

**Inquiries:** If other parties are interested in similar activities, or have comments related to the prospective award, please contact Neil Mark, USGS, 12201 Sunrise Valley Drive, MS 201, Reston, Virginia 20192, voice (703) 648-4344, fax (703) 648-7219, or e-mail [nmark@usgs.gov](mailto:nmark@usgs.gov).

**SUPPLEMENTARY INFORMATION:** This notice is submitted to meet the requirements of 35 U.S.C. 208 *et seq.*

Dated: May 20, 2005.

**Patricia P. Dunham,**

*Deputy Chief, Office of Administrative Policy and Services.*

[FR Doc. 05-11067 Filed 6-2-05; 8:45 am]

**BILLING CODE 4310-Y7-M**

## 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 1010-0155).

**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. The information collection request (ICR) is titled "30 CFR Part 204 Alternatives for Marginal Properties, Subpart C—Accounting and Auditing Relief." This ICR covers the regulatory language under 30 CFR part 204, as published in the final rulemaking on September 13, 2004 (69 FR 55076). This citation explains how lessees and their designees can obtain accounting and auditing relief for production from Federal oil and gas leases and units and communitization agreements that qualify as marginal properties.

**DATES:** Submit written comments on or before August 2, 2005.

**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 or wish to hand-carry your comments, 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](mailto: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](mailto:sharron.gebhardt@mms.gov).

**SUPPLEMENTARY INFORMATION:** Title: 30 CFR PART 204—ALTERNATIVES FOR MARGINAL PROPERTIES, Subpart C—Accounting and Auditing Relief.

OMB Control Number: 1010-0155.

Bureau Form Number: None.

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 MMS performs the royalty management functions for the Secretary.

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 accurately valued and appropriately paid. A response is required to obtain the benefit of auditing and accounting relief.

Proprietary information submitted to MMS under this collection is protected, and no items of a sensitive nature are collected.

#### Applicable Citations

On August 13, 1996, Congress enacted Public Law 104-185—Aug. 13, 1996 (Federal Oil and Gas Royalty

Simplification and Fairness Act of 1996 [RSFA]), as corrected by Public Law 104-200—Sept. 22, 1996. RSFA amends portions of Public Law 97-451—Jan. 12, 1983 (Federal Oil and Gas Royalty Management Act of 1982 [FOGRMA]). The MMS amended its regulations in 2004 to provide guidance to lessees and designees seeking accounting and auditing relief for Federal marginal properties.

RSFA section 7 provides for MMS and states concerned to determine, on a case-by-case basis, the amount of marginal production that may be subject to either prepayment of royalty, or accounting and auditing relief. RSFA does not define marginal property for purposes of section 7, but does say that any granted alternative is to promote production, reduce administrative costs, and increase net receipts to the United States and the states. RSFA also provides that the state concerned with a marginal property must approve any use of an alternative under section 7.

There are two types of relief: Cumulative royalty reports and payments relief, and other relief. Under § 204.202, MMS requires notification from lessees or designees who request to take the cumulative royalty reporting and payment relief option. Under § 204.203, MMS requires a relief request from lessees or designees who want to obtain any other type of accounting and auditing relief. This information collection is voluntary; only those lessees or designees who choose to

obtain relief must supply this information.

A state may decide in advance that it will or will not allow one or both of the relief options for each particular year. To help states decide whether to allow one or both of the relief options, MMS will send states a Report of Marginal Properties by October 1 preceding the calendar year. Each state must notify MMS of its intent to allow or not allow one or both of the relief options.

The MMS has determined, depending on the type of accounting and auditing relief being sought by the lessee or designee, that a lessee or designee must file either a notification or a request for relief with MMS to obtain the applicable form of relief provided for under RSFA section 7. This will allow the lessee or designee to specify the type of relief requested under RSFA section 7 on a case-by-case basis.

For the other relief option, MMS and the state concerned will use the information supplied by the lessee or designee in their relief request to: (1) Identify the person making the request; (2) identify the marginal property for which relief is being requested; (3) determine the relief being sought by the lessee or designee; (4) determine if the relief should be granted or denied; and (5) monitor the lessee's continuing eligibility of the relief being taken. After consulting with the state concerned, MMS will either approve, deny, or modify requests in writing. Under RSFA section 7, both MMS and a state

concerned with a marginal property must approve any accounting and auditing relief granted for a marginal property. Therefore, MMS and the state concerned must determine that the relief is in the best interests of the Federal Government and the state concerned.

*Frequency of Response:* One time, and then again only if changes occur for Federal lessees/designees, and annually for states.

*Estimated Number and Description of Respondents:* 1,010 Federal lessees/designees and 15 states.

*Estimated Annual Reporting and Recordkeeping "Hour" Burden:* 406 hours.

With participation in the relief program offered in 30 CFR part 204, MMS estimates an annual reporting burden hour savings of 694 hours for each subsequent year. This annual reporting burden hour savings are reflected in ICR 1010-0140 (expires 10/31/2006). We estimate approximately 134 requests from 1,010 Federal lessees/designees. Additionally, we estimate four responses from states, each requiring an annual in-depth analysis informing MMS of their decision to participate or not participate in accounting and auditing relief. We have not included in our estimates certain requirements performed in the normal course of business and considered usual and customary. The following chart shows the estimated burden hours by CFR section and paragraph:

#### SECTION A.12 BURDEN BREAKDOWN

Citation 30 CFR 204	Reporting and recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
<b>PART 204—ALTERNATIVES FOR MARGINAL PROPERTIES</b> <b>Subpart C—Accounting and Auditing Relief</b>				
204.202(b)(1) .....	§ 204.202 What is the cumulative royalty reports and payments relief option? (b) To use the cumulative royalty reports and payments relief option, you must do all of the following: (1) Notify MMS in writing by January 31 of the calendar year for which you begin taking your relief. * * *	2	100	200
204.202(b)(2) .....	§ 204.202 What is the cumulative royalty reports and payments relief option? (2) Submit your royalty report and payment * * * by the end of February of the year following the calendar year for which you reported annually * * *. If you have an estimated payment on file, you must submit your royalty report and payment by the end of March of the year following the calendar year for which you reported annually; (3) Use the sales month prior to the month that you submit your annual report and payment * * *, for the entire previous calendar year's production for which you are paying annually. * * *	Burden covered under OMB Control Number 1010-0140 (expires 10/31/2006).		

## SECTION A.12 BURDEN BREAKDOWN—Continued

Citation 30 CFR 204	Reporting and recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
204.202(b)(4), (b)(5), (c), (d)(1), (d)(2), (e)(1), and (e)(2).	<p>§ 204.202 What is the cumulative royalty reports and payments relief option? * * * (b) To use the cumulative royalty reports and payments relief option, you must * * *.</p> <p>(4) Report one line of cumulative royalty information on Form MMS-2014 for the calendar year * * *; and</p> <p>(5) Report allowances on Form MMS-2014 on the same annual basis as the royalties for your marginal property production.</p> <p>(c) If you do not pay your royalty by the date due in paragraph (b) of this section, you will owe late payment interest * * * from the date your payment was due under this section until the date MMS receives it. * * *</p> <p>(e) If you dispose of your ownership interest in a marginal property for which you have taken relief * * * you must:</p> <p>(1) Report and pay royalties for the portion of the calendar year for which you had an ownership interest; and</p> <p>(2) Make the report and payment by the end of the month after you dispose of the ownership interest in the marginal property. If you do not report and pay timely, you will owe interest * * * from the date the payment was due * * *.</p>	Burden covered under OMB Control Number 1010-0140 (expires 10/31/2006).		
204.203(b) .....	<p>§ 204.203 What is the other relief option? * * * (b) You must request approval from MMS * * * before taking relief under this option.</p>	4	10	40
204.205(a) and (b) .....	<p>§ 204.205 How do I obtain accounting and auditing relief?</p> <p>(a) To take cumulative reports and payments relief under § 204.202, you must notify MMS in writing by January 31 of the calendar year for which you begin taking your relief. * * *</p> <p>(b) To obtain other relief under § 204.203, you must file a written request for relief with MMS. * * *</p>	Hour burden covered under § 204.203(b).		
204.206(a)(3)(i) and (b)(1) .....	<p>§ 204.206 What will MMS do when it receives my request for other relief? When MMS receives your request for other relief under § 204.205(b), it will notify you in writing as follows:</p> <p>(a) If your request for relief is complete, MMS may either approve, deny, or modify your request in writing after consultation with any State * * *.</p> <p>(3) If MMS modifies your relief request, MMS will notify you of the modifications.</p> <p>(i) You have 60 days from your receipt of MMS's notice to either accept or reject any modification(s) in writing. * * *</p> <p>(b) If your request for relief is not complete, MMS will notify you in writing * * *.</p> <p>(1) You must submit the missing information within 60 days of your receipt of MMS's notice * * *.</p>	Hour burden covered under § 204.203(b).		
204.208(c)(1) and (d)(1) .....	<p>§ 204.208 May a State decide that it will or will not allow one or both of the relief options under this subpart?</p> <p>(c) If a State decides * * * that it will or will not allow one or both of the relief options * * * within 30 days * * * the State must:</p> <p>(1) Notify the Associate Director for Minerals Revenue Management, MMS, in writing, of its intent to allow or not allow one or both of the relief options * * *.</p> <p>(d) If a State decides in advance * * * that it will not allow one or both of the relief options * * * the State must:</p>	40	4	160

## SECTION A.12 BURDEN BREAKDOWN—Continued

Citation 30 CFR 204	Reporting and recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
	(1) Notify the Associate Director for Minerals Revenue Management, MMS, in writing, of its intent to allow one or both of the relief options * * *.			
204.209(b) .....	§ 204.209 What if a property ceases to qualify for relief obtained under this subpart? (b) If a property is no longer eligible for relief * * * the relief for the property terminates as of December 31 of that calendar year. You must notify MMS in writing by December 31 that the relief for the property has terminated. * * *	.25	24	6
204.210(c) and (d) .....	§ 204.210 What if a property is approved as part of a nonqualifying agreement? (c) * * * the volumes on which you report and pay royalty * * * must be amended to reflect all volumes produced on or allocated to your lease under the nonqualifying agreement as modified by BLM * * *. Report and pay royalties for your production using the procedures in § 204.202(b). (d) If you owe additional royalties based on the retroactive agreement approval and do not pay your royalty by the date due in § 204.202(b), you will owe late payment interest determined under 30 CFR 218.54 from the date your payment was due under § 204.202(b)(2) until the date MMS receives it.	Burden covered under OMB Control Number 1010–0140 (expires 10/31/2006).		
204.214(b)(1) and (b)(2) .....	§ 204.214(b) Is minimum royalty due on a property for which I took relief? (b) If you pay minimum royalty on production from a marginal property during a calendar year for which you are taking cumulative royalty reports and payment relief, and: (1) The annual payment you owe under this subpart is greater than the minimum royalty you paid, you must pay the difference between the minimum royalty you paid and your annual payment due under this subpart; or (2) The annual payment you owe under this subpart is less than the minimum royalty you paid, you are not entitled to a credit because you must pay at least the minimum royalty amount on your lease each year.	Burden covered under OMB Control Number 1010–0140 (expires 10/31/2006).		
Total .....	.....		138	406

*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](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](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: May 24, 2005.

**Lucy Querques Denett,**

*Associate Director for Minerals Revenue Management.*

[FR Doc. 05-11098 Filed 6-2-05; 8:45 am]

**BILLING CODE 4310-MR-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Preparation of an Environmental Assessment for Proposed Outer Continental Shelf Oil and Gas Lease Sale 198 in the Central Gulf of Mexico (2006)

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Preparation of an environmental assessment.

**SUMMARY:** The Minerals Management Service (MMS) is issuing this notice to advise the public, pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended, 42 U.S.C. 4321 *et seq.*, that MMS intends to prepare an environmental assessment (EA) for proposed Outer Continental Shelf (OCS) oil and gas Lease Sale 198 in the Central Gulf of Mexico (GOM) (Lease Sale 198) scheduled for March 2006. The MMS is issuing this notice to facilitate public involvement. The preparation of this EA is an important step in the decision process for Lease Sale 198. The proposal and alternatives for Lease Sale 198 were identified by the MMS Director in January 2002 following the Call for Information and Nominations/Notice of Intent to Prepare an Environmental Impact Statement (EIS) and were analyzed in the Gulf of Mexico OCS Oil and Gas Lease Sales: 2003-2007; Central Planning Area Sales 185, 190, 194, 198, and 201; Western Planning Area Sales 187, 192, 196, and 200—Final Environmental Impact Statement; Volumes I and II (Multisale EIS, OCS EIS/EA MMS 2002-052). This EA will reexamine the potential environmental effects of the proposed action (the offering of all available unleased acreage in the Central Planning Area (CPA)) and its alternatives (the proposed action excluding the unleased blocks near biologically sensitive topographic features; the proposed action excluding the unleased blocks within 15 miles of the Baldwin County, Alabama, coast; and no action) based on any new information regarding potential impacts and issues that were not available at the time the Multisale EIS was prepared.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dennis Chew, Minerals Management Service, Gulf of Mexico OCS Region, 1201 Elmwood Park Boulevard, MS 5410, New Orleans, Louisiana 70123-2394. You may also contact Mr. Chew by telephone at (504) 736-2793.

**SUPPLEMENTARY INFORMATION:** In November 2002, MMS prepared a Multisale EIS that addressed nine

proposed Federal actions that offer for lease areas on the GOM OCS that may contain economically recoverable oil and gas resources. Federal regulations allow for several related or similar proposals to be analyzed in one EIS (40 CFR 1502.4). Since each proposed lease sale and its projected activities are very similar each year for each planning area, a single EIS was prepared for the nine CPA and Western Planning Area (WPA) lease sales scheduled in the OCS Oil and Gas Leasing Program: 2002-2007 (5-Year Program, OCS EIS/EA MMS 2002-006). Under the 5-Year Program, five annual areawide lease sales are scheduled for the CPA (Lease Sales 185, 190, 194, 198, and 201) and five annual areawide lease sales are scheduled for the WPA (Lease Sales 184, 187, 192, 196, and 200). Lease Sale 184 was not addressed in the Multisale EIS; a separate EA was prepared for that proposal. The Multisale EIS addressed CPA Lease Sales 185, 190, 194, 198, and 201 scheduled for 2003, 2004, 2005, 2006, and 2007, respectively, and WPA Lease Sales 187, 192, 196, and 200 scheduled for 2003, 2004, 2005, and 2006, respectively. Although the Multisale EIS addresses nine proposed lease sales, at the completion of the EIS process, decisions were made only for proposed CPA Lease Sale 185 and proposed WPA Lease Sale 187. In the year prior to each subsequent proposed lease sale, an additional NEPA review (an EA) will be conducted to address any new information relevant to that proposed action. After completion of the EA, MMS will determine whether to prepare a Finding of No New Significant Impact (FONNSI) or a Supplemental EIS. The MMS will then prepare and send Consistency Determinations (CD's) to the affected States to determine whether the lease sale is consistent with their federally-approved State coastal zone management programs. Finally, MMS will solicit comments via the Proposed Notice of Sale (PNOS) from the governors of the affected States on the size, timing, and location of the lease sale. The tentative schedule for the prelease decision process for Lease Sale 198 is as follows: EA/FONNSI or Supplemental EIS decision, October 2005; CD's sent to affected States, October 2005; PNOS sent to governors of the affected States, October 2005; Final Notice of Sale published in the **Federal Register**, February 2006; and Lease Sale 198, March 2006. Public Comments: Interested parties are requested to send within 30 days of this Notice's publication comments regarding any new information or issues that should be addressed in the EA.