

90069, HUD-90070 HUD-93150, HUD-93155, HUD-90075.

*Description of the Need for the Information and Its Proposed Use*

This information is necessary for HUD to ensure that owners of certain

multifamily housing projects comply with use restriction requirements once the mortgage agreement is terminated. The information is also used to monitor owner compliance with the Use Restriction Agreement provisions. This

information is also monitored by HUD (via form HUD-90075) to ensure compliance with the executed and recorded Use Agreement.

*Frequency of Submission:* On occasion.

	Number of respondents	Annual responses	x	Hours per response	=	Burden hours
Reporting Burden .....	23,154	0.117	....	0.319	....	870

*Total Estimated Burden Hours: 870.*  
*Status: New Collection.*

**Authority:** Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: April 22, 2008.

**Lillian L. Deitzer,**

*Departmental Paperwork Reduction Act Officer, Office of the Chief Information Officer.*

[FR Doc. E8-9235 Filed 4-25-08; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Notice of Intent To Establish an Indian Oil Valuation Negotiated Rulemaking Committee

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

**ACTION:** Notice of intent to establish an Indian Oil Valuation Negotiated Rulemaking Committee; request for nominees and comments.

**SUMMARY:** The Minerals Management Service (MMS) is announcing its intent to establish an Indian Oil Valuation Negotiated Rulemaking Committee (Committee). The Committee will develop specific recommendations regarding proposed revisions to the existing Indian Oil regulations for oil production from Indian leases, especially the major portion valuation requirement. The Committee will include representatives of parties who would be affected by a final rule. The MMS solicits comments on this initiative and requests interested parties to nominate representatives for membership on the Committee.

**DATES:** You must submit written comments and requests for membership on or before May 28, 2008.

**ADDRESSES:** Submit written comments to Hyla Hurst, 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, West 6th Ave. and Kipling Blvd., 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 this **Federal Register** notice in the "Attention" line of your comment. Also include your name and return address. If you do not receive a confirmation that we have received your e-mail, contact Ms. Hurst at (303) 231-3495.

**FOR FURTHER INFORMATION CONTACT:** John Barder, Indian Oil and Gas Compliance and Asset Management, MMS; telephone (303) 231-3702; fax (303) 231-3755; e-mail to [John.Barder@mms.gov](mailto:John.Barder@mms.gov). Mailing address: Minerals Management Service, Minerals Revenue Management, Compliance and Asset Management, Indian Oil and Gas Compliance and Asset Management, P.O. Box 25165, MS 396B2, Denver, Colorado 80225-0165.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The existing rule for valuation of oil produced from Indian leases, codified at 30 CFR 206.50, was published on March 1, 1988 (53 FR 1184). Since then, many changes have occurred in the oil market. Also, concerns have arisen about the need for revised valuation methodologies to address paragraph 3(c) of standard Indian oil and gas leases, such as the major portion analysis requirement for valuation of oil production from Indian leases.

The MMS published proposed rules for Indian oil valuation in February 1998 (63 FR 7089) and in January 2000 (65 FR 403). Each of these proposed rules was subsequently withdrawn because of market changes and the passage of time. In addition, the MMS held a series of eight public meetings during 2005 to consult with Indian tribes and individual Indian mineral owners and to obtain information from interested parties. Then MMS published a third proposed rule in February 2006 (71 FR 7453). Tribal and industry

commenters on the 2006 proposed rule did not agree on most issues regarding oil valuation, and none of the commenters supported the major portion provisions.

The Royalty Policy Committee Indian Oil Valuation Subcommittee evaluated the 2006 proposed rule but was unable to reach consensus about how the Department should proceed. Thus, MMS decided to make only technical amendments to the existing Indian oil valuation regulations and to convene a negotiated rulemaking committee to make specific recommendations regarding the major portion provision. On December 17, 2007, MMS published a final rule that addressed the technical amendments (72 FR 71231).

##### II. Statutory Provisions

The Negotiated Rulemaking Act of 1996 (NRA) (5 U.S.C. 561 et seq.); the Federal Advisory Committee Act (FACA) (5 U.S.C. Appendix 2, section 1 et. seq.); the Indian Mineral Development Act of 1982 (25 U.S.C. 2101-2108); 30 CFR part 206 (2007), 25 CFR part 225 (2007); and Indian oil and gas lease and agreement terms.

##### III. The Committee and Its Process

In a negotiated rulemaking, a proposed rule is developed by a committee composed of representatives of government and the interests that will be significantly affected by the rule. Decisions are made by "consensus."

"[C]onsensus" means unanimous concurrence among the interests represented on a negotiated rulemaking committee established under this subchapter, unless such committee (A) agrees to define such term to mean a general but not unanimous concurrence; or (B) agrees upon another specified definition.

5 U.S.C. 562(2)(A) and (B)

The negotiated rulemaking process is initiated by the agency's identification of interests potentially affected by the rulemaking under consideration. By this notice, MMS is soliciting comments on this action.

Following receipt of comments, MMS will establish a negotiated rulemaking

committee representing the identified interests to negotiate the provisions of a proposed rule. The MMS will be a member of the committee to represent the Federal Government's statutory mission. The committee will be chaired by a facilitator. After the committee reaches consensus on the provisions of a proposed rule, MMS will develop a proposed rule to be published in the **Federal Register**.

Section 563 of the NRA requires the head of the agency to determine that the use of the negotiated rulemaking procedure is in the public interest. In making such a determination, the agency head must consider certain factors. The MMS has determined a negotiated rulemaking is in the public interest because:

1. A rule is needed. Royalty payors have considerable difficulty in complying with the current regulations.

2. A limited number of identifiable interests will be significantly affected by the rule. Such interests are oil and gas companies who produce oil and pay royalties on Indian leases, and Indian tribes and individual Indian mineral owners who receive royalties from oil produced from Indian leases located on their lands.

3. There is a reasonable likelihood that a committee can be convened with a balanced representation of persons who can adequately represent the interests discussed in paragraph (2), and MMS will be able to determine that the interests are willing to negotiate in good faith to attempt to reach a consensus on provisions of a proposed rule.

4. There is a reasonable likelihood that the committee will reach consensus on a proposed rule within a fixed period of time.

5. The use of negotiated rulemaking will not unreasonably delay the development of a proposed rule if time limits are placed on the negotiation. It is anticipated that negotiation will expedite a proposed rule and ultimately the acceptance of a final rule.

6. The MMS is making a commitment that it will ensure the committee has sufficient resources to complete its work in a timely fashion.

7. The MMS, to the maximum extent possible, consistent with its statutory mission and the legal obligations of the agency, will seek to use the consensus of the committee as the basis for a proposed rule for public notice and comment.

#### **IV. Negotiated Rulemaking Procedures**

In compliance with FACA and NRA, MMS will use the following procedures and guidelines for this negotiated rulemaking. The MMS may modify

them in response to comments received on this notice or during the negotiation process.

##### *A. Committee Formation*

A committee will be formed and operated in full compliance with the requirements of FACA and NRA and specifically under the guidelines of its charter.

##### *B. Interests Involved*

The MMS intends to ensure full and adequate representation of those interests that are expected to be significantly affected by the proposed rule. Under Section 562(5) of the NRA, "interest means, with respect to an issue or matter, multiple parties which have a similar point of view or which are likely to be affected in a similar manner." As discussed above, MMS believes the interests significantly affected are oil and gas companies who produce oil and pay royalties on Indian leases, and Indian tribes and individual Indian mineral owners who receive royalties from oil produced from Indian leases located on their lands.

##### *C. Members*

The committee should not exceed 25 members, and MMS prefers 15. The MMS will provide at least two members plus a facilitator. The facilitator will not count against the membership.

Section 568(c) of the NRA states:

Members of a negotiated rulemaking committee shall be responsible for their own expenses of participation in such committee, except that an agency may, in accordance with section 7(d) of the FACA, pay for a member's reasonable travel and per diem expenses, expenses to obtain technical assistance, and a reasonable rate of compensation, if

- (1) Such member certifies a lack of adequate financial resources to participate in the committee; and

- (2) The agency determines that such member's participation in the committee is necessary to assure an adequate representation of the member's interest.

Therefore, MMS commits to pay the travel and per diem expenses of committee members if appropriate under the NRA and the Federal travel regulations.

##### *D. Request for Nominations*

The MMS solicits nominations for appointment to membership on the committee. Members can be individuals or representatives of organizations. An organization should identify the individual who will be its representative.

Committee members need to have authorization to negotiate on behalf of their interests and be willing to

negotiate in good faith. MMS interprets good faith to include: (1) A willingness to bring all issues to the table; and (2) not to discuss the issues in other forums. Good faith also includes a willingness to move away from taking adversarial positions and instead to explore openly all relevant and productive ideas that may emerge from the discussion of the committee.

Authorization for each application or nomination must include:

1. The name of the applicant or nominee and a description of the interests such person will represent;

2. A description of the person's qualifications and expertise regarding those interests;

3. Whether the participant will be seeking agency resources to participate on the committee; and

4. A written commitment of the applicant or nominee to actively participate in good faith in the negotiated rulemaking and keep all issues at the table.

##### *E. Tentative Schedule*

When MMS publishes a notice establishing the committee and appointing its members, it will include a proposed agenda and schedule for completing the work of the committee, including a date for the first meeting. The committee will agree on dates, times, and locations of future meetings. The MMS plans to terminate the committee if it does not reach consensus on the provisions of a proposed rule within 24 months of the first meeting. The committee may end earlier if the committee itself so recommends.

#### **V. Request for Nominations and Comments**

To comply with negotiated rulemaking procedures, MMS invites written comments on this initiative and nominations for the negotiated rulemaking committee. Written comments are specifically requested on the suitability of using the negotiated rulemaking procedure to develop a proposed valuation rule for oil production from Indian leases. Nominations are for all interests that could be affected by an Indian oil valuation rulemaking and must comply with paragraph IV, D, Request for Nominations, of this notice. All written comments and nominations must be sent to an appropriate address as listed in the **ADDRESSES** section of this notice.

#### **Certification**

For the above reasons, I hereby certify that the Indian Oil Valuation Negotiated Rulemaking Committee is in the public interest.

Dated: April 16, 2008.

**C. Stephen Allred,**

*Assistant Secretary for Land and Minerals Management.*

[FR Doc. E8-9248 Filed 4-25-08; 8:45 am]

**BILLING CODE 4310-MR-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### National Register of Historic Places; Notification of Pending Nominations and Related Actions

Nominations for the following properties being considered for listing or related actions in the National Register were received by the National Park Service before April 12, 2008. Pursuant to section 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded by United States Postal Service to the National Register of Historic Places, National Park Service, 1849 C St., NW., 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service, 1201 Eye St., NW., 8th floor, Washington, DC 20005; or by fax, 202-371-6447. Written or faxed comments should be submitted by May 13, 2008.

**J. Paul Loether,**

*Chief, National Register of Historic Places/  
National Historic Landmarks Program.*

### ALABAMA

#### Chambers County

Vines Funeral Home and Ambulance Service,  
211 B St. SW., Lafayette, 08000434

#### Jefferson County

King, A.D., House, (Civil Rights Movement in  
Birmingham, Alabama 1933-1979 MPS)  
7201 12th St. Ensley, Birmingham,  
08000428

#### Mobile County

Tanner Farmhouse, 6885 Walter Tanner Rd.,  
Wilmer, 08000429.

### ARIZONA

#### Pima County

Catalina American Baptist Church, 1900 N.  
Country Club Rd., Tucson, 08000430

### ARKANSAS

#### Benton County

Benton County Poor Farm Cemetery, W. side  
NE. Young Ave. approx. 200 ft. N. of NE.  
Carnahan Ct., Bentonville, 08000431

#### Boone County

Carrollton Road—Carrollton Segment,  
(Cherokee Trail of Tears MPS) Co. Rd. 917,  
Terrapin Cr. Rd. & Dunkard Rd. between

U.S. 412 & Green Hill Rd., Carrollton,  
08000432

#### Calhoun County

Hampton Masonic Lodge Building, 115 S.  
2nd St., Hampton, 08000433

#### Columbia County

Magnolia Commercial Historic District,  
Roughly bounded by Madison Ave.,  
Calhoun St., Jackson Ave. & Union St.,  
Magnolia, 08000435

#### Dallas County

Fordyce Commercial Historic District,  
Roughly bounded by Oak, 5th & Spring Sts.  
& AR 274, Fordyce, 08000436

#### Hempstead County

Oakhaven Historic District, 359-383  
Oakhaven, Oakhaven, 08000437

#### Jefferson County

Pine Bluff Commercial Historic District,  
Roughly bounded by U.S. 65B, Walnut St.,  
01th Ave. & S. Alabama St., Pine Bluff,  
08000438

#### Little River County

Ashdown Commercial Historic District,  
Roughly bounded by Keller, E. Main  
Commerce & N. Constitution Sts.,  
Ashdown, 08000439

#### Miller County

Old Arkansas 2—Mayton Segment, (Arkansas  
Highway History and Architecture MPS)  
Co. Rds. 122 & 123, Garland, 08000440

### GEORGIA

#### Chatham County

Johnson, J. Herbert and Julia, Raised Tybee  
Cottage, 1306 Jones Ave., Tybee Island,  
08000441

#### Clarke County

Owens, Hubert Bond, House, 215 W.  
Rutherford St., Athens, 08000442

### IOWA

#### Webster County

Wahkonsa Hotel, 927 Central Ave., Fort  
Dodge, 08000443

#### Woodbury County

Sioux City Fire Station Number 3, 1211 5th  
St., Sioux City, 08000444

### MASSACHUSETTS

#### Plymouth County

War Memorial Park, River St., West  
Bridgewater, 08000445

### NEW YORK

#### Broome County

Bevier—Wright House, 776 Chenango St.,  
Port Dickinson, 08000446  
Patterson—Hooper Family Cemetery, River  
Rd., Endwell, 08000447

#### Cayuga County

Howland, Augustus, House, 1395 Sherwood  
Rd., Sherwood, 08000448

### Chemung County

Chemung District School No. 10, Old NY 17  
at Lowman Rd., Lowman, 08000449

### New York County

House at 146 East 38th St., (Murray Hill, New  
York County, New York MPS) 146 E. 38th  
St., New York, 08000450

### Niagara County

Chase—Crowley—Keep House, (Stone  
Buildings of Lockport, New York MPS) 305  
High St., Lockport, 08000451  
Chase—Hubbard—Williams House, (Stone  
Buildings of Lockport, New York MPS) 327  
High St., Lockport, 08000452

### RHODE ISLAND

#### Providence County

French Worsted Company Mill Historic  
District, 153 Hamlet Ave., Woonsocket,  
08000453

### VERMONT

#### Bennington County

Downtown Bennington Historic District  
(Boundary Increase), North, Main & Silver  
Sts., Bennington, 08000454

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**BILLING CODE 4312-51-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Environmental Water Account

**AGENCY:** Bureau of Reclamation,  
Interior.

**ACTION:** Notice of availability of the  
Final Supplemental Environmental  
Impact Statement/Environmental  
Impact Report to the Final  
Environmental Impact Statement/  
Environmental Impact Report (Final  
Supplemental EIS/EIR).

**SUMMARY:** The Bureau of Reclamation  
(Reclamation) is the National  
Environmental Policy Act Federal lead  
agency, and the U.S. Fish and Wildlife  
Service (Service) and National Marine  
Fisheries Service (NMFS) are the  
Federal Cooperating Agencies. The  
California Department of Water  
Resources (DWR) is the California  
Environmental Quality Act State lead  
agency, and the California Department  
of Fish and Game (DFG) is the State  
Responsible and Trustee Agency.  
Together, these five agencies have  
prepared a Final Supplemental EIS/EIR  
for the Environmental Water Account  
(EWA).

The EWA Program provides for fish  
protection and recovery in the San  
Francisco Bay/Sacramento-San Joaquin  
Delta (Delta) while at the same time  
improving water supply reliability for  
Central Valley Project (CVP) and State