

**DEPARTMENT OF THE INTERIOR**

**Office of Natural Resources Revenue**

[Docket No. ONRR–2011–0002; DS63644000 DRT000000.CH7000 245D1113RT]

**States’ Decisions on Participating in Accounting and Auditing Relief for Federal Oil and Gas Marginal Properties**

**AGENCY:** Office of Natural Resources Revenue, Interior.

**ACTION:** Notice.

**SUMMARY:** In accordance with Office of Natural Resources Revenue (ONRR) regulations, ONRR provides two types of accounting and auditing relief for Federal oil and gas production from marginal properties: the cumulative royalty reports and payments relief option, which allows a lessee or designee to submit one royalty report and payment for the calendar year’s production; and other requested relief, which allows a lessee or designee to request any type of accounting and auditing relief that is appropriate for production from the marginal property and meets certain requirements. By October 1 of each calendar year, ONRR provides a list of qualifying marginal Federal oil and gas properties to the States receiving a portion of Federal royalties from those properties. Each State then decides whether to

participate in neither, one, or both relief options. This Notice provides the public each State’s decision on whether to participate in marginal property relief.

**DATES:** Applicable January 1, 2024.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Sudar, Market & Spatial Analytics, Research, Enforcement, Guidance, and Appeals, ONRR, at (303) 231–3511; or by email to *Robert.Sudar@onrr.gov*.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (30 U.S.C. 1726) and 30 CFR part 1204, subpart C, ONRR and States can relieve the lessee of a marginal Federal oil and gas property from certain reporting, accounting, and auditing requirements. ONRR’s rules under 30 CFR 1204.202 and 1204.203 authorize two relief options: (1) cumulative royalty reports and payments relief option, which allows a lessee or designee to submit one royalty report and payment during a calendar year; and (2) other requested relief, which allows a lessee or designee to request any type of appropriate marginal property accounting and auditing relief that meets the requirements under § 1204.5 and is not prohibited under § 1204.204.

To qualify for the first relief option, *cumulative royalty reports and payments relief option*, properties must produce less than 1,000 barrels-of-oil-

equivalent (BOE) per year for the base period (July 1, 2022, through June 30, 2023). Annual reporting relief will begin January 1, 2024, with the annual report and payment due February 28, 2025. If a lessee has an estimated payment on file, the payment due date is March 31, 2025. To qualify for the second relief option, *other requested relief*, the combined equivalent production of the marginal properties during the base period must equal an average daily well production of less than 15 BOE per well per day, as calculated under 30 CFR 1204.4(c).

Each State makes an annual determination as to whether it will participate in neither, one, or both relief options. This Notice fulfills the requirement in ONRR’s rules to publish a notice of the State’s “intent to allow or not allow certain relief options . . . in the **Federal Register** no later than 30 days before the beginning of the applicable calendar year.” See 30 CFR 1204.208(f).

The following table shows the States with qualifying marginal properties and those States’ decisions on whether to participate in neither, one, or both relief options for calendar year 2024. An “N/A” means that no properties within the State met that condition for that type of relief:

State	Cumulative royalty report and payment relief (less than 1,000 BOE per year)	Other accounting and auditing relief (less than 15 BOE per well per day)
Alabama	No	No.
Arkansas	No	No.
California	No	No.
Colorado	No	No.
Kansas	No	No.
Louisiana	Yes	Yes.
Michigan	Yes	Yes.
Montana	No	No.
Nebraska	No	No.
Nevada	Yes	Yes.
New Mexico	No	Yes.
North Dakota	Yes	Yes.
Oklahoma	Yes	Yes.
South Dakota	Yes	Yes.
Utah	No	No.
Wyoming	Yes	No.

Pursuant to 30 U.S.C. 1726(c), a Federal oil and gas property located in a State where ONRR does not share a portion of Federal royalties with that State (that is, for 2024, a State not listed in the table above) is eligible for relief if it qualifies as a marginal property. For more information on how to obtain relief, please refer to 30 CFR 1204.205.

Unless the information that ONRR receives is proprietary data, all correspondence, records, or information

received in response to this notice may be subject to disclosure under the Freedom of Information Act (FOIA, 5 U.S.C. 552 *et seq.*). If applicable, please highlight the proprietary portions, including any supporting documentation, or mark the page(s) containing proprietary data. ONRR protects proprietary information under the Trade Secrets Act (18 U.S.C. 1905), FOIA Exemption 4 (5 U.S.C. 552(b)(4)),

and the Department of the Interior’s FOIA regulations (43 CFR part 2).

**Authority:** Federal Oil and Gas Royalty Management Act of 1982, 30 U.S.C. 1701 *et seq.*, as amended by Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (RSFA, Pub. L. 104–185—Aug. 13, 1996,

as corrected by Pub. L. 104–200—Sept. 22, 1996).

**Howard M. Cantor,**

*Director, Office of Natural Resources Revenue.*

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**BILLING CODE 4335–30–P**

## **INTERNATIONAL BOUNDARY AND WATER COMMISSION UNITED STATES AND MEXICO**

### **Notice of Availability of a Draft Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the Management of Federal Grazing Leases at the Falcon Dam and Reservoir, Starr and Zapata Counties, Texas**

**AGENCY:** United States Section, International Boundary and Water Commission, United States and Mexico (USIBWC).

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The USIBWC hereby gives notice that the *Draft Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the Management of Federal Grazing Leases at the Falcon Dam and Reservoir, Starr and Zapata Counties, Texas* is available. The EA evaluates land management alternatives to grazing leases that address low grazing lease values and limited access by USIBWC to leased lands. An Environmental Impact Statement will not be prepared unless additional information which may affect this decision is brought to our attention within 30 days from the date of this Notice.

**DATES:** Comments are due by December 28, 2023.

**ADDRESSES:** The electronic version of the amended Draft EA is available at the USIBWC web page: <https://www.ibwc.gov/reports-studies/eis-ea-public-comment/>. Physical copies of the Draft EA are available at the Joe A. Guerra Laredo Public Library, 1120 E. Calton Rd., Laredo, Texas 78041; the Olga V. Figueroa Zapata County Public Library, 901 Kennedy St., Zapata, Texas 78076; and the Roma Public Library, 1705 N Athens St., Roma, Texas 78584.

Comments should be sent to: Mark Howe, Cultural Resources Specialist, USIBWC, 4191 N Mesa; El Paso, Texas 79902. Email: [falconcomments@ibwc.gov](mailto:falconcomments@ibwc.gov). All comments received may be made publicly available without change, including any personal information provided.

#### **FOR FURTHER INFORMATION CONTACT:**

Mark Howe, Cultural Resources Specialist, Telephone: (915) 832–4767, email: [falconcomments@ibwc.gov](mailto:falconcomments@ibwc.gov).

**SUPPLEMENTARY INFORMATION:** The USIBWC is updating or eliminating active and inactive grazing leases in use for commercial, residential, or recreational purposes on federal land in the Falcon Project (*i.e.*, Falcon Dam and Reservoir). Rights-of-way for the Falcon Project totaled 63,192 acres on the U.S. side of the Falcon Project as of 2000. This project will assist USIBWC in determining if grazing leases should be allowed or discontinued and/or whether land management alternatives should be established in lieu of grazing.

The grazing lease program has continued for areas along the Falcon Reservoir that were originally ranches and farms before the land was acquired by the federal Government pursuant to the Water Treaty of 1944 between the U.S. and Mexico, with construction of the Falcon Project completed on October 19, 1953. The grazing lease program assured those areas not under water or flooded and owned by the federal Government would be economically used as they were in the past by the local community. Initially leases allowed for agricultural uses in addition to grazing, but agricultural activities and any clearing of leased lands were later restricted to reduce potential impacts on cultural resources in accordance with National Historic Preservation Act requirements. Active leases currently only allow grazing activities.

Grazing leases, licenses, and permits consist of any written permit or other legal document for an individual, corporation, etc., to use and improve land owned by the U.S. Government under the jurisdiction of the USIBWC at Falcon Reservoir. In the past, 22,270.57 acres of land were under 159 active grazing leases originally issued in 1956. As of 2020, there were 117 active grazing leases with many that are still held by the descendants of the original permittees and/or stakeholders.

The purpose for the Proposed Action is to successfully manage federal land in the Falcon Project. Federal lands associated with the Falcon Project have been utilized by the public for various activities, including grazing leases, since the Falcon Project was established. However, the economic value of these leases and the challenges to successful land management require a reevaluation of the grazing lease program. The need is to implement land management alternatives to grazing leases that address low grazing lease

values, limited access by USIBWC to leased lands, and unauthorized activities on leased lands.

Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969; the Council on Environmental Quality Final Regulations, and the USIBWC Operational Procedures for Implementing Section 102 of NEPA, published in the **Federal Register** September 2, 1981, USIBWC developed and analyzed eight alternatives for modifying the grazing lease program at the Falcon Project, including the No Action Alternative. Alternative 1, No Action Alternative, is a requirement of the NEPA process and is included to provide a baseline against which the other alternatives can be evaluated. The action alternatives include: Alternative 2—Terminate Leases, Alternative 3—Change Rental Rates on Active Leases and Implement Improved Program Management, Alternative 4—Allow Hunting on Existing Grazing Leases, Alternative 5—Terminate Leases Not Directly Accessible from Public Rights-of-Way, Alternative 6—Negotiate Access Easements on Private Property for Existing Leases, Alternative 7—Amend Leases to Allow Vegetation Management, and Alternative 8—Form a Citizens' Committee to Provide Lease Management Support. The USIBWC has identified that one or any combination of the alternatives could be implemented to manage the grazing lease program at the Falcon Project.

Potential impacts on natural, cultural, and other resources were evaluated in the Draft EA. The USIBWC prepared a FONSI for the Action Alternatives, based on a review of the facts and analyses contained in the Draft EA.

Dated: November 15, 2023.

**Rebecca A. Rizzuti,**

*Deputy Chief Legal Counsel, International Boundary and Water Commission, United States Section.*

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## **INTERNATIONAL TRADE COMMISSION**

**[USITC SE–23–055]**

### **Sunshine Act Meetings**

**AGENCY HOLDING THE MEETING:** United States International Trade Commission.

**TIME AND DATE:** November 30, 2023 at 11 a.m.

**PLACE:** Room 101, 500 E Street SW, Washington, DC 20436, Telephone: (202) 205–2000.