

the decision shall have until October 9, 2009 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4, subpart E, shall be deemed to have waived their rights.

**ADDRESSES:** A copy of the decision may be obtained from: Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504.

**FOR FURTHER INFORMATION CONTACT:** The Bureau of Land Management by phone at 907-271-5960, or by e-mail at [ak.blm.conveyance@ak.blm.gov](mailto:ak.blm.conveyance@ak.blm.gov). Persons who use a telecommunication device (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, 24 hours a day, seven days a week, to contact the Bureau of Land Management.

**Dina L. Torres,**

*Land Transfer Resolution Specialist,  
Resolution Branch.*

[FR Doc. E9-21662 Filed 9-8-09; 8:45 am]

**BILLING CODE 4310-JA-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-LLMTC03000-L13200000EL0000 NDM 97633]

### Notice of Competitive Coal Lease Sale, North Dakota

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

**ACTION:** Notice of Competitive Coal Lease Sale.

**SUMMARY:** Notice is hereby given that the coal reserves in the lands described below in Oliver County, North Dakota, will be offered for competitive lease by sealed bid in accordance with the provisions of the Mineral Leasing Act of 1920.

**DATES:** The lease sale will be held at 11 a.m. on October 15, 2009. Sealed bids must be submitted on or before 10 a.m. October 15, 2009.

**ADDRESSES:** The lease sale will be held in the 920 Conference Room of the Bureau of Land Management (BLM) Montana State Office, 5001 Southgate Drive, Billings, Montana 59101-4669. Sealed bids must be submitted to the Cashier, BLM Montana State Office, at the address given above.

**FOR FURTHER INFORMATION CONTACT:** Robert Giovanini, Mining Engineer, at

406-896-5084 or Connie Schaff, Land Law Examiner, at 406-896-5060.

**SUPPLEMENTARY INFORMATION:** This sale is being held in response to a lease by application (LBA) filed by The BNI Coal, Ltd. The Federal coal reserves to be offered consist of all recoverable reserves in the following described lands:

T. 142 N., R. 84 W., 5th P. M.

Sec. 32: N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ .

The 160-acre tract, located in Oliver County, North Dakota, contains an estimated 3.0 million tons of recoverable coal reserves. The tract averages 10.0 feet in thickness with an average overburden depth of 75 feet, 6,669 BTU per pound in heating value, 7.75 percent ash, and 0.88 percent sulfur content.

The tract will be leased to the qualified bidder of the highest cash amount provided that the high bid meets or exceeds the BLM's estimate of the fair market value of the tract. The minimum bid for the tract is \$100 per acre or fraction thereof. The minimum bid is not intended to represent fair market value. The fair market value will be determined by the authorized officer after the sale.

The sealed bids should be sent by certified mail, return-receipt requested, or be hand delivered to the Cashier, BLM Montana State Office, at the address given above and clearly marked "Sealed Bid for NDM 97633 Coal Sale—Not to be opened before 11 a.m. October 15, 2009." The cashier will issue a receipt for each hand-delivered bid. Bids received after 10 a.m. will not be considered. If identical high bids are received, the tying high bidders will be requested to submit follow-up sealed bids until a high bid is received. All tie-breaking sealed-bids must be submitted within 15 minutes following the sale official's announcement at the sale that identical high bids have been received. Prior to lease issuance, the high bidder, if other than the applicant, must pay to the BLM the cost recovery fees in the amount of \$21,756 in addition to all processing costs the BLM incurs after the date of this sale notice (43 CFR 3473.2).

A lease issued as a result of this offering will provide for payment of an annual rental of \$3 per acre, or fraction thereof, and a royalty payable to the United States of 12.5 percent of the value of coal mined by surface methods and 8.0 percent of the value of coal mined by underground methods. Bidding instructions for the tracts offered and the terms and conditions of the proposed coal lease are included in

the Detailed Statement of Lease Sale. Copies of the statement and the proposed coal lease are available at the Montana State Office. Casefile NDM 97633 is also available for public inspection at the Montana State Office.

**Phillip C. Perlewitz,**

*Chief, Branch of Solid Minerals.*

[FR Doc. E9-21663 Filed 9-8-09; 8:45 am]

**BILLING CODE 4310-DN-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

### B.F. Sisk Dam Corrective Action Project, Merced County, CA

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

**ACTION:** Notice of intent to prepare an environmental impact statement/ environmental impact report (EIS/EIR) and notice of public scoping meeting.

**SUMMARY:** The Bureau of Reclamation (Reclamation), as the lead federal agency, and the State of California Department of Water Resources (DWR), as the lead state agency, are preparing a joint EIS/EIR, pursuant to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), respectively, for the B.F. Sisk Dam Corrective Action Project (proposed action). The purpose of the proposed action is to improve public safety by modifying B.F. Sisk Dam to mitigate potential safety concerns identified in the ongoing Corrective Action Study (CAS). Engineering and economic studies are currently being conducted by Reclamation and DWR to determine corrective action alternatives (modifications) that would address potential safety concerns related to structure stability under extreme seismic loading conditions. A scoping meeting will be held to obtain input on alternatives, concerns, and issues to be addressed in the EIS/EIR. Written comments may also be sent, emailed, or faxed.

**DATES:** A public scoping meeting will be held on Wednesday, September 23, 2009, from 3 p.m. to 7 p.m. at the San Luis Recreation Area, Gustine, CA.

**ADDRESSES:** The scoping meeting will be held in the conference room at the California Department of Parks and Recreation Four Rivers Sector Office, 31426 Gonzaga Road, Gustine, CA 95322.

Written comments on the scope of the EIS/EIR should be sent by close of business on Tuesday, October 6, 2009 to: Ms. Patti Clinton, Bureau of Reclamation, South-Central California

Area Office, 1243 N Street, Fresno, CA 93721, or via e-mail to [pclinton@usbr.gov](mailto:pclinton@usbr.gov), or by fax to 559-487-5397.

**FOR FURTHER INFORMATION CONTACT:** Ms. Patti Clinton, Bureau of Reclamation, South-Central California Area Office at the above address or e-mail address, or by phone at 559-487-5127.

**SUPPLEMENTARY INFORMATION:** B.F. Sisk Dam is a 300-foot-high compacted earthfill embankment located on the west side of California's Central Valley approximately 12 miles west of Los Banos, California. The dam is more than 3½ miles long and impounds San Luis Reservoir, which has a total capacity of over 2 million acre-feet. The dam was built between 1963 and 1967 to provide supplemental irrigation water storage for the Federal Central Valley Project and municipal and industrial water for the California State Water Project. Water is lifted into the reservoir for storage by the Gianelli Pumping-Generating Plant from the California Aqueduct and from the Delta-Mendota Canal via O'Neill Forebay. B.F. Sisk Dam (also known as San Luis Dam) is owned by Reclamation and operated by DWR. Of the total reservoir storage capacity, 55 percent is allotted to State uses and 45 percent is allotted to the Federal uses.

The dam and reservoir are located in an area of high potential for severe earthquake loading from identified active faults, primarily the Ortigalita Fault that crosses the reservoir. In the early 1980s, Reclamation conducted an extensive investigation of the seismic safety of B.F. Sisk Dam. The investigation included drilling holes to sample the soils and test their density in place, laboratory testing of the samples, and geophysical tests. Using the methods available at the time, the amount of deformation that would occur under severe shaking was predicted to be small, and the conclusion was that the dam had no safety deficiencies.

By 2005, the state of the art in seismic analysis of dams had changed significantly, and additional dam safety investigations were performed. These included a reevaluation of the Ortigalita Fault, development of a new understanding of the behavior of the soil materials (including embankment fill) under earthquake loading, and development of new computer-based analysis methods for predicting the behavior of the dam under various loadings. With the updated methods and earthquake loadings, the dam crest was predicted to settle, during the most severe earthquakes, resulting in the height of the dam crest being at the maximum water level in the reservoir.

While the current state of the art of analysis still involves uncertainties and does not permit precise calculation of the amount of settlement that would occur, it is possible (although not likely) that the embankment deformation would exceed the available freeboard, resulting in the reservoir overtopping the embankment and eroding a breach of the dam. Even without overtopping, it is possible that water flowing through cracks in the dam embankment could erode a breach as well.

Reclamation is taking the lead on the CAS. DWR is an active participant and has participated in the Risk Analysis, has reviewed technical documents, and is participating in other CAS activities.

### Scoping

Scoping is an open process that assists agencies in determining the scope of the EIS and in identifying potentially significant issues related to the proposed action. Scoping also provides an opportunity to identify alternatives to the proposed action and possible mitigation measures. All interested persons, organizations, and agencies wishing to provide comments, suggestions, or relevant information on the proposed action may do so by sending input by regular mail to Reclamation at the above address; attending and providing comments at the public scoping meeting, or by sending e-mail to the above e-mail address.

### Special Assistance for Public Scoping Meeting

If special assistance is required at the public hearings, please contact Ms. Lynnette Wirth at 916-978-5102, or via e-mail at [lwirth@usbr.gov](mailto:lwirth@usbr.gov). Please notify Ms. Wirth as far in advance as possible to enable Reclamation to secure the needed services. If a request cannot be honored, the requestor will be notified. A telephone device for the hearing impaired (TDD) is available at 916-978-5608.

### Public Disclosure

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: July 2, 2009.

**Anastasia T. Leigh,**

*Acting Regional Environmental Officer, Mid-Pacific Region.*

[FR Doc. E9-21723 Filed 9-8-09; 8:45 am]

BILLING CODE 4310-MN-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### **Reach 4B, Eastside Bypass and Mariposa Bypass Low Flow Channel and Structural Improvements Project Under the San Joaquin River Restoration Program, Merced County, California**

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

**ACTION:** Notice of intent to prepare an Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) and Notice of Scoping Meetings.

**SUMMARY:** The Bureau of Reclamation and the California Department of Water Resources (DWR) are proposing to prepare a joint EIS/EIR, pursuant to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), to evaluate effects of the proposed Reach 4B, Eastside Bypass and Mariposa Bypass Low Flow Channel and Structural Improvements Project (Proposed Action) under the San Joaquin River Restoration Program (SJRRP or Program). The Proposed Action includes the construction, operation, and maintenance of a low flow channel in Reach 4B of the San Joaquin River and in the Eastside and Mariposa bypasses and improvements to facilities in the Eastside and Mariposa bypasses to allow for fish passage. The purpose of the Proposed Action is to comply with the San Joaquin River Settlement by improving conveyance capacity in Reach 4B of the San Joaquin River to ensure conveyance of at least 475 cubic feet per second (cfs), modifying the Eastside and Mariposa bypass channels to establish a low flow channel, and modifying structures in the Eastside and Mariposa bypasses to provide for fish passage. The Proposed Action is a component of the San Joaquin River Settlement.

Scoping meetings will be held to solicit input on alternatives, concerns, and issues to be addressed in the EIS/EIR. Written comments may also be sent.

**DATES:** Two scoping meetings will be held to solicit comments from interested parties to assist in determining the scope of the environmental analysis,