

always the case in an exploration context. Higher exploration costs can reduce the likelihood that areas will be economically feasible to explore. Potentially productive areas that remain unexplored can prevent the nation and New Mexico from realizing the benefits of domestic energy production.¹³

Conclusion

As previously discussed, you have not identified inconsistencies with state resource related plans, policies, and programs. Neither are your recommendations for federal public lands completely consistent with the management practices on state lands with oil and gas resources. Nevertheless, I have instructed the New Mexico BLM to take steps to further strengthen its support for the state plans, policies, and programs that you have noted. Among these steps are expanded protection for potential bighorn sheep habitat and occupied black-tailed prairie dog habitat in the planning area.

Also, I have reviewed your complete recommended alternative as you requested. In short, your recommendations would place some 1,538,018 acres (75% of the planning area), either off-limits to drilling completely or under stipulations that place significant barriers to effective exploration and development. Such a plan is unbalanced. Your recommended plan does not give reasonable consideration to the federal and state interest in domestic energy exploration and production in Sierra and Otero Counties, and it adds little significant protection for other natural resources. I therefore cannot approve your recommended alternative and must deny your appeal.

The BLM proposed plan allows a reasonable opportunity for exploration and development, but the plan does not ignore the important environmental interests of the area. The plan closes the six Areas of Critical Environmental Concern (ACEC) to leasing. It also closes eight areas that have been nominated for ACEC status. As you previously recommended, the BLM proposed plan will not allow any fluid mineral leasing in the 35,790 acres of potential Aplomado falcon habitat located in the Nutt and Otero Mesa grassland areas. The broader grassland areas are subject to protective stipulations, including the 5% maximum disturbance rule. All of this is under the umbrella of the RFD-based analysis that anticipates short term disturbance from oil and gas activities of 1,589 acres throughout this nearly 2.1 million acre planning area. That disturbed area is less than one-tenth of 1% of the entire planning area. The proposed plan also includes strict landscape reclamation standards that will be applied to any areas of disturbance. I believe the BLM proposed plan offers a reasonable balance between energy needs and environmental considerations and improves the management regime found in the currently effective 1986 *White Sands RMP*.

¹³ For example, the unleased areas closest to the successful Bennett Ranch well location would be subject to the NSO stipulation under your alternative. Under the *Proposed RMPA/EIS* plan this area would be subject to stipulations, such as the 5% rule, that would allow for the possibility of limited exploration with both vertical and directional wells.

Under that plan, some 96% of the planning area would be open to leasing without any special stipulations.

Again, I thank you for your participation in the land use planning process for Sierra and Otero Counties. Your appeal is hereby denied, and I affirm the decision of the New Mexico State Director. Although I have denied this appeal, it is my hope that the New Mexico BLM and the State of New Mexico will continue to communicate and cooperate on future issues.

Sincerely,

Kathleen Clarke,

Director, Bureau of Land Management.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV-952-05-1420-BJ]

Filing of Plats of Survey; Nevada

AGENCY: Bureau of Land Management.

ACTION: Notice.

SUMMARY: The purpose of this notice is to inform the public and interested State and local government officials of the filing of Plats of Survey in Nevada.

EFFECTIVE DATES: Filing is effective at 10 a.m. on the dates indicated below.

FOR FURTHER INFORMATION CONTACT:

David D. Morlan, Chief, Branch of Geographic Sciences, Bureau of Land Management (BLM), Nevada State Office, 1340 Financial Blvd., P.O. Box 12000, Reno, Nevada 89520, 775-861-6541.

SUPPLEMENTARY INFORMATION:

1. The Plat of Survey of the following described lands was officially filed at the Nevada State Office, Reno, Nevada, on December 16, 2004:

The plat, in six (6) sheets, representing the dependent resurvey of a portion of the south boundary of T. 14 N., R. 25 E.; a portion of the subdivisional lines and Mineral Survey Nos. 4499, 4531, and 4778, and the subdivision of certain sections, Township 13 North, Range 25 East, Mount Diablo Meridian, Nevada, under Group No. 806, was accepted December 14, 2004. This survey was executed to meet certain administrative needs of the Bureau of Land Management.

2. The above-listed survey is now the basic record for describing the lands for all authorized purposes. This survey has been placed in the open files in the BLM Nevada State Office and is available to the public as a matter of information. Copies of the survey and related field notes may be furnished to the public upon payment of the appropriate fees.

Dated: January 13, 2005.

David D. Morlan,

Chief Cadastral Surveyor, Nevada.

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DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Contra Costa Water District Alternative Intake Project, Contra Costa and San Joaquin Counties, CA

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of Intent to prepare an environmental impact statement (EIS) and notice of scoping meetings.

SUMMARY: Pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA), the Department of the Interior, Bureau of Reclamation (Reclamation) intends to prepare an EIS to evaluate Contra Costa Water District's (CCWD's) proposed Alternative Intake Project. The project purpose is to protect and improve water quality for CCWD's customers. The proposed action includes the construction of a new intake and fish screen in the Central Delta, a pumping plant, and an associated pipeline from the new intake to CCWD's Old River Pumping Plant on Old River. The proposed action would involve adding a new point of diversion to certain existing water rights held by CCWD and by Reclamation. In addition to the proposed action, other alternatives will be evaluated that may include different intake locations, desalination, and other treatment options. Potential Federal involvement may include the approval of an additional point of diversion pursuant to CCWD's water service contract with Reclamation, and operational changes. The EIS will be combined with an Environmental Impact Report (EIR) prepared by CCWD pursuant to the California Environmental Quality Act (CEQA).

DATES: Three public scoping meetings will be held to solicit comments from interested parties to assist in determining the scope of the environmental analysis, including the alternatives to be addressed, and to identify the significant environmental issues related to the proposed action. The meeting dates are:

- Tuesday, February 15, 6-8 p.m. in Concord, California.
- Wednesday, February 16, 10 a.m.-12 p.m. in Sacramento, California.
- Thursday, February 17, 6-8 p.m. in Antioch, California.