

Connie Schaff by telephone at 406–896–5060 or by e-mail at [cschaff@blm.gov](mailto:cschaff@blm.gov). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individuals during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individuals. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** This sale is being held in response to a lease by application (LBA) filed by Signal Peak Energy LLC. The Federal coal resource to be offered consists of all reserves recoverable by underground mining methods in the following described lands:

**Principal Meridian, Montana**

T. 6 N., R. 27 E.,

Sec. 4, lot 1, S<sup>1</sup>/<sub>2</sub>; NE<sup>1</sup>/<sub>4</sub>; SE<sup>1</sup>/<sub>4</sub>; NW<sup>1</sup>/<sub>4</sub>; S<sup>1</sup>/<sub>2</sub>;  
Sec. 8, NE<sup>1</sup>/<sub>4</sub>; NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; S<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub>; S<sup>1</sup>/<sub>2</sub>;  
Sec. 10, W<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub>; SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; NW<sup>1</sup>/<sub>4</sub>; S<sup>1</sup>/<sub>2</sub>;  
Sec. 14, SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>; NW<sup>1</sup>/<sub>4</sub>; S<sup>1</sup>/<sub>2</sub>; and  
Sec. 22, W<sup>1</sup>/<sub>2</sub>; SE<sup>1</sup>/<sub>4</sub>.

Containing 2,679.86 acres, more or less, in Musselshell County, Montana.

The tract (LBA MTM 97988) contains an estimated 35.5 million tons of recoverable coal reserves. The tract's coal reserves average 12.4 feet in thickness, 9,735 BTU per pound in heating value, 9.64 percent ash, and 0.87 percent sulfur content. The coal reserves to be offered are based on mining the Mammoth coal seam described in the proposed action in the Environmental Assessment and consists of all reserves recoverable by underground mining methods. 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. No bid that is less than \$100 per acre, or fraction thereof, will be considered. 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.

Sealed bids clearly marked "Sealed Bid for MTM 97988 Coal Sale—Not to be opened before 11 a.m. on November 16, 2011" must be submitted to the Cashier, BLM Montana State Office, at the address given above.

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 \$132,739 in addition to all processing costs the BLM incurs after the date of this sale notice (43 CFR 3473.2). The bids should be sent by certified mail, return-receipt requested,

or be hand delivered. The cashier will issue a receipt for each hand-delivered bid. Bids received after 10 a.m. on November 16, 2011, 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. 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 tract 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. Case file MTM 97988 is also available for public inspection at the Montana State Office.

**Phillip C. Perlewitz,**

*Chief, Branch of Solid Minerals.*

[FR Doc. 2011–26328 Filed 10–11–11; 8:45 am]

**BILLING CODE 4310–DN–P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**[LLUT030000–L17110000–PH0000–24–1A]**

**Notice of Grand Staircase-Escalante National Monument Advisory Committee Meeting**

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the Department of the Interior, Bureau of Land Management (BLM), Grand Staircase-Escalante National Monument Advisory Committee (GSENMAC) will meet as indicated below.

**DATES:** The GSENMAC will meet Tuesday, November 15, 2011, (11 a.m.–6 p.m.) and Wednesday, November 16, 2011, (8 a.m.–1 p.m.) in Kanab, Utah.

**ADDRESSES:** The Committee will meet at GSENM Headquarters, 190 East Center Street, Kanab, Utah.

**FOR FURTHER INFORMATION CONTACT:** Larry Crutchfield, Public Affairs Officer, Grand Staircase-Escalante National Monument, Bureau of Land

Management, 190 East Center Street, Kanab, Utah, 84741; phone (435) 644–4310.

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, seven days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The 15-member GSENMAC was appointed by the Secretary of Interior on August 2, 2011, pursuant to the Monument Management Plan, the Federal Land Policy and Management Act of 1976 (FLPMA), and the Federal Advisory Committee Act of 1972 (FACA). As specified in the Monument Management Plan, the GSENMAC will have these primary tasks: (1) Review evaluation reports produced by the Management Science Team and make recommendations on protocols and projects to meet overall objectives; (2) Review appropriate research proposals and make recommendations on project necessity and validity; (3) Make recommendations regarding allocation of research funds through review of research and project proposals as well as needs identified through the evaluation process above; and, (4) Could be consulted on issues such as protocols for specific projects.

Agenda topics to be discussed by the GSENMAC include operating procedures, establishing meeting guides, Charter, roles and responsibilities, Federal Advisory Committee Act, election of officers, Federal travel regulations, forming of subcommittees, facilitation needs, and future meeting dates.

The entire meeting is open to the public. Members of the public are welcome to address the GSENMAC at 5 p.m., local time on November 15, 2011. Depending on the number of persons wishing to speak, a time limit could be established. Interested persons may make oral statements to the GSENMAC during this time or written statements may be submitted for the GSENMAC's consideration. Written statements can be sent to: Grand Staircase-Escalante National Monument, Attn: Larry Crutchfield, 190 E. Center Street, Kanab, UT 84741. Information to be distributed to the GSENMAC is requested 10 days prior to the start of the GSENMAC meeting.

All meetings are open to the public; however, transportation, lodging, and

meals are the responsibility of the participating public.

Dated: October 4, 2011.

**Shelley J. Smith,**

*Acting State Director.*

[FR Doc. 2011-26278 Filed 10-11-11; 8:45 am]

**BILLING CODE 4310-DQ-P**

## DEPARTMENT OF THE INTERIOR

### National Indian Gaming Commission

**AGENCY:** National Indian Gaming Commission.

**ACTION:** Notice of no action.

**SUMMARY:** On November 18, 2010, the National Indian Gaming Commission (NIGC) issued a Notice of Inquiry and Notice of Consultation advising the public that the NIGC was conducting a comprehensive review of its regulations and requesting public comment on the process for conducting the regulatory review. On April 4, 2011, after holding eight consultations and reviewing all comments, NIGC published a Notice of Regulatory Review Schedule setting out a consultation schedule and process for review. Based on the above review, the Commission notifies the public that it does not intend to take action at this time on certain other regulations identified in the Notice of Regulatory Review Schedule.

**FOR FURTHER INFORMATION CONTACT:**

National Indian Gaming Commission, 1441 L Street NW., Suite 9100 Washington, DC 20005. *Telephone:* 202-632-7009; *e-mail:* [reg.review@nigc.gov](mailto:reg.review@nigc.gov).

**SUPPLEMENTARY INFORMATION:** The Indian Gaming Regulatory Act (IGRA or Act), Public Law 100-497, 25 U.S.C. 2701 *et seq.*, authorizes the NIGC to promulgate such regulations and guidelines as it deems appropriate to implement certain provisions of the Act. 25 U.S.C. 2706(b)(10). On November 12, 2010, the Commission issued a Notice of Inquiry (NOI) requesting comment on which of its regulations were most in need of revision, in what order the Commission should review its regulations, and the process NIGC should utilize to make revisions. The NOI was published in the Federal Register on November 18, 2010. 75 FR 70680. The Commission's regulatory review process established a tribal consultation schedule of 33 meetings over 11 months with a description of the regulation groups to be covered at each consultation.

### I. Management Contracts—Collateral Agreements

The NOI asked whether the Commission should consider promulgating a regulation requiring the review and approval of collateral agreements to a management contract. A majority of the comments submitted in response to the NOI stated that IGRA already allows for the review of collateral agreements to a management contract. After reviewing the comments received in response to the NOI, the Commission announced its intent to narrow its inquiry and only review the issue of approval of collateral agreements to a management contract.

Public comments received during both the NOI and NRRRA consultation and comment period have varied widely. Those comments supporting both the NIGC's review and approval of collateral agreements stated that the review and approval of collateral agreements would greatly reduce the risks to both Tribes and would-be management contractors, thus reducing overreaching by third parties; and that it is the NIGC's trust responsibility to the review and approval of collateral agreements in order to ensure that collateral agreements do not violate the sole proprietary interest provisions of IGRA.

Public comments opposed to the required approval of collateral agreements state that collateral agreements are outside the scope of NIGC authority and requiring their submission and approval would allow the NIGC to second-guess tribal business decisions. Similar comments opposed NIGC review of non-management business relationships of the Tribe; and that requiring the submission and approval of collateral agreements would expand NIGC authority beyond what is authorized by the IGRA. Public commentators also stated that requiring the approval of collateral agreements could affect the development of business relationships and discourage private investment in Indian country. These commentators recommended the NIGC only review and approve those collateral agreements that contain management provisions separate from those in the related management contract. Public commentators also expressed their concern over the length of time it currently takes for the NIGC to review and approve a management contract and that the required approval of collateral agreements would further increase that time. Finally, one commenter noted the sensitive, proprietary information contained in collateral agreements and suggested the

NIGC review collateral agreements only at the gaming facility.

The Commission reviewed the comments received and has decided to not promulgate a regulation requiring NIGC approval of collateral agreements to management contracts at this time. IGRA provides for approval of management agreements. 25 U.S.C. 2705(a)(4). IGRA does not require approval of agreements collateral to management contracts unless those agreements also provide for management. The Commission's decision today does not prevent tribes from submitting any agreement, collateral or not, for NIGC review to determine whether the agreement provides for management. As a matter of practice, the NIGC regularly reviews a variety of agreements to determine if the agreements in fact provide for management. To be clear, the Commission's decision today does not alter in any way, the NIGC's continued practice of reviewing agreements for management. The Commission notes that any contract that provides for management that has not been approved by the Chairwoman is void. 25 CFR 533.7. Further, managing without an approved contract is a substantial violation of IGRA that can result in an enforcement action and closure order. 25 CFR 573.6(a)(7).

### II. Definitions—Net Revenues—management fee

The NOI asked whether the Commission should consider whether the definition of net revenues for the purposes of calculating the management fees should be defined to be consistent with the General Accepted Accounting Principles (GAAP). Many comments stated that if this definition was amended, it would still need to remain consistent with the statutory definition of net revenues contained in IGRA, 25 U.S.C. 2703(9). Other comments stated that it should be defined consistent with industry standards such as GAAP. One comment noted that a clearer definition would have resolved a dispute with their state over the definition of net win and net revenue. Another comment stated that the 2008 regulatory change to the definition of net revenue does not comply with IGRA and needs to be revised to ensure it is consistent with the statutory definition.

The Commission has reviewed the comments received during both the NOI and NRRRA comment and consultation periods and has decided not to issue a rule at this time amending the definition of net revenues set forth at 25 CFR 502.16. The Commission agrees that changing the definition to be consistent