Wyoming are reviewing their fire management and suppression activities on all of the BLM-administered public lands in Wyoming. Public involvement activities such as open houses, workshops, and field trips, to be held during the summer and fall of 1997, will provide the public an opportunity to identify concerns to be addressed in the planning review.

EFFECTIVE DATES: Meeting dates and other public participation activities in the four BLM Districts will be announced in other public notices, the local media, and in letters sent to interested and potentially affected parties. Persons wishing to participate in this planning review and wishing to be placed on mailing lists must notify the appropriate BLM District Office(s) at the addresses and phone numbers below.

FREEDOM OF INFORMATION ACT CONSIDERATIONS: Public comments submitted for this planning review, including names and street addresses of respondents, will be available for public review and disclosure at the addresses below during regular business hours (7:30 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish to withhold your name or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

FOR FURTHER INFORMATION CONTACT:

Worland District:
Bob Ross, District Planning Coordinator, Bureau of Land Management, 101 South 23rd Street, P.O. Box 119, Worland, Wyoming 82401, 307–347–5100;

Rawlins District:
Dave McWhirter, District Resource Advisor, Bureau of Land Management, 1300 North 3rd Street, Rawlins, Wyoming 82301, 307–328–4200;

Rock Springs District:
Reneé Dana, District Resource Advisor, Bureau of Land Management, 280 Highway 191 North, Rock Springs, Wyoming 82902–1869, 307–352–0256;

Casper District:
Glen Nebeker, District Resource Advisor, Bureau of Land Management, 1701 East E Street, Casper, Wyoming 82601, 307–261–7600.

SUPPLEMENTARY INFORMATION: The planning review will identify any need for additional fire management prescriptions or actions, as appropriate. Some goals of the planning review are to identify fire management strategies to achieve desired resource conditions, reduce the potential for catastrophic wildfires through the management of fuels, improve communication and coordination to promote fire line safety, and achieve a better understanding of fire's role in the natural environment. The planning review will also address public health and safety, smoke management, public perceptions regarding fire, and economic considerations. If the final determinations of the planning review result in changes to existing management direction, or add new management direction for the BLM-administered public lands involved, the appropriate BLM land use plans (i.e., Resource Management Plans—RMPs) will be amended.

Dated: April 17, 1997.

Alan R. Pierson,

State Director.

[FR Doc. 97–10468 Filed 4–22–97; 8:45 am]

BILLING CODE 4310–22–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR–015–1430–01: GP–7–0145]

Realty Action

AGENCY: Bureau of Land Management, Lakeview District.

ACTION: Direct sale of public land in Lake County OR 53020.

The following parcel of public land is suitable for direct sale under Section 203 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1713, at no less than the appraised fair market value. The land will not be offered for sale for at least 60 days following the publication of this notice in the **Federal Register**.

Legal description	Acreage	Sale price	Deposit
Parcel Serial No., OR 53020	2.5	$2,500	$750

T. 25S., R. 14E., W.M., Oregon
Sec. 32: SE¼SE¼SW¼SE¼.

The above described parcel of land is hereby segregated from appropriation under the public land laws, including the mining laws, but not from sale under the above cited statute for 270 days from the date of publication or until title transfer is completed or the segregation is terminated by publication in the **Federal Register**, whichever occurs first.

The land is not considered essential to the public land management base and is unsuitable for management by another Federal agency. No significant resource values will be affected by this disposal. The sale is consistent with Bureau planning for the land involved and will serve important public objectives.

The sale parcel will be offered under direct sale procedures to Fort Rock Care Center, Inc. of Fort Rock, Oregon. Direct sale procedures are considered appropriate, in this case, as the offered public land is necessary to accommodate the construction of the Fort Rock Care Center. Direct sale procedures are authorized under 43 CFR 2711.3–3. The land will be offered for direct sale at 10:00 am PST, on July 1, 1997, and will be by sealed bid only. A written sealed bid must be submitted to the BLM, Lakeview District Office at P.O. Box 151, 1000 South Ninth Street, Lakeview, Oregon 97630, no later than 4:30 pm PST, June 30, 1997, and must be for not less than the appraised sale price indicated. The written sealed bid must be accompanied by a certified check, postal money order, bank draft or cashier's check, made payable to the Department of the Interior-BLM for not less than the bid deposit specified in this notice. The bid shall be enclosed in a sealed envelope clearly marked, in the lower left hand corner, Bid for Public Land Sale OR 53020, Lake County, Oregon, July 1, 1997.

The total purchase price for the land shall be paid within 180 days of the date of sale or the bid deposit will be forfeited and the parcel withdrawn from further sale consideration.

The terms, conditions and reservation applicable to the sale are as follows:

(1) Patent to the sale parcel will contain a reservation to the United States for ditches and canals.

(2) The sale parcel will be subject to all valid existing rights of record at the time of patent issuance.

(3) The mineral interests being offered for conveyance with sale parcels OR 53020 have no known value. A deposit or bid to purchase the parcel will also constitute an application for conveyance of the mineral estate with the following reservations;

(a) Diatomite, oil and gas and geothermal resources will be reserved to the United States.

The above mineral reservations are being made in accordance with Section 209 of the Federal Land Policy and Management Act of 1976.

Fort Rock Care Center, Inc. must include with their bid deposit a non-refundable $50.00 filing fee for conveyance of the mineral estate.

Federal law requires that the bidder must be a U.S. citizen, 18 years of age or older, a state or state instrumentality authorized to hold property, or a corporation authorized to own real estate in the state in which the land is located.

Detailed information concerning the sale, including the reservations, sale procedures, terms and conditions, planning and environmental documentation, is available at the Lakeview District Office, P.O. Box 151, 1000 South Ninth Street, Lakeview, Oregon 97630.

For a period of 45 days from the date of publication of this notice in the **Federal Register,** interested parties may submit comments to the Lakeview Resource Manager, Bureau of Land Management, at the above address. Objections will be reviewed by the District Manager who may sustain, vacate or modify this realty action. In the absence of any objections, this realty action will become the final determination of the Department of the Interior.

Scott R. Florence,

Manager, Lakeview Resource Area.

[FR Doc. 97–10455 Filed 4–22–97; 8:45 am]

BILLING CODE 4310–33–M

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Alaska Outer Continental Shelf Region, Cook Inlet Oil and Gas Lease Sale 149

AGENCY: Minerals Management Service

ACTION: Final Notice of Sale

1. **Authority**. This Notice is published pursuant to the Outer Continental Shelf (OCS) Lands Act (43 U.S.C. 1331-1356, as amended) and the regulations issued thereunder (30 CFR Part 256).

2. **Filing of Bids**.

(a) Filing of Bids. Sealed bids will be received by the Regional Director (RD), Alaska OCS Region, Minerals Management Service (MMS), 949 East 36th Avenue (Third Floor), Anchorage, Alaska, 99508-4302. Bids may be delivered in person to that address during normal business hours (8 a.m. to 4 p.m., Alaska Standard Time (a.s.t.) until the Bid Submission Deadline at 10 a.m. Tuesday, June 10, 1997. Hereinafter, all times cited in this Notice refer to a.s.t. unless otherwise stated. Bids will not be accepted the day of Bid Opening, Wednesday, June 11, 1997. Bids received by the RD later than the time and date specified above will be returned unopened to the bidders. Bids may not be modified or withdrawn unless a written modification or written withdrawal request is received by the RD prior to 10 a.m. Tuesday, June 10, 1997. Bid Opening Time will be 9 a.m., Wednesday, June 11, 1997, at the Wilda Marston Theatre, Z. J. Loussac Public Library, 3600 Denali Street, Anchorage, Alaska.

All bids must be submitted and will be considered in accordance with applicable regulations, including 30 CFR Part 256. The list of restricted joint bidders which applies to this sale was published in the *Federal Register* on March 27, 1997, Volume 62, Number 59, Page 14699.

(b) Natural Disaster. In the event a natural disaster (such as earthquake) or other occurrence causes the MMS Alaska OCS Region Office to be closed on Tuesday, June 10, 1997, bids will be accepted until 9 a.m. Wednesday, June 11, 1997, at the site of bid opening specified above. Under these conditions, bids may be modified or withdrawn upon written notification up until 9 a.m. Wednesday, June 11, 1997. Closure of the office may be determined by calling (907) 271-6010 and hearing a recorded message to that effect.

3. Method of Bidding.

(a) Submission of Bids. A separate signed bid in a sealed envelope labeled "Sealed Bid for Oil and Gas Lease Sale 149, not to be opened until 9 a.m., a.s.t., Wednesday, June 11, 1997" must be submitted for each block or bidding unit bid upon. The sealed envelope and the bid should contain the following information: the company name, Alaska OCS Region Company Number (YK Company Number), map number and name, and the block number(s) of the block or bidding unit bid upon. In addition, the total amount bid to be considered by MMS must be a whole dollar amount. Any cent amount above the whole dollar will be ignored by MMS.

Bidders must submit with each bid 1/5th of the cash bonus, in cash or by cashier's check, bank draft, or certified check,

payable to the order of the U.S. Department of the Interior--Minerals Management Service. For identification purposes, the following information should appear on the check or draft: company name, Alaska OCS Region Company Number, map number and name, and block number(s) bid on. No bid for less than all of a block or bidding unit will be considered.

All documents must be executed in conformance with signatory authorizations on file in the MMS Alaska OCS Regional Office. Partnerships also need to submit or have on file a list of signatories authorized to bind the partnership. Bidders submitting joint bids must state on the bid form the proportionate interest of each participating bidder, in percent to a maximum of five decimal places, e.g., 33.33333 percent. The combined proportionate interest amounts stated for joint bidders must equal 100 percent. Other documents may be required of bidders under 30 CFR 256.46. Bidders are warned against violation of 18 U.S.C. 1860 prohibiting unlawful combination or intimidation of bidders.

4. **Bidding, Yearly Rental, and Royalty Systems**. The following bidding, yearly rental, and royalty systems apply to this sale:

(a) Bidding Systems. All bids submitted at this sale must provide for a cash bonus in the amount of $62 or more per hectare or fraction thereof.

(b) Yearly Rental. All leases awarded will provide for a yearly rental payment of $13 per hectare or fraction thereof.

(c) Royalty Systems. All leases will provide for a minimum

royalty of $13 per hectare or fraction thereof. A Fixed Royalty Rate of 12½ percent applies to all blocks and bidding units offered in this sale.

5. **Equal Opportunity**. The certification required by 41 CFR 60-1.7(b) and Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, on the Compliance Report Certification Form, Form MMS-2033 (June 1985), and the Affirmative Action Representation Form, Form MMS-2032 (June 1985) must be on file in the MMS Alaska OCS Regional Office prior to lease award (see paragraph 14(g)).

6. **Bid Opening**. Bid opening will begin at the bid opening time stated in paragraph 2. The opening of bids is for the sole purpose of publicly announcing bids received, and no bids will be accepted or rejected at that time.

7. **Deposit of Payment**. Any cash, cashier's checks, certified checks, or bank drafts submitted with a bid may be deposited by the Government in an interest-bearing account in the U.S. Treasury during the period the bids are being considered. Such a deposit does not constitute and shall not be construed as acceptance of any bid on behalf of the United States.

8. **Withdrawal of Blocks**. The United States reserves the right to withdraw any block from this sale prior to issuance of a written acceptance of a bid for the block.

9. **Acceptance, Rejection, or Return of Bids**. The United States reserves the right to reject any and all bids. In any case, no bid will be accepted, and no lease for any block or

bidding unit will be awarded to any bidder, unless:

(a) the bidder has complied with all requirements of this Notice and applicable regulations;

(b) the bid is the highest legal bid; and

(c) the amount of the bid has been determined to be adequate by the authorized officer.

No bonus bid will be considered for acceptance unless it provides for a cash bonus in the amount of $62 or more per hectare or fraction thereof. Any bid submitted which does not conform to the requirements of this Notice, the OCS Lands Act, as amended, and other applicable regulations may be returned to the person submitting that bid by the RD and not considered for acceptance.

To ensure that the government receives a fair return for the conveyance of lease rights for this sale, the MMS has modified its two-phased process for bid adequacy determination. The MMS will not automatically accept legal high bids on confirmed and wildcat blocks or bidding units which receive three or more bids. Such bids will be evaluated in accordance with the remaining elements of the MMS bid adequacy procedures. This modification was described in the *Federal Register* on March 29, 1996 (61 FR 14162). A copy of the revised bid adequacy procedures ("Summary of Procedures for Determining Bid Adequacy at Offshore Oil and Gas Lease Sales: Effective April 1996, with Sale 157") is available from the MMS Alaska OCS Regional Office (see paragraph 14(a) of this Notice).

10. Successful Bidders. The following requirements apply

to successful bidders in this sale:

(a) Lease Issuance.

Each person who has submitted a bid accepted by the authorized officer will be required to execute copies of the lease (Form MMS-2005 (March 1986)), pay the balance of the cash bonus bid along with the first year's annual rental for each lease issued, by electronic funds transfer in accordance with the requirements of 30 CFR 218.155, and satisfy the bonding requirements of 30 CFR 256, Subpart I, as amended.

Paragraph 14(m), Information to Lessees, contains additional information pertaining to this matter.

(b) Certification Regarding Nonprocurement Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions.

Each person involved as a bidder in a successful high bid must have on file, in the MMS Alaska OCS Region, a currently valid certification that the person is not excluded from participation in primary covered transactions under Federal nonprocurement programs and activities. A certification previously provided to that office remains currently valid until new or revised information applicable to that certification becomes available. In the event of new or revised applicable information, a subsequent certification is required before lease issuance can occur. Persons submitting such certifications should review the requirements of 43 C.F.R., Part 12, Subpart D, as amended in the Federal Register of June 26, 1995, at 60 FR 33035.

Copies of the certification form are available from the MMS Alaska OCS Regional Public Information Office. See Paragraph 14(a) of this Notice for directions on how to obtain the forms.

11. **Official Protraction Diagrams**. Blocks being offered may be located on the following OCS Official Protraction Diagrams (OPD's) available for $2 each from the MMS, Alaska OCS Regional Public Information Office. See Paragraph 14(a) of this Notice for directions on how to obtain OPD's.

These OPD's are based on the North American Datum of 1983 (NAD 83). They reflect current baseline and boundary information portrayed on a metric NAD 83 cadastre. Bidders must utilize the OPD(s) and block number(s) based on NAD 83 in submitting bids.

NP 05-08 Kenai
NO 05-02 Seldovia

12. **Description of the Areas Offered for Bids**. The lease sale area offered for bidding is listed by OPD. Three categories of blocks appear under each OPD listed: (1) whole blocks, (2) split blocks, and (3) blocks which comprise bidding units.

Whole blocks fall entirely under the jurisdiction of the Federal Government. Each block must be bid on separately. Hectares for whole blocks listed in this paragraph are found on the appropriate OPD.

Split blocks are blocks divided into two or more portions. This occurs where part of the block lies within 3 geographical miles of the seaward boundary of Alaska. Each split block portion listed under SPLIT BLOCKS must be bid on separately.

Bidding units are a combination of portions of adjacent blocks. The entire bidding unit is listed under the OPD where

the first partial block is located. When part of the bidding unit is located on an adjacent OPD, the appropriate OPD number will be listed (i.e., block 6482, NO 05-01). All parts of a bidding unit must be bid on together.

Copies of block diagrams for split blocks are available from the Alaska OCS Regional Public Information Office. See Paragraph 14(a) for information on how to obtain copies.

The following blocks or portions of blocks are offered for bidding:

Official Protraction Diagram NP 05-08, Kenai, (approved January 3, 1994)

(1) WHOLE BLOCKS:

6859	6908-6911	7008-7013	7108-7113
6860	6958-6962	7058-7063	

(2) SPLIT BLOCKS:

Blocks	Hectares	Blocks	Hectares
6862 Area B	779.334626	7007 Area B	1445.113455
6913 Area B	717.283524	7057 Area B	1819.229840
6963 Area B	2113.917394	7114 Area B	1260.801087

(3) BIDDING UNITS:

Blocks	Hectares	Total Hectares
6759 Area B	78.036811	
6808 Area B	10.592334	
6809 Area B	1895.343563	1983.972708
6760 Area B	328.547743	
6810 Area B	1954.792990	2283.340733
6811 Area B	166.053812	
6861 Area B	1713.984153	1880.037965
6857 Area B	5.953182	
6858 Area B	1122.208141	1128.161323
6907 Area B	473.737973	
6957 Area B	1103.882558	1577.620531
6912 Area B	2207.099593	
6912 Area C	94.296112	

6964 Area B	213.419463	
7014 Area B	1630.062395	
7015 Area B	5.932264	1849.414122

(3) BIDDING UNITS (continued for NP 05-08, Kenai):

Blocks	Hectares	Total Hectares
7064 Area B	2096.382220	
7065 Area B	157.582044	2253.964264
7106 Area B	38.842284	
7107 Area B	2195.878992	2234.721276

Official Protraction Diagram NO 05-02, Seldovia, (approved January 4, 1995)

(1) WHOLE BLOCKS:

6007-6013	6106-6112
6057-6063	6156-6162

(2) SPLIT BLOCKS:

Blocks	Hectares	Blocks	Hectares
6006 Area B	433.276471	6208 Area B	576.000000
6014 Area B	1346.224318	6209 Area B	576.000000
6064 Area B	892.168991	6210 Area B	576.000000
6105 Area B	757.968070	6211 Area C	576.000000
6155 Area B	2038.826882		
6207 Area B	576.000000		

(3) BIDDING UNITS:

Blocks	Hectares	Total Hectares
6055 Area B	181.529564	
6056 Area B	1993.296505	2174.826069
6113 Area B	2084.249688	
6114 Area B	62.294910	2146.544598
6205 Area C	555.629220	
6205 Area D	20.370780	576.000000
6206 Area A	22.589966	
6206 Area C	553.410034	576.000000
6163 Area B	1546.208235	
6213 Area C	259.420981	1805.629216
6212 Area C	483.537564	
6212 Area D	92.462436	576.000000

13. **Lease Terms and Stipulations**.

(a) Leases resulting from this sale will have initial terms of 5 years. Leases will be issued on Form MMS-2005 (March 1986). Copies of the lease form may be obtained by contacting the Alaska OCS Regional office. See paragraph 14(a).

(b) The following stipulations will be included in leases resulting from this sale, as indicated.

Stipulation No. 1. Protection of Fisheries

Exploration and development and production operations shall be conducted in a manner that prevents unreasonable conflicts between the natural gas and oil industry and fishing activities (including, but not limited to, subsistence and sport- and commercial-fishing activities).

Lease-related use will be restricted when the Regional Supervisor, Field Operations (RSFO), determines it is necessary to prevent unreasonable conflicts with local subsistence harvests and sport-and commercial-fishing operations. In enforcing this term, the RSFO will work with other agencies and the public to assure that potential conflicts are identified and efforts are taken to avoid these conflicts. (For example, timing operations to avoid fishing activities, such as drift net fisheries that generally take place north of Anchor Point between June 25 and August 5, or locating structures away from major rip currents where there may be a higher density of fishing activity). In order to avoid these conflicts, restrictions, including directional drilling, seasonal drilling, subsea completion techniques and other technologies deemed appropriate by the RSFO,

may be required. This stipulation may be modified or waived if the RSFO, in consultation with the State of Alaska and the Kenai Peninsula Borough, determines that activities occurring during this time period will not result in unreasonable conflicts with fishing activities.

Prior to submitting an Exploration Plan (EP) or Development and Production Plan (DPP), as required by 30 CFR 250.33 (b) 14 and 17, and 250.34 (b)(8)(C)(v)(g) and (9), the lessee shall review planned exploration and development activities, including plans for seismic surveys, drill rig transportation, or other vessel traffic, with potentially affected fishing organizations, subsistence communities, and port authorities to prevent unreasonable fishing gear conflicts. The lessee will make a good faith effort to notify potentially affected groups of commercial fishing interests from a list obtained from the Commercial Fish Division of the State of Alaska Department of Fish & Game; advertising in local newspapers; and notifying local communities and recognized tribal governments near the affected area. The lessee shall discuss how mobilization of the drilling unit and crew and supply boat routes will be scheduled and located. The EP or DPP shall include a summary of fishing activities in the area of proposed operation, an assessment of effects on fishing from the proposed activity, and measures taken by the lessee to prevent unreasonable conflicts. This summary shall provide a method for notifying potentially affected fishing organizations, subsistence communities, and port authorities prior to commencement of proposed operations.

Local communities, including fishing interests, will have the opportunity to review and comment on proposed EP's and DPP's as part of the Minerals Management Service (MMS) regulatory review process pursuant to 30 CFR 250.33 and 34. During this review, fishing interests may comment on potential conflicts and the lessee's plans for preventing unreasonable conflicts. The comments will be considered during MMS's decision to approve, disapprove, or require modification of the plan.

Stipulation No. 2. Protection of Biological Resources

If biological populations or habitats that may require additional protection are identified in the lease area by the Regional Supervisor, Field Operations (RSFO), the RSFO may require the lessee to conduct biological surveys to determine the extent and composition of such biological populations or habitats. The RSFO shall give written notification to the lessee of the RSFO's decision to require such surveys.

Based on any surveys which the RSFO may require of the lessee or on other information available to the RSFO on special biological resources, the RSFO may require the lessee to:

(1) Relocate the site of operations;

(2) Establish to the satisfaction of the RSFO, on the basis of a site-specific survey, either that such operations will not have a significant adverse effect upon the resource identified or that a special biological resource does not exist;

(3) Operate during those periods of time, as established by the RSFO, that do not adversely affect the biological resources; and/or

(4) Modify operations to ensure that significant biological populations or habitats deserving protection are not adversely affected.

If any area of biological significance should be discovered during the conduct of any operations on the lease, the lessee shall immediately report such findings to the RSFO and make every reasonable effort to preserve and protect the biological resource from damage until the RSFO has given the lessee direction with respect to its protection.

The lessee shall submit all data obtained in the course of biological surveys to the RSFO with the locational information for drilling or other activity. The lessee may take no action that might affect the biological populations or habitats surveyed until the RSFO provides written directions to the lessee with regard to permissible actions.

Stipulation No. 3. Orientation Program

The lessee shall include in any exploration or development and production plans submitted under 30 CFR 250.33 and 250.34 a proposed orientation program for all personnel involved in exploration or development and production activities (including personnel of the lessee's agents, contractors, and subcontractors) for review and approval by the Regional Supervisor, Field Operations. The program shall be designed in sufficient detail to inform individuals working on the project of specific types of environmental, social, and cultural concerns that relate to the sale and adjacent areas. The program shall address the importance of not disturbing archaeological and

biological resources and habitats, including endangered species, fisheries, bird colonies, and marine mammals and provide guidance on how to avoid disturbance. The program shall be designed to increase the sensitivity and understanding of personnel to community values, customs, and lifestyles in areas in which such personnel will be operating. The orientation program also shall include information concerning avoidance of conflicts with subsistence, commercial-fishing activities, and pertinent mitigation.

The program shall be attended at least once a year by all personnel involved in onsite exploration or development and production activities (including personnel of the lessee's agents, contractors, and subcontractors) and all supervisory and managerial personnel involved in lease activities of the lessee and its agents, contractors, and subcontractors.

The lessee shall maintain a record of all personnel who attend the program onsite for so long as the site is active, not to exceed 5 years. This record shall include the name and date(s) of attendance of each attendee.

Stipulation No. 4. Transportation of Hydrocarbons

Pipelines will be required: (a) if pipeline rights-of-way can be determined and obtained; (b) if laying such pipelines is technologically feasible and environmentally preferable; and (c) if, in the opinion of the lessor, pipelines can be laid without net social loss, taking into account any incremental costs of pipelines over alternative methods of transportation and any incremental benefits in the form of increased environmental

protection or reduced multiple-use conflicts. The lessor specifically reserves the right to require that any pipeline used for transporting production to shore be placed in certain designated management areas. In selecting the means of transportation, consideration will be given to any recommendation of an advisory group with participation of Federal, State, and local governments and industry.

Following the development of sufficient pipeline capacity, no crude oil production will be transported by surface vessel from offshore production sites, except in the case of emergency. Determinations as to emergency conditions and appropriate responses to these conditions will be made by the Regional Supervisor, Field Operations.

Stipulation No. 5. Prohibition on Drilling Fluids and Cuttings Discharges

Discharges of drilling fluids and cuttings resulting from development and production drilling activities will be prohibited where injection or barging to an offsite landfill or disposal well are technically and economically practicable. This determination will be made by the Regional Supervisor, Field Operations under the authority at 30 CFR 250.40(b).

14. **Information to Lessees:**

(a) **Supplemental Documents**. For copies of the various documents identified as available from the MMS Alaska OCS Regional office, prospective bidders should contact the Public Information Office, Minerals Management Service, 949 East 36th Avenue, Room 300, Anchorage, Alaska 99508-4302, either in writing

or by telephone at (907) 271-6070 or 1- (800) 764-5627. For additional information, contact the Regional Supervisor for Leasing and Environment at that address or by telephone at (907) 271-6040.

(b) ***Bird and Marine Mammal Protection***. Lessees are advised that during the conduct of all activities related to leases issued as a result of this sale, the lessee and its agents, contractors, and subcontractors will be subject to the following laws; among others, the provisions of the Marine Mammal Protection Act (MMPA) of 1972, as amended (16 U.S.C. 1361 et seq.); the Endangered Species Act (ESA), as amended (16 U.S.C. 1531 et seq.); and applicable International Treaties.

Lessees and their contractors should be aware that disturbance of wildlife could be determined to constitute harm or harassment and, thereby, be in violation of existing laws and treaties. With respect to endangered species and marine mammals, disturbance could be determined to constitute a "taking" situation. Under the ESA, the term "take" is defined to mean "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or to attempt to engage in such conduct." Under the MMPA, "take" means "harass, hunt, capture, collect, or kill or attempt to harass, hunt, capture, or kill any marine mammal." Violations under these Acts and applicable Treaties may be reported to the National Marine Fisheries Service (NMFS) or the U.S. Fish and Wildlife Service (FWS), as appropriate.

Incidental taking of marine mammals and endangered and threatened species is allowed only when the statutory

requirements of the MMPA and/or the ESA are met. Section 101(a)(5) of the MMPA allows for the taking of small numbers of marine mammals incidental to a specified activity within a specified geographical area. Section 7(b)(4) of the ESA allows for the incidental taking of endangered and threatened species under certain circumstances. If a marine mammal species is listed as endangered or threatened under the ESA, the requirements of both the MMPA and the ESA must be met before the incidental take can be allowed.

Under the MMPA, the NMFS is responsible for species of the order Cetacea (whales and dolphins) and the suborder Pinnipedia (seals and sea lions) except walrus; the FWS is responsible in Alaskan waters for polar bears, sea otters, and walrus. Procedural regulations implementing the provisions of the MMPA are found at 50 CFR Part 18.27 for FWS, and at 50 CFR Part 228 for NMFS.

Lessees are advised that specific regulations must be applied for and in place and the Letters of Authorization must be obtained by those proposing the activity to allow the incidental take of marine mammals whether or not they are endangered or threatened. The regulatory process may require 1 year or longer.

Of particular concern is disturbance at major wildlife concentration areas, including bird colonies, marine mammal haulout and breeding areas, and wildlife refuges and parks. Maps depicting major wildlife concentration areas in the lease area are available from the Regional Supervisor, Field Operations. Lessees also are encouraged to confer with the FWS and NMFS in

planning transportation routes between support bases and lease holdings.

Lessees should exercise particular caution when operating in the vicinity of species whose populations are known or thought to be declining and that are not protected under the ESA; specifically, Steller's eiders, spectacled eiders, marbled murrelet, Pacific harbor seals, and northern fur seals.

Behavioral disturbance of most birds and mammals found in or near the lease area would be unlikely if aircraft and vessels maintain at least a 1-mile horizontal distance and aircraft maintain at least a 1,500-foot vertical distance above known or observed wildlife concentration areas, such as bird colonies and marine mammal haulout and breeding areas.

For the protection of endangered whales and marine mammals throughout the lease area, it is recommended that all aircraft operators maintain a minimum 1,500-foot altitude when in transit between support bases and exploration sites. Lessees and their contractors are encouraged to minimize or reroute trips to and from the leasehold by aircraft and vessels when endangered whales are likely to be in the area.

Human safety should take precedence at all times over these recommendations.

(c) Sensitive Areas to be Considered in the Oil-Spill-Contingency Plans (OSCP).

Lessees are advised that environmentally sensitive areas are valuable for their concentrations of marine birds, marine mammals, fishes, pollock-spawning habitat, or other biological

resources or cultural resources and should be considered when developing OSCP's. Identified areas of special biological and cultural sensitivity include:

Chisik and Duck Islands, Kamishak Bay, Kachemak Bay, the Barren Islands, Marmot Island, Tugidak Island, Chirikof Island, Puale Bay, and the Pye Islands all contain or are inhabited in whole or part by concentrations of biological resources that should be considered.

In addition, five National Wildlife Refuges (Alaska Maritime, Alaska Peninsula, Becharof, Kenai, Kodiak); Lake Clark National Park and Preserve; Aniakchak National Monument and Preserve; all Islands classified as wilderness under the authority of Katmai National Park and Preserve; McNeil River State Game Sanctuary; State Game Refuges (Trading Bay and McNeil River); Critical Habitat Areas (Kalgin Island, Clam Gulch, Fox River Flats, Kachemak Bay Tugidak Island, and Redoubt Bay), Alaska State Parks (Shuyak, Afognak Island, Kachemak Bay, and Kachemak Bay Wilderness Park); and the Captain Cook State Recreation Area are located near or adjacent to the Cook Inlet Planning Area and also include important concentrations of biological resources which should be considered in developing the OSCP. These areas are managed by the U.S. Fish and Wildlife Service (FWS), National Park Service (NPS), and State of Alaska, respectively.

National Historic Landmarks (Yukon Island Main site near Homer) have been identified as sensitive and should also be considered.

Industry should consult with FWS, NPS, or State personnel to identify specific environmentally sensitive areas within national wildlife refuges, national park system units, or State special areas that should be considered when developing a project-specific OSCP.

These areas are among areas of special biological and cultural sensitivity to be considered in the OSCP required by 30 CFR 250.42. Lessees are advised that they have the primary responsibility for identifying these areas in their OSCP's and for providing specific protective measures. Additional areas of special biological and cultural sensitivity may be identified during review of exploration plans and development and production plans.

Consideration should be given in OSCP's as to whether use of dispersants is an appropriate defense in the vicinity of an area of special biological and cultural sensitivity. Lessees are advised that prior approval must be obtained before dispersants are used.

(d) ***Steller Sea Lion***. Lessees are advised that the Steller sea lion is listed as a threatened species by the U.S. Department of Commerce and is protected by the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). Lessees should conduct their activities in a manner that will limit potential encounters and interactions between lease operations and Steller sea lions. The National Marine Fisheries Service (NMFS) is responsible for the protection of Steller sea lions and lessees are advised to contact NMFS regarding proposed operations and

actions that might be taken to minimize interaction with Steller sea lions and known haulout and pupping areas.

Lessees are advised the Steller sea lion has been listed as threatened under the Endangered Species Act with protective regulations (55 FR 12645, April 5, 1990).

(e) ***Coastal Zone Management***. Lessees are advised that the Alaska Coastal Management Program (ACMP) may contain policies and standards that are relevant to exploration and development and production activities associated with leases resulting from this sale.

In addition, coastal districts including the Kodiak Island Borough, Kenai Peninsula Borough, Matanuska-Susitna Borough, and the Municipality of Anchorage have enforceable policies that have been incorporated into the ACMP. The policies are more specific than the Statewide standards.

Relevant policies are applicable to ACMP consistency reviews of postlease activities. Lessees are encouraged to consult and coordinate early with those involved in coastal management review.

(f) ***Oil-Spill-Response Preparedness***. Lessees are advised that they must be prepared to respond to oil spills which could occur as a result of offshore natural gas and oil exploration and development activities. With or prior to submitting a plan of exploration or a development and production plan, the lessee will submit for approval an oil-spill-contingency plan (OSCP) in accordance with 30 CFR 250.42 and 30 CFR 254. Of particular concern are sections of the OSCP which address potential spill

size and trajectory, specific actions to be taken in the event of a spill, the location and appropriateness of oil-spill equipment, and the ability of the lessee to protect communities and important resources from adverse effects of a spill. In the event local communities could be immediately affected by a spill, lessees are encouraged to stage response equipment within those communities and to utilize community resources in their response effort. In addition, lessees will be required to conduct spill response drills which include deployment of equipment to demonstrate response preparedness for spills under realistic conditions. Guidelines for oil spill contingency planning and response drills which supplement 30 CFR 250.43 and 30 CFR 254 have been developed and are available from the Regional Supervisor/Field Operations.

(g) ***Affirmative Action Requirements***. Revision of Department of Labor regulations on affirmative action requirements for Government contractors (including lessees) has been deferred, pending review of those regulations (see *Federal Register* of August 25, 1981, at 46 FR 42865 and 42968). Should changes become effective at any time before the issuance of leases resulting from this sale, section 18 of the lease form (Form MMS-2005, March 1986), would be deleted from leases resulting from this sale. In addition, existing stocks of the affirmative action forms described in paragraph 5 of this Notice contain language that would be superseded by the revised regulations at 41 CFR 60-1.5(a)(1) and 60-1.7(a)(1). Submission of Form MMS-2032 (June 1985) and Form MMS-2033 (June 1985) will

not invalidate an otherwise acceptable bid, and the revised regulations' requirements will be deemed to be part of the existing affirmative action forms.

(h) ***Navigation Safety***. Operations on some of the blocks offered for lease may be restricted by designation of fairways, precautionary zones, anchorages, safety zones, or traffic separation schemes established by the U.S. Coast Guard pursuant to the Ports and Waterways Safety Act (33 U.S.C. 1221 et seq.), as amended, and the Deepwater Port Act (33 U.S.C. 1501-1524).

U.S. Army Corps of Engineers (COE) permits are required for construction of any artificial islands, installations, and other devices permanently or temporarily attached to the seabed located on the OCS in accordance with section 4(e) of the OCS Lands Act, as amended.

For additional information, prospective bidders should contact the U.S. Coast Guard, 17th Coast Guard District, P.O. Box 3-5000, Juneau, Alaska 99802, (907) 586-7355. For COE information, prospective bidders should contact U.S. Army Corps of Engineers, Alaska District, Regulatory Branch (1145b), P.O. Box 898, Anchorage, Alaska 99506-0898, (907) 753-2724.

(i) ***Offshore Pipelines***. Bidders are advised that the Department of the Interior and the Department of Transportation have entered into a Memorandum of Understanding, dated December 10, 1996, concerning the design, installation, operations, inspection, and maintenance of offshore pipelines. Bidders should consult both Departments for regulations applicable to offshore pipelines.

(j) ***Discharges into the Marine Environment***. Lessees are advised that discharges into marine waters are prohibited unless authorized by the U.S. Environmental Protection Agency (USEPA) approved National Pollutant Discharge Elimination System (NPDES) permit in accordance with the Clean Water Act. By agreement between the Department of the Interior (USDOI) and the USEPA, the MMS will conduct NPDES permit compliance inspections in conjunction with its inspections of postlease operations authorized under the Outer Continental Shelf Lands Act.

Through the cooperative agreement between USDOI and USEPA, the lease sale Environmental Impact Statement provides a thorough description and analysis of water quality and biological resources in the sale area. This information will be used by the USEPA in its process for setting discharge restrictions during its NPDES permit review process.

In accordance with 30 CFR 250.40 (b), the MMS may restrict the rate of drilling fluid discharges or prescribe alternative methods of discharge. The MMS may also restrict the use of components which could cause unreasonable degradation of the marine environment. Lessees are also advised that the method of disposal of drill cuttings, sand, and other well solids shall be approved by the MMS.

Lessees are advised that, pursuant to USEPA's draft NPDES General Permit for Cook Inlet, environmental monitoring will be required for new Exploration and Development and Production facilities. In addition, Stipulation No. 5, *Prohibition on Drilling Fluids and Cuttings Discharges* applies to leases issued

as a result of this sale and prohibits discharges of drilling fluids and cuttings resulting from development and production drilling activities where other disposal methods are practicable.

(k) ***Community Monitoring of the Marine Environment***. Lessees are advised that observation groups may be formed in many small communities to monitor the shores adjacent to the lease area before and after lease-related activities occur. Communities who are dependent on marine resources have indicated that they plan to monitor the status of the water, shoreline, and associated living resources and report results to MMS. The MMS may require that the results of these community monitoring programs be used in describing existing and planned monitoring systems for measuring impacts of discharges on water quality in the DPP, as required by 30 CFR 250.34(b)(8)(v)(H).

(l) ***Multiple Operations***. Lessees are advised that MMS will prepare an environmental analysis on each proposed exploration (EP) or Development and Production (DPP) Plan in accordance with 30 CFR 250.33 and 34. Local communities, including fishing interests, will have the opportunity to review and comment on proposed EP's and DPP's as part of the MMS regulatory review process pursuant to 30 CFR 250.33 and 34. This assessment, which will take into consideration the timing, location, and nature of the operation, will evaluate the cumulative effects from proposed multiple operations on the OCS and adjacent State submerged lands. The spatial proximity between multiple drilling operations and the type and location of fishing activities and other vessel traffic that might occur during the proposed

drilling period and the measures to be taken by the lessee to prevent unreasonable conflicts, as required by the Protection of Fisheries stipulation, will be considered in the assessment.

(m) Electronic Funds Transfer. Bidders are advised that the 4/5ths bonus and first year rental EFT instructions for lease payoff have been revised and updated by MMS Royalty Management. Companies may now use either the Fedwire Deposit System or the Automated Clearing House (overnight payments). See paragraph 10(a) of this Notice.

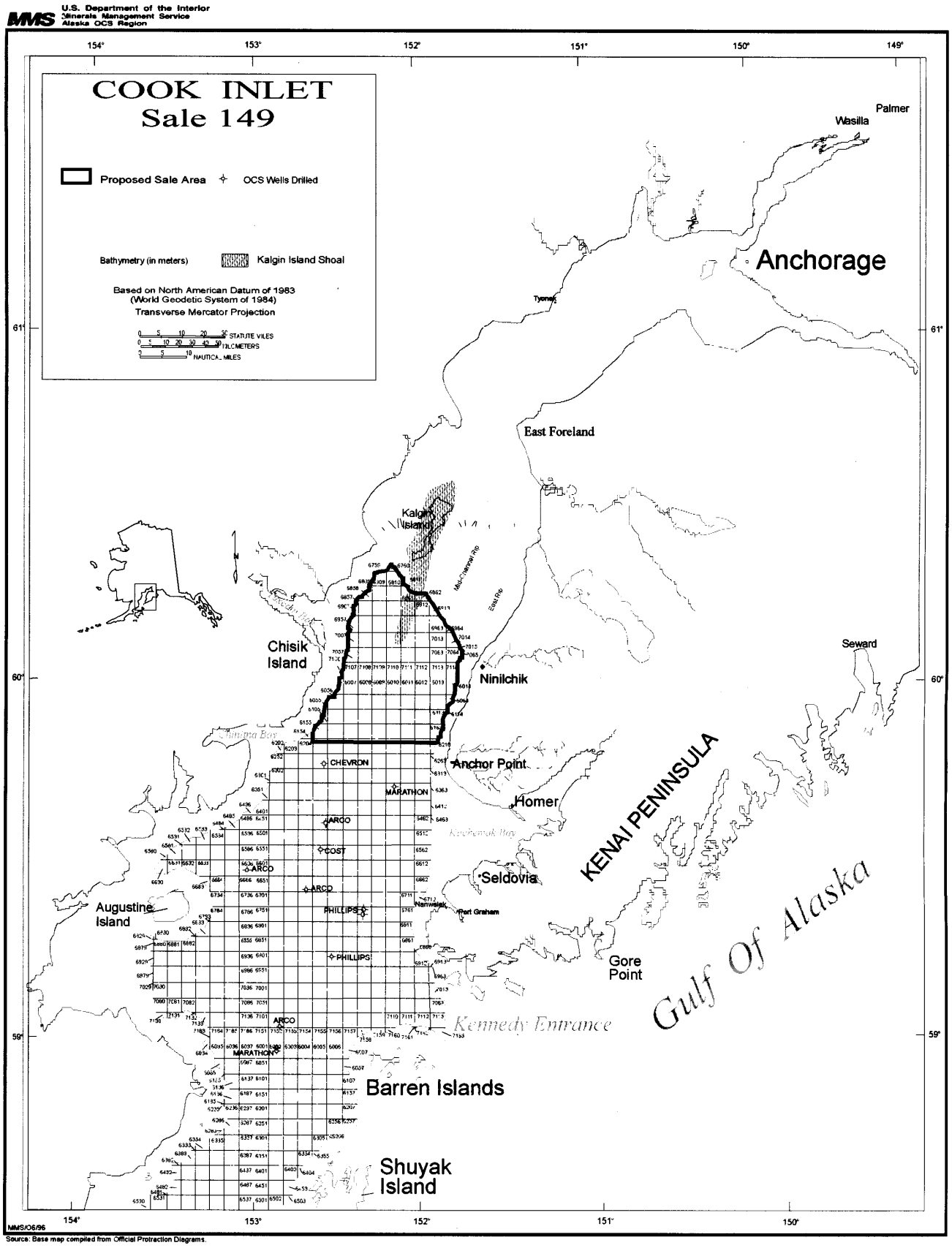
Cynthia Quarterman
Director, Minerals Management Service

Approved:

Bob Armstrong
Assistant Secretary, Lands and Minerals Management

APR 16 1997

Date



[FR Doc. 97–10471 Filed 4–22–97; 8:45 am]

BILLING CODE 4310–MR–C