

Iowa MPS) 215 N. Main St., Osceola,  
08001283

## MASSACHUSETTS

### Suffolk County

Compton Building, 159, 161–175 Devonshire  
St., 18–20 Arch St., Boston, 08001284

## MISSOURI

### Buchanan County

Lawler Motor Company Building, (St. Joseph,  
Buchanan County, Missouri MPS AD) 1224  
Frederick Ave., St. Joseph, 08001285

### St. Louis Independent City

St. Cecilia Historic District, (South St. Louis  
Historic Working and Middle Class  
Streetcar Suburbs MPS) Bounded by S.  
Grand Blvd., Delor St., Virginia Ave., and  
Bates St., St. Louis, 08001286

## MONTANA

### Silver Bow County

Wold Barn, SW corner of jct. of Hecla and  
3rd Sts., Melrose, 08001287

## NORTH CAROLINA

### Ashe County

Lansing School, E. side of NC 194 at jct. with  
NC 1517, Lansing, 08001288

### Guilford County

First Baptist Church, 701 E. Washington Dr.,  
High Point, 08001289

### Halifax County

Enfield Graded School, 700 Branch St.,  
Enfield, 08001290

### Henderson County

Cold Spring Park Historic District,  
(Hendersonville MPS) Bounded roughly by  
N. Main St. on the N., Maple St. on the E.,  
9th Ave. E. on the S., and Locust St. on the  
W., Hendersonville, 08001291

### Wake County

Mount Hope Cemetery, 1100 Fayetteville St.,  
Raleigh, 08001292

## NORTH DAKOTA

### Billings County

Custer Military Trail Historic Archaeological  
District, Address Restricted, Medora,  
08001293

### Golden Valley County

Custer Military Trail Historic Archaeological  
District, Address Restricted, Medora,  
08001293

## OHIO

### Hamilton County

Hyde Park Methodist Episcopal Church, 1345  
Grace Ave., Cincinnati, 08001294

Nurre-Royston House, 4330 Errun La.,  
Cincinnati, 08001295

### Lawrence County

Downtown Ironton Historic District, Portions  
of 2nd, 3rd, 4th, 5th, Center Sts., Park Ave.,  
Vernon St. and Bobby Bare Blvd., Ironton,  
08001296

## Montgomery County

Julienne Girls Catholic High School, 325  
Homewood Ave., Dayton, 08001297

## Stark County

Dobkins, John and Syd, House, 5120 Plain  
Center NE., Canton, 08001298

## TEXAS

### Dallas County

Dallas Downtown Historic District (Boundary  
Increase), Bounded by Jackson, North  
Hardwood Commerce, N.-S. line between  
S. Pearl Exwy., and S. Hardwood Canton,  
Dallas, 08001299

### Tarrant County

Westbrook, Roy A. and Gladys, House, 2232  
Winton Terrace W., Fort Worth, 08001300

## WASHINGTON

### King County

Hawthorne Square, (Seattle Apartment  
Buildings, 1900–1957) 4800 Fremont Ave.  
N., Seattle, 08001301

Redmond City Park, 7802 168th Ave., NE.,  
Redmond, 08001302

## WISCONSIN

### Wood County

Parkin Ice Cream Company, 108 W. 9th St.,  
Marshfield, 08001303

## WYOMING

### Big Horn County

Hyart Theater, The, 251 E. Main St., Lovell,  
08001304

### Laramie County

Moore Haven Heights Historic District,  
Between Bent Ave. on the W., E. side of  
Central Ave. on the E., W. 8th Ave. on the  
N., W. Pershing Blvd on the S., Cheyenne,  
08001305

### Sweetwater County

Green River Downtown Historic District, 72–  
142 Flaming Gorge Way, 58–94 N. 1st St.,  
125–200 E. Railroad Ave., 62–94 N. 1st E.  
St., Pedestrian Overpass, Green River,  
08001306

Request for boundary decrease has been  
made for the following resources:

## ARIZONA

### Maricopa County

Sun-Up Ranch, W. Frontage Rd. of Black  
Canyon Hwy., 1.75 mi. N. of Desert Hills  
interchange, New River, 08001307

Request for removal has been made for the  
following resources:

## IOWA

### Floyd County

Suspension Bridge, Over the Big Cedar River  
at the end of Clark St., Charles City,  
89001778

### Tama County

Toledo Bridge Ross St. Over Deer Cr. Toledo,  
98000480

## TEXAS

### Galveston County

Balinese Room, 2107 Seawall Blvd.  
Galveston, 9700258

Breakers, The, TX 87 W. of Gilchrist, Caplen,  
98001225

Moser House, 509 19th St., Galveston,  
84001711

[FR Doc. E8–29663 Filed 12–15–08; 8:45 am]

BILLING CODE 4310–70–P

## DEPARTMENT OF THE INTERIOR

### National Park Service

### National Register of Historic Places; Weekly Listing of Historic Properties

Pursuant to (36 CFR 60.13(b, c)) and  
(36 CFR 63.5), this notice, through  
publication of the information included  
herein, is to appraise the public as well  
as governmental agencies, associations  
and all other organizations and  
individuals interested in historic  
preservation, of the properties added to,  
or determined eligible for listing in, the  
National Register of Historic Places from  
October 27 to October 31, 2008.

For further information, please  
contact Edson Beall via: United States  
Postal Service mail, at the National  
Register of Historic Places, 2280,  
National Park Service, 1849 C St., NW.,  
Washington, DC 20240; in person (by  
appointment), 1201 Eye St., NW., 8th  
floor, Washington, DC 20005; by fax,  
202–371–2229; by phone, 202–354–  
2255; or by e-mail,  
[Edson\\_Beall@nps.gov](mailto:Edson_Beall@nps.gov).

Dated: December 4, 2008.

### J. Paul Loether,

*Chief, National Register of Historic Places/  
National Historic Landmarks Program.*

## ARIZONA

### Cochise County

Chiricahua National Monument Historic  
Designed Landscape, 12856 E. Rhyolite  
Canyon Rd., Willcox vicinity, 08001020,  
Listed, 10/31/08, (Historic Park Landscapes  
in National and State Parks MPS)

## COLORADO

### Weld County

Clubhouse—Student Union, Between 18th &  
19th Sts., & 8th & 10th Aves., Greeley,  
08001021, Listed, 10/29/08, (New Deal  
Resources on Colorado's Eastern Plains  
MPS)

## LOUISIANA

### Assumption Parish

LaBarre House, 4371 LA 1, Napoleonville  
vicinity, 08001019, Listed, 10/31/08

**MARYLAND****Carroll County**

Roop's Mill, 1001, 1019 Taneytown Pike,  
Westminster, 08000796, Listed, 10/31/08

**Cecil County**

Perry Point Village, A, B, C, D Aves., 2nd,  
3rd, 4th, 5th Sts., Perry Point VA Center,  
Perry Point, 65009962, \* Determined  
eligible, 10/31/08

**Montgomery County**

Krieger, Seymour, House, 9739 Brigadoon  
Dr., Bethesda, 08001022, Listed, 10/29/08

**MISSISSIPPI****Harrison County**

Gulfport-Harrison Public Library, 21st Ave.,  
Gulfport, 65009961, \* Determined eligible,  
10/31/08

**MISSOURI****Greene County**

Ambassador Apartments, 1235 E. Elm St.,  
Springfield, 08001023, Listed, 10/29/08,  
(Springfield MPS)

**St. Louis Independent City**

Farm and Home Savings and Loan  
Association, 1001 Locust St., St. Louis  
(Independent City), 08001025, Listed,  
10/29/08

\* Denotes FEDERAL Determination of  
Eligibility.

[FR Doc. E8-29660 Filed 12-15-08; 8:45 am]

**BILLING CODE 4310-70-P**

**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation and Enforcement****Request for Determination of Valid Existing Rights Within the Daniel Boone National Forest, Kentucky**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Notice and request for comment.

**SUMMARY:** We, the Office of Surface Mining Reclamation and Enforcement (OSM), are providing opportunity for the public to comment on a request for a determination of valid existing rights (VER) to use an existing Forest Service road as a coal mine access and haul road across Federal lands within the boundaries of the Daniel Boone National Forest in Leslie County, Kentucky. The remainder of the mine would be located on privately owned land.

**DATES:** We will accept electronic or written comments until 4 p.m. Eastern time on January 15, 2009. Requests for an extension of the comment period must be received by the same time.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Mail/Hand-Delivery/Courier:* Joseph L. Blackburn, Director, Lexington Field Office, 2675 Regency Road, Lexington, Kentucky 40503.

- *E-mail:* [jblackburn@osmre.gov](mailto:jblackburn@osmre.gov).

For detailed instructions on submitting comments, see "V. How Do I Submit Comments on the Request?" in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:**

Joseph L. Blackburn, Director, Lexington Field Office, 2675 Regency Road, Lexington, Kentucky 40503.

*Telephone:* (859) 260-8402. *Fax:* (859) 260-8410. *E-mail:* [jblackburn@osmre.gov](mailto:jblackburn@osmre.gov).

**SUPPLEMENTARY INFORMATION:**

- I. What Is the Nature of the VER Determination Request?
- II. What Legal Requirements Apply to This Request?
- III. What Information Is Available Relevant to the Basis for the Request?
- IV. How Will We Process the Request?
- V. How Do I Submit Comments on the Request?

**I. What Is the Nature of the VER Determination Request?**

On October 21, 2008, Mr. John Begley II submitted a request for a determination of VER on behalf of Mr. William T. Gilbert of Jag Energy LLC. Jag Energy LLC has applied for a permit (Application #866-0264) to conduct surface coal mining operations on privately owned land in Bear Branch, Leslie County, Kentucky. The property to be mined is adjacent to the Daniel Boone National Forest.

William T. Gilbert is seeking a determination that Jag Energy LLC has VER under paragraph (c)(1) of the definition of VER in 30 CFR 761.5 to use an existing road across Federal lands within the Daniel Boone National Forest as an access and haul road for the proposed mine. No other surface coal mining operations would be conducted on Federal lands within the Daniel Boone National Forest as part of this mine.

**II. What Legal Requirements Apply to This Request?**

Section 522(e)(2) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act), 30 U.S.C. 1272(e)(2), prohibits surface coal mining operations on Federal lands within the boundaries of any national forest, with two exceptions. The first exception pertains to surface operations and impacts incidental to an underground coal mine. The second relates to surface operations on lands within national forests west of the 100th meridian. Neither of those exceptions applies to the request now under consideration.

The introductory paragraph of section 522(e) also provides two general exceptions to the prohibitions on surface coal mining operations in that section. Those exceptions apply to operations in existence on the date of enactment of the Act (August 3, 1977) and to land for which a person has VER. SMCRA does not define VER. We subsequently adopted regulations defining VER and clarifying that, for lands that come under the protection of 30 CFR 761.11 and section 522(e) after the date of enactment of SMCRA, the applicable date is the date that the lands came under protection, not August 3, 1977.

On December 17, 1999 (64 FR 70766-70838), we adopted a revised definition of VER, established a process for submission and review of requests for VER determinations, and otherwise modified the regulations implementing section 522(e). At 30 CFR 761.16(a), we published a table clarifying which agency (OSM or the State regulatory authority) is responsible for making VER determinations and which definition (State or Federal) will apply. That table specifies that OSM is responsible for VER determinations for Federal lands within national forests and that the Federal VER definition in 30 CFR 761.5 applies to those determinations.

Paragraph (c) of the Federal definition of VER contains the standards applicable to VER for roads that lie within the definition of surface coal mining operations. Jag Energy LLC is seeking a VER determination under paragraph (c)(1), which provides that a person who claims VER to use or construct a road across the surface of lands protected by 30 CFR 761.11 or section 522(e) of SMCRA must demonstrate that the "road existed when the land upon which it is located came under the protection of § 761.11 or 30 U.S.C. 1272(e), and the person has a legal right to use the road for surface coal mining operations."

In addition, based upon the information provided in the VER request, we also are considering whether VER might exist under the standard in paragraph (c)(3), which requires a demonstration that a "valid permit for use or construction of a road in that location for surface coal mining operations existed when the land came under the protection of § 761.11 or 30 U.S.C. 1272(e)."

**III. What Information Is Available Relevant to the Basis for the Request?**

The following information has been submitted by Jag Energy LLC or obtained from the United States Forest Service (USFS) or the Kentucky