

physical resources, transportation, socio-economics, and cumulative effects. The FEIS, in compliance with section 7(c) of the Endangered Species Act, as amended, includes the Biological Assessment for the purpose of identifying endangered or threatened species which may be affected by the Proposed Action.

The Desolation Flats FEIS analyzed 3 alternatives in detail:

1. The Proposed Action Alternative, as described below;

2. Alternative A, an alternative that proposes to expand oil and gas development into less productive areas within the project area;

3. Alternative B, the No Action Alternative, which means to project as proposed would not be authorized.

*Agency Preferred Alternative:* BLM's preferred alternative is the Proposed Action Alternative.

The Desolation Flats FEIS analyzes the impacts of the Proposed Action, economic field development of 385 natural gas wells, along with access roads, pipelines, and other ancillary facilities (gas processing plant, compressor stations, water disposal sites, etc.).

Alternative A, which is similar to the Proposed Action, would expand well development into the economically marginal areas of the leases that may become economically viable in the future, increasing the number of wells to approximately 592 wells within the project area.

Alternative B is the no-action alternative. Applications for Permit to Drill (APDs) and Right-of-Way actions would be granted by the BLM on a case-by-case basis through individual project and site-specific environmental analysis.

#### How To Submit Comments

The BLM welcomes your comments on the Desolation Flats FEIS. Comments may be submitted as follows:

Written comments may be mailed directly or delivered to the BLM at: Desolation Flats FEIS, Project Manager, Bureau of Land Management Rawlins Field Office, 1300 N. Third Street, P.O. Box 2407, Rawlins, WY 82301.

BLM will only accept comments on the Desolation Flats FEIS if they are submitted in one of the methods as described above. To be given consideration by BLM all DEIS comment submittals must include the commenter's name and street address.

Our practice is to make comments, including the names and street addresses of each respondent, available for public review at the BLM office listed above during business hours (7:45

a.m. to 4:30 p.m.), Monday through Friday, except for Federal holidays. Your comments may be published as part of the EIS process. Individual respondents may request confidentiality. If you wish to withhold your name or street address or both from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comments. Such requests will be honored to the extent allowed by law. We will not consider anonymous comments. All submissions from organizations or businesses will be made available for public inspection in their entirety.

Dated: March 18, 2004.

**Alan L. Kesterke,**

*Associate State Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM-030-04-1610-DR]

#### Notice of Change to Proposed Resource Management Plan Amendment; Notice of Public Comment Period

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTIONS:** Notice of Change to the Proposed Resource Management Plan Amendment (RMPA) for Federal Fluid Minerals Leasing and Development in Sierra and Otero Counties, New Mexico, and opening of a 30-day public comment period.

Notice of availability of a Supplement to the Final Environmental Impact Statement (EIS) for the Proposed RMPA for Federal Fluid Minerals Leasing and Development in Sierra and Otero Counties, New Mexico, and opening of a 30-day public comment period.

**SUMMARY:** In response to recommendations offered by the Governor of New Mexico, made pursuant to 40 CFR 1610.3-2, and concerns raised in protests to the Proposed RMPA, the BLM announces a change to the Proposed RMPA for Federal Fluid Minerals Leasing and Development in Sierra and Otero Counties, New Mexico. The BLM is now proposing to discretionarily close to fluid mineral leasing approximately 35,790 acres located in the Nutt and Otero Mesa desert grasslands habitat areas. The Proposed RMPA described these areas as being withheld from leasing for 5 years and then subject to

reevaluation. A 30-day period is being provided to allow the public an opportunity to comment on this proposed closure. See 43 CFR 1610.5-1(b). A supplement to the Final EIS for the Proposed RMPA for Federal Fluid Minerals Leasing and Development in Sierra and Otero Counties is now available. See 40 CFR 1502.9(c)(2). The Final EIS Supplement analyzes the impacts of the proposed closure described above. It also provides additional analysis regarding the proposed action alternative (Alternative A Modified) identified in the Proposed RMPA. Alternative A Modified reflected changes made in response to public comments offered on the Draft RMPA and EIS. See 40 CFR 1503.4(a). A 30-day period is being provided to allow the public an opportunity to comment on both the analysis contained in the Final EIS Supplement and the analysis of Alternative A Modified as presented in the Proposed RMPA and Final EIS. See 40 CFR 1503.1(b).

The comment periods will run concurrently. At this time, no final decision has been made regarding either the proposed closure or any other aspect of Alternative A Modified. All comments submitted during this period will be considered by the BLM as part of its decision-making process in this matter.

**ADDRESSES:** A single document describing the proposed closure and containing the Final EIS Supplement is available upon request from the Las Cruces BLM Field Office and the BLM State Office in Santa Fe, New Mexico. In addition, the document is available on the BLM Web site at

[www.nm.blm.gov](http://www.nm.blm.gov). Comments must be sent to: State Director Linda Rundell, Supplement Comments, Bureau of Land Management, P.O. Box 27115, Santa Fe, NM 87502-0115. If sent by an overnight delivery service or hand carried, the address is as follows: State Director Linda Rundell, Supplement Comments, Bureau of Land Management, 1474 Rodeo Road, Santa Fe, NM 87505. The comment periods will begin on the date the Environmental Protection Agency notice of availability of the Final EIS Supplement appears in the **Federal Register** and will end 30 days after that date. The ending date for the comment period will be on the BLM Web site listed above and in news releases provided to the local media.

**FOR FURTHER INFORMATION CONTACT:** Tom Phillips, Las Cruces Field Office, 1800 Marquess Street, Las Cruces, NM 88005-3371. The phone number is (505) 525-4377.

**SUPPLEMENTARY INFORMATION:** Both the Draft RMPA/EIS and Proposed RMPA/ Final EIS were developed with broad public participation during a 6-year collaborative planning process. These documents can be found at the BLM's Web site: [www.nm.blm.gov](http://www.nm.blm.gov).

Dated: April 30, 2004.

**Linda S.C. Rundell,**

*State Director.*

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**BILLING CODE 4310-FB-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV-930, 1430-EU; N-76161A]

#### Notice of Realty Action

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

**ACTION:** Notice.

**SUMMARY:** The below listed public lands in Orovada, Humboldt County, Nevada, have been examined and found suitable for disposal pursuant to sections 203 and 209 of the Federal Land Policy and Management Act (FLPMA) of October 21, 1976 (90 Stat. 2750, 43 U.S.C. 1713 and 1719), and the Federal Land Transaction Facilitation Act of July 25, 2000 (Pub. L. 106-248).

**FOR FURTHER INFORMATION CONTACT:** M. Lynn Trost, Realty Specialist, at the above address or telephone in Winnemucca at (775) 623-1500.

**SUPPLEMENTARY INFORMATION:** The following described parcels of land, situated in Humboldt County, Nevada, are being offered for sale as a competitive sale:

#### Mount Diablo Meridian, Nevada

*Parcel A:* T. 44 N., R. 37 E., Section 29: N $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$

Containing 160 acres more or less.

*Parcel B:* T. 43 N., R. 37 E., Section 5: Lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$

Containing 319.95 acres more or less.

*Parcel C:* T. 43 N., R. 37 E., Section 4, Lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$

Containing 160.48 acres more or less.

*Parcel D:* T. 43 N., R. 37 E., Section 4, S $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$

Containing 240 acres more or less.

Totaling 880.43 acres.

This land is not required for any federal purposes. The sale is consistent with current Bureau planning for this area and would be in the public interest. The subject lands shall be sold for not less than fair market value (FMV) as determined by appraisal. The locatable, salable, and leasable mineral rights will

be conveyed simultaneously with the surface estate. The Fort McDermitt Tribe did not respond to Consultation. The disposal would not generate any adverse energy impacts or limit energy production and distribution (EO 13212).

The above described land is hereby classified for disposal in accordance with Executive Order 6910 and the Act of June 28, 1934, as amended. On May 28, 2004, the above described land will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, and leasing under the mineral leasing laws. On May 28, 2004 and until the completion of the sale, the BLM is no longer accepting land use applications affecting any parcel being offered for sale. This segregation will terminate upon issuance of a patent for said parcel or 270 days from the date of this publication, whichever occurs first. At least 60 days prior to the sale, this notice and sale date shall be advertised for three consecutive weeks in the Humboldt Sun Newspaper, published in Winnemucca Nevada.

This sale will be by competitive procedures. Bids shall be not less than the FMV. The appraised fair market value is \$175.00 per acre (one hundred and seventy-five dollars and no cents). Each parcel will be offered by sealed bid, followed by an oral auction. The parcels shall be sold individually. The highest qualifying bid for each subject parcel, whether sealed or oral, will be declared the high bid. Bidders can participate at one or both bid process under the following requirements:

#### Sealed Bid

Sealed bid envelopes must be marked on the lower front left corner with the parcel's identifying letter (A, B, C, or D), and N-76161A. A separate bid for each parcel must be submitted in an individual sealed envelope. Each sealed bid shall be accompanied by a certified check, money order, bank draft, or cashier's check made payable to the Department of the Interior (DOI), Bureau of Land Management (BLM), for not less than 20 percent of the bid amount. Failure to prescribe to the above, shall determine the bid disqualified. In the event a sealed bid for a subject parcel is not designated as the apparent high bid for the same subject parcel, the deposit shall be returned to the bidder.

#### Oral Auction

Approximately, two hours after the opening of the sealed bids, the oral auction shall be held. The highest qualified sealed bid for each subject parcel will become the starting bid for the same subject parcel in the oral

bidding. If no sealed bids are received for a subject parcel, oral bidding on the same subject parcel shall begin at the appraised market value. The apparent high oral bidder for a subject parcel, must submit the required bid deposit immediately following the close of the sale in the form of cash, personal check, bank draft, cashiers check, money order or any combination thereof, made payable to the DOI, BLM for not less than 20 percent of the bid amount.

In the event there are no oral bids for a parcel, and should two or more sealed bid envelopes contain valid bids of the same amount for the same parcel, the determination of which is to be considered the highest bid shall be by supplemental sealed bid.

The remainder of the full bid price, whether sealed or oral, must be paid within 180 calendar days of the sale date. Failure to pay the full price within the 180 days will disqualify the apparent high bidder and cause the entire bid deposit to be forfeited to the BLM.

At least 60 days prior to the sale, detailed information concerning the sale, including the sale procedures, and sale date shall be available at the BLM Winnemucca Field Office, 5100 E. Winnemucca Blvd., Winnemucca NV 89445; on the BLM Winnemucca Field Office Web site at: <http://www.nv.blm.gov/winnemucca/>, then click on "News", or by calling M. Lynn Trost, Realty Specialist at (775) 623-1500. Maps delineating the individual sale parcels shall be available for review at the BLM Winnemucca Field Office.

Federal law requires bidders to be U.S. citizens 18 years of age or older; a corporation subject to the laws of any State or of the United States; a State, State instrumentality, or political subdivision authorized to hold property; or an entity including, but not limited to, associations or partnerships capable of holding property or interests therein under the laws of the State of Nevada. Certification of qualification, including citizenship or corporation or partnership, must accompany the bid deposit.

In order to determine the fair market value of the subject public lands through appraisal, certain assumptions have been made of the attributes and limitations of the lands and potential effects of local regulations and policies on potential future land uses. Through publication of this notice, the Bureau of Land Management gives notice that these assumptions may not be endorsed or approved by units of local government. Furthermore, no warranty of any kind shall be given or implied by the United States as to the potential uses