

The following described public land has been determined to be suitable for disposal by exchange pursuant to Section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716), as amended:

Gila and Salt River Meridian, Arizona

- T. 4 S., 28 E.,  
 Sec. 12, lot 15.  
 T. 3 S., R., 29 E.,  
 Sec. 15, all;  
 Sec. 21, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
 Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ ;  
 Sec. 23, S $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 26, lots 1, 2, 3 and 5, W $\frac{1}{2}$ NE $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 27, lots 1 to 5, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 27, lots 1 to 6, inclusive, lots 10 and  
 11, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 31, lots 1, 4, 5, and 8, W $\frac{1}{2}$ E $\frac{1}{2}$ ;  
 Sec. 32, lots 22, 23, 24, 25 and 26;  
 Sec. 35, lots 9 to 12, inclusive, lots 17 and  
 18.  
 T. 4 S., R. 29 E.,  
 Sec. 1, lots 7 and 8;  
 Sec. 5, lots 11 and 14;  
 Sec. 6, lots 2, 11, 21, 24 and 25;  
 Sec. 7, lots 19, 20, 22, 23, 25 and 26;  
 Sec. 8, lots 13, 14, 16 and 17;  
 Sec. 11, lots 8 and 9;  
 Sec. 12, lots 16 to 19, inclusive;  
 Sec. 17, lot 15;  
 Sec. 18, lots 22, 25 and 26;  
 Sec. 20, lots 3, 9, and 14 to 19, inclusive,  
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 5 S., R. 29 E.,  
 Sec. 12, lots 19, 21, 22, 23 and 24.  
 The areas described aggregate 3,604.79  
 acres.

In exchange the United States will acquire the following described land from Phelps Dodge Morenci, Inc.

Gila and Salt River Meridian, Arizona

- T. 19 S., R. 18 E.,  
 Sec. 9, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 10, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ .  
 T. 14 S., R. 28 E.,  
 Sec. 3, E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
 Sec. 7, E $\frac{1}{2}$ E $\frac{1}{2}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ ;  
 Sec. 8, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 5 S., R. 29 E.,  
 Sec. 30, SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 31, NW $\frac{1}{4}$ NE $\frac{1}{4}$ .

The areas described aggregate 1,040 acres.

Approval of the land exchange will bring lands with important resource and public land management values into public ownership, and transfer BLM-managed public lands to private ownership. Resource values of the private lands, transferred to Federal ownership, include an important riparian area as well as critical, occupied, and potential habitat for threatened and endangered species. The public lands, transferred to Phelps Dodge Morenci, Inc., are expected to be used for mining purposes that will enable Phelps Dodge to expand and

continue operation of some features of the Morenci copper mine. The public interest will be well-served by consummating the exchange. Interested parties may submit comments concerning the Decision for the exchange to the Field Manager, Safford Field Office, 711 14th Avenue, Safford, Arizona 85546. Comments must be in writing to the field Office Manager, and be postmarked within 45 days from the publication of this notice in the Federal Register.

Dated: February 27, 1997.

Frank L. Rowley,

Field Office Manager.

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**[NM-060-07-1610-00 (0003)]**

**Availability of Proposed Roswell Resource Management Plan/Final Environmental Impact Statement and Proposed Carlsbad Resource Management Plan Amendment/Final Environmental Impact Statement**

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

**ACTION:** Notice of availability.

**SUMMARY:** The Bureau of Land Management (BLM) announces the availability for public review of the Proposed Roswell Resource Management Plan (RMP)/Final Environmental Impact Statement (FEIS) and the Proposed Carlsbad Resource Management Plan Amendment (RMPA)/Final Environmental Impact Statement. The proposed plans are combined in a single document consisting of two volumes. A 30-day protest period is provided according to the BLM's land use planning regulations at 43 CFR 1610.5-2.

The Proposed Roswell RMP describes the future management of all uses on about 1,490,000 acres of public lands in the Roswell Resource Area where both the surface and subsurface estates are in federal ownership and are administered by the BLM. The Proposed Roswell RMP also describes management for an additional 8.4 million acres of federal mineral estate where the surface is managed by other surface management agencies of the federal or New Mexico state governments, or is in private ownership. In these cases, the leasing of fluid minerals (i.e., oil and gas) is administered by the BLM. The public lands covered by the Proposed Roswell RMP, including the mineral estate, are administered by the BLM through its Roswell Resource Area Office. The Roswell Resource Area encompasses

Chaves County (except for the "bootheel") and all of Lincoln, DeBaca, Roosevelt, Curry, Quay and Guadalupe counties in southeastern and east-central New Mexico.

The Proposed Carlsbad RMPA describes the future management for oil and gas resources and use on about 2,197,000 acres in the Carlsbad Resource Area where both the surface and subsurface estates are in federal ownership and are administered by the BLM. The Proposed Plan Amendment also describes management for an additional 1.9 million acres of federal mineral estate where the surface is managed by other surface management agencies of the federal or New Mexico State governments, or is in private ownership. In these cases, the leasing of fluid minerals (i.e., oil and gas) is administered by the BLM. The public lands covered by the Carlsbad RMPA, including the mineral estate, are administered by the BLM through its Carlsbad Resource Area Office. The Carlsbad Resource Area encompasses the "bootheel" of Chaves County and all of Eddy and Lea counties in southeastern New Mexico.

The Proposed Roswell Resource Management Plan/Final Environmental Impact Statement includes the designation of five areas of critical environmental concern (ACEC) totalling 64,669 surface acres. Within the boundaries of the proposed ACECs are lands that are privately-owned or owned by the State of New Mexico. The ACEC designations would pertain only to the federally-owned land surface and mineral estate managed by the BLM and to the BLM-administered federal mineral estate under state and privately-owned lands. The non-federal land surface would not be affected by the ACEC designations. The Proposed RMP designates 10 special recreation management areas (SRMA) totalling 71,725 acres. Under the Proposed Plan, off-highway vehicle (OHV) use designations of open, closed or limited use would be made for the entire Roswell Resource Area. Under OHV management, 1,546 acres would be open; 1,449,878 acres would be limited to designated roads or trails; and, 38,576 acres would be closed to OHV use. Existing designations would be retained for: Outstanding Natural Area (Mescalero Sands, 6,713 acres), National Natural Landmark (Mescalero Sands, 3,280 acres; Border Hill, 150 acres; Mathers, 242 acres; Torgac Cave, 120 acres; and, Fort Stanton Cave, 985 acres), and Research Natural Area (Mathers, 242 acres).

The Proposed RMP and the Proposed RMPA are modified versions of the

Preferred Alternative in the Draft RMP/EIS and Draft RMPA/EIS. Comments on the draft plans received from the public and internal BLM review were incorporated in the Proposed RMP/FEIS and the Proposed RMPA/FEIS.

All parts of the Proposed RMP and Proposed RMPA may be protested by parties who participated in the planning process. A protesting party may raise only those issues which he or she submitted for the record during the planning process. Specific protest procedures are described in the User's Guide section of the Proposed RMP/RMPA/FEIS. Protest procedures also can be obtained on the Internet at <http://www.nm.blm.gov>, or by contacting the Roswell District Office at the address listed below under **FURTHER INFORMATION**.

**DATES:** Protests on the Proposed Roswell RMP/FEIS or the Proposed Carlsbad RMPA/FEIS must be postmarked no later than the last day of the protest period, which is April 5, 1997.

**ADDRESSES:** Protests on the Proposed Roswell RMP/FEIS or the Proposed Carlsbad RMPA/FEIS must be filed in writing to: Director (WO-210), Bureau of Land Management, Attn: Brenda Williams, 1849 C Street, N.W., Washington, D.C. 20240.

**FOR FURTHER INFORMATION CONTACT:** David Stout, Bureau of Land Management, Roswell District Office, 2909 West Second Street, Roswell, New Mexico, 88201, telephone 505-627-0272.

**SUPPLEMENTARY INFORMATION:** The Proposed Roswell RMP/FEIS and the Proposed Carlsbad RMP/FEIS are published as a single document composed of two volumes. Volume 1 contains the Proposed Plan and Proposed Plan Amendment, and supporting material. Volume 2 contains public comments and the BLM's responses to those comments. The alternatives considered in the Draft RMP/EIS and Draft RMPA/EIS, the environmental effects of those alternatives, the affected environment discussion, some appendixes and the references have not been reprinted in the Proposed RMP/RMPA/FEIS. It is necessary, therefore, to use both the Draft and Final EIS documents for a complete review of the EIS.

Copies of the Draft RMP/RMPA/EIS and the Proposed RMP/RMPA/FEIS may be obtained from the Roswell District Office, at the address listed above in **FURTHER INFORMATION**. Volume 1 of the Proposed RMP/RMPA/FEIS can be viewed on, and downloaded from, the Internet at <http://www.nm.blm.gov>.

The Proposed Plan is a complete, comprehensive management proposal for the public surface and mineral estate in the Roswell Resource Area. The Proposed Plan Amendment is a complete, comprehensive management proposal for oil and gas resources on public lands in the Carlsbad Resource Area. The Proposed Plan and Proposed Plan Amendment are refinements of the BLM's Preferred Alternative presented in the Draft RMP/RMPA/EIS, which was made available for public review in November 1994. Comments from the public, review by BLM staff, and new information developed since the distribution of the draft have prompted some changes in the Preferred Alternative. The environmental effects of the Proposed Plan and Proposed Plan Amendment are not greatly different from those of the Preferred Alternative.

The Proposed Plan focuses on the comprehensive management of the public lands and the resolution of four key issues and two management opportunities, which were identified with public involvement early in the planning processes. The issues are: (1) Oil and Gas Operations; (2) Land Tenure Adjustment; (3) Access; and, (4) Special Management Areas. The management opportunities are: (1) Recreation; and, (2) Wildlife Habitat Management.

The Proposed Plan Amendment focuses on comprehensive management of the oil and gas resources on public lands and the resolution of the key issue of Oil and Gas Operations, which was identified with public involvement early in the planning processes.

At the end of the 30-day protest period, the Proposed RMP and the Proposed RMPA will become final. If protests are filed, however, approval of the entire RMP or RMPA, or both, will be withheld pending resolution of the protests. The Approved RMP and Approved RMPA will be published following approval of the Record of Decision (ROD) for each plan. Individuals wanting to comment on one or both of the plans, but not wanting to file a protest, may send comments to the BLM, Roswell District Office, 2909 West Second Street, Roswell, New Mexico, 88201, within the 30-day protest period. Comments received will be considered in the preparation of the RODs.

Copies of the Proposed RMP/RMPA/FEIS have been distributed to a mailing list of participants in the planning process and other interested parties. Single copies of the Proposed RMP/RMPA/FEIS may be obtained from the Roswell District Office at the address listed above under **FURTHER INFORMATION**. Copies may be reviewed at any BLM office in New Mexico or

Oklahoma; at public libraries in Alamogordo, Albuquerque, Artesia, Carlsbad, Clovis, Eunice, Fort Sumner, Hobbs, Jal, Lovington, Portales, Roswell, Ruidoso, Santa Rosa, Tatum, and Tucumcari, New Mexico; in school libraries in Capitan, Carrizozo, Corona, and Vaughn, New Mexico; and in university libraries in Las Cruces, Carlsbad, Roswell, and Portales, New Mexico.

In accordance with the provisions of 36 CFR Part 800, parties who are interested in and who wish to be involved in future activity planning and implementation of management actions that may involve or affect the archeological and historical resource aspects addressed in the Proposed Plan or Proposed Plan Amendment are requested to identify themselves. Contact the Roswell District Office at the address listed above under **FURTHER INFORMATION** to be placed on a future contact list.

Dated: February 24, 1997.

Edwin L. Roberson,  
*District Manager.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decrees Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that three proposed consent decrees in *United States v. Farmer Oil, et al.*, Civil Action No. 95-CV-3231, were lodged on February 14, 1997, with the United States District Court for the Northern District of Georgia. The consent decrees settle claims against separate defendants brought under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), for response costs incurred by the United States at the Daytona Antifreeze site (the "Daytona site") in Marietta, Georgia. Under the proposed consent decrees, defendant Houghton International, Inc. ("Houghton") will pay \$133,000 to the United States in reimbursement of response costs incurred by the Environmental Protection Agency ("EPA") in connection with the Daytona site, while defendants Farmer Oil Company, Inc. ("Farmer") and American Environmental Contractors, Inc. ("American") will each pay \$20,000 in reimbursement. EPA has incurred costs in excess of \$357,000 in connection with the Daytona site.