

recreation area; and the land is hereby classified accordingly. The land is located at:

#### New Mexico Principal Meridian

T. 20 N., R. 9 E.,  
sec. 18, lots 17 and 18.

The area described contains 12.03 acres, more or less, in Santa Fe County.

Santa Fe County proposes to develop the lands to construct a recreational facility for the purpose of meeting a community need for an organized recreational site. The site would be leased for a period of 5 years with option to purchase after the site is developed according to the Santa Fe County Plan of Development. Conveying title to the affected public land is consistent with current BLM land use planning.

The lease or conveyance, when issued, would be subject to the following terms, conditions, and reservations:

1. Provisions of the R&PP Act and to all applicable regulations of the Secretary of the Interior.

2. A right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).

3. The United States will reserve all minerals together with the right to prospect for, mine, and remove the minerals.

4. Those rights for a road right-of-way granted to New Mexico Department of Transportation by permit No. NMNM 0023278.

Additional detailed information concerning this Notice of Realty Action, including environmental documents, are available for review at the address above.

Upon publication of this notice in the **Federal Register**, the lands described above will be segregated from all other forms of appropriation under the public land laws, including the mining and mineral leasing laws, except for lease or conveyance under the R&PP Act.

Comments may be submitted regarding the proposed classification, lease or conveyance of the land to the Field Office Manager, BLM Taos Field Office, for a period of 45 days from the date of publication of this notice in the **Federal Register**. Only written comments will be accepted. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment

to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

You may submit comments regarding the suitability of the lands for a recreation facility site. Comments on the classification are restricted to four subjects:

(1) Whether the land is physically suited for the proposal;

(2) Whether the use will maximize the future use or uses of the land;

(3) Whether the use is consistent with local planning and zoning; and

(4) If the use is consistent with State and Federal programs.

Comments may be submitted regarding the specific use proposed in the application and plan of development, and whether the BLM followed proper administrative procedures in reaching the decision.

The State Director will review any adverse comments. In the absence of adverse comment, the classification will become effective 60 days from the date of publication of this notice in the **Federal Register**. The land will not be offered for lease or conveyance until after the classification becomes effective.

(Authority: 43 CFR 2741.5)

**Sam DesGeorges,**

*Field Office Manager.*

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**BILLING CODE 4310-FB-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-090-1310-ES; WYW-48304]

#### Notice of Realty Action: Recreation and Public Purposes Act (R&PP) Classification; Wyoming

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

**ACTION:** Notice of realty action.

**SUMMARY:** The Bureau of Land Management (BLM) has examined and found suitable for classification for conveyance under the provisions of the R&PP Act, as amended, (43 U.S.C. 869 *et seq.*), the following parcel of public lands located in the Bridger Valley area, in Uinta County, Wyoming. The land has been leased under the R&PP Act to Uinta County for use as a sanitary landfill since 1977. The lands are described as follows:

#### Sixth Principal Meridian

T. 16 N., R. 115 W., sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains 39.3 acres in Uinta County.

**DATES:** Interested persons may submit written comments to the BLM at the address stated below. Comments must be received no later than July 2, 2007.

**ADDRESSES:** Bureau of Land Management, Kemmerer Field Office, 312 Highway 189 North, Kemmerer, WY 83101.

#### FOR FURTHER INFORMATION CONTACT:

Kelly Lamborn, Realty Specialist, at the address above or at 307-828-4505.

**SUPPLEMENTARY INFORMATION:** The above described public land in Uinta County, Wyoming has been examined and found suitable for classification for conveyance under the provisions of the R&PP Act, as amended (43 U.S.C. 869 *et seq.*), and is hereby classified accordingly. In accordance with the R&PP Act and implementing regulations, at 43 CFR [art 2740, Uinta County has requested purchase of their existing R&PP lease for the continued operation of the Bridger Valley Landfill. The conveyance of these lands to Uinta County for sanitary landfill purposes is consistent with the BLM Kemmerer Resource Management Plan and would be in the public interest. The planning document and environmental assessment covering the proposed sale are available for review at the BLM, Kemmerer Field Office, Kemmerer, Wyoming. The conveyance, when issued, will be subject to the following terms, conditions, and reservations:

1. Provisions of the Recreation and Public Purposes Act and to all applicable regulations, including but not limited to the regulations stated in 43 CFR part 2740, and policy and guidance of the Secretary of the Interior.

2. Reservation of a right-of-way to the United States for ditches and canals pursuant to the Act of August 30, 1890 (43 U.S.C. 945).

3. All minerals shall be reserved to the United States, together with the right to prospect for, mine, and remove such minerals from the same under applicable law and such regulations as the Secretary of the Interior may prescribe, including all necessary access and exit rights.

4. No portion of the lands patented shall revert back to the United States under any circumstance. In addition, the patentee shall comply with all Federal and State laws applicable to the disposal, placement, or release of hazardous substances (substance as defined in 40 CFR part 302) and indemnify the United States against any legal liability or future costs that may arise out of any violation of such laws.

5. The above-described land has been used for solid waste disposal. Solid waste commonly includes small quantities of commercial hazardous waste and household hazardous waste as determined in the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901), and defined in 40 CFR 261.4 and 261.5. Pursuant to the requirements established by section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9620(h)) (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1988 (100 Stat. 1670), notice is hereby given that the above-described lands have been examined and no evidence was found to indicate that any hazardous substances had been stored for one year or more, nor had any hazardous substances been disposed of or released on the subject property.

6. The purchaser (patentee), by accepting a patent, covenants and agrees to indemnify, defend, and hold the United States harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgments of any kind or nature arising from the past, present, and future acts or omissions of the patentees or their employees, agents, contractors, lessees, or any third party, arising out of or in connection with the patentee's use, occupancy, or operations on the patented real property. This indemnification and hold harmless agreement includes, but is not limited to, acts and omissions of the patentee and their employees, agents, contractors, or lessees, or any third party, arising out of or in connection with the use and/or occupancy of the patented real property which has already resulted or does hereafter result in: (1) Violations of Federal, State, and local laws and regulations that are now or may in the future become, applicable to the real property; (2) Judgments, claims or demands of any kind assessed against the United States; (3) Costs, expenses, or damages of any kind incurred by the United States; (4) Releases or threatened releases of solid or hazardous waste(s), and/or hazardous substance(s), as defined by Federal or State environmental laws, off, on, into or under land, property and other interests of the United States; (5) Activities by which solid waste or hazardous substance(s) or waste, as defined by Federal and State environmental laws are generated, released, stored, used or otherwise disposed of on the patented real property, and any cleanup response,

remedial action or other actions related in any manner to said solid or hazardous substance(s) or waste(s); or (6) Natural resource damages as defined by Federal and State law. This covenant shall be construed as running with the parcels of land patented or otherwise conveyed by the United States, and may be enforced by the United States in a court of competent jurisdiction. Conveyance of these lands to Uinta County is consistent with applicable Federal and county land use plans and will help meet the needs of Uinta County residents for solid waste disposal. Detailed information on this proposed action, including but not limited to documentation relating to compliance with applicable environmental and cultural resource laws, is available for review at the BLM, Kemmerer Field Office, 312 Highway 189 North, Kemmerer, Wyoming 83101, (307) 828-4502.

Until July 2, 2007, interested parties may submit comments regarding the proposed conveyance or classification of the land to the Field Manager, BLM, 312 Highway 189 North, Kemmerer, Wyoming 83101, telephone : 307-828-4505.

On May 17, 2007, the above described lands will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the R&PP Act and leasing under the mineral leasing laws. Interested parties may submit written comments regarding the proposed conveyance or classification of the lands to the Field Manager, BLM, Kemmerer Field Office, at the address stated above in this notice for that purpose. Comments must be received no later than July 2, 2007.

**Classification Comments:** Interested parties may submit comments involving the suitability of the lands for conveyance for the landfill. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, and whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs.

**Application Comments:** Interested parties may submit comments regarding the specific use proposed in the application for conveyance and plan of development, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the land for a sanitary landfill.

Any adverse comments will be reviewed by the BLM State Director,

who may sustain, vacate, or modify this realty action. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

In the absence of any adverse comments, the classification will become effective 60 days after May 17, 2007. The land will not be offered for patent until after the classification becomes effective.

(Authority: 43 CFR 2741.5)

Dated: March 26, 2007.

**Mary Jo Rugwell,**  
Field Manager.

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**BILLING CODE 4310-22-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Intent to Repatriate a Cultural Item: U.S. Department of Agriculture, Forest Service, Cibola National Forest, Albuquerque, NM**

**AGENCY:** National Park Service, Interior.  
**ACTION:** Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate a cultural item in the possession of the U.S. Department of Agriculture, Forest Service, Cibola National Forest, Albuquerque, NM that meets the definition of "sacred object" under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the cultural items. The National Park Service is not responsible for the determinations in this notice.

In 1973, one pair of leggings was illegally removed from a site located on lands administered by the Cibola National Forest in west central New Mexico. In 2003, the U.S. Department of Agriculture, Forest Service Law Enforcement Officers recovered the leggings as a part of an Archeological Resources Protection Act investigation.