

Alternative D. The FEIS describes Alternatives A–E in more detail and analyzes the direct, indirect, and cumulative impacts related to each alternative. The FEIS also provides the public with responses to comments received on the DEIS.

Dated: June 4, 2007.

**Kenneth Stansell,**

*Acting Director.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Rainwater Basin Wetland Management District, Nebraska

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service, We) announces that the draft Comprehensive Conservation Plan (CCP) and Environmental Assessment (EA) for the Rainwater Basin Wetland Management District (WMD, District) is available. This draft CCP/EA describes how the Service intends to manage this District for the next 15 years. We request public comment.

**DATES:** To ensure consideration, we must receive your written comments on the draft CCP/EA by August 17, 2007.

**ADDRESSES:** Please provide written comments to Bernardo Garza, Planning Team Leader, Division of Refuge Planning, Branch of Comprehensive Conservation Planning, Mountain-Prairie Region, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225–0486; via facsimile at 303–236–4792; or electronically to [bernardo\\_garza@fws.gov](mailto:bernardo_garza@fws.gov). A copy of the CCP/EA may be obtained by writing to U.S. Fish and Wildlife Service, Division of Refuge Planning, 134 Union Boulevard, Suite 300, Lakewood, Colorado 80228; or by download from <http://mountain-prairie.fws.gov/planning>.

**FOR FURTHER INFORMATION CONTACT:** Bernardo Garza, 303–236–4377 or John Esperance, 303–236–4369.

**SUPPLEMENTARY INFORMATION:** Rainwater Basin WMD was established in 1963 when the Service began acquiring critical migratory waterfowl habitat in south-central and southeast Nebraska with Duck Stamp dollars. This WMD was established for the following purposes: (1) “\* \* \* To assure the long-

term viability of the breeding waterfowl population and production through the acquisition and management of Waterfowl Production Areas, while considering the needs of other migratory birds, threatened and endangered species and other wildlife.” (purpose statement developed for all WMDs in Region 6 in June 2004); (2) “\* \* \* to acquire \* \* \* small wetland and pothole areas \* \* \* to be designated as ‘Waterfowl Production Areas’ \* \* \* as an inviolate sanctuary or for any other management purpose, for migratory birds \* \* \* and to restore and develop adequate wildlife habitat” under the Migratory Bird Hunting and Conservation Stamp Act [16 U.S.C. 715d (2), 715i(a) & 718 (c)]; (3) “for conservation purposes” under the Consolidated Farm and Rural Development Act [7 U.S.C. 2002(a)]; (4) “promote \* \* \* the conservation of the wetlands of the Nation in order to maintain the public benefits they provide and to help fulfill international obligations in various migratory bird treaties and conventions with Canada, Mexico, Japan, the Union of Soviet Socialist Republics, and with various countries in the Western Hemisphere” under the Emergency Wetlands Resources Act [16 U.S.C. 3901(b)]; and (5) “to protect waterfowl production areas” under Public Land Orders 6979 [May 25, 1993], and 7206 [June 24, 1996].

Today, the District manages approximately 23,500 acres in 61 individual tracts of land within the geographic area called the Rainwater Basin. This District encompasses a complex of wetlands scattered throughout a 17-county area. Current public use opportunities at this WMD include hunting, wildlife observation and photography.

This draft CCP/EA identifies and evaluates two alternatives for managing the District for the next 15 years. Alternative A, the No Action alternative, reflects the current management of the District. It provides the baseline against which to compare the other alternative. District habitats would continue to be managed on an opportunistic schedule that may maintain, or most likely would result in further decline in, the diversity of vegetation and water quality and quantity in the wetlands. District staff would continue to perform only limited research and would monitor only long-term vegetation change. Partnerships and priority public uses such as fishing, hunting, wildlife observation and wildlife photography would continue at present levels. Other priority public uses such as environmental education and interpretation would only be

available on an informal basis. Outreach efforts would not be attainable due to the staff’s inability to support them. The District would continue to support and work cooperatively to further the goals of the Rainwater Basin Joint Venture.

Alternative B is the Service’s proposed action and basis for the draft CCP. Under this alternative the staff would continue to pursue the same goals and activities as in Alternative A but the emphasis would be to address all aspects in a holistic manner. The WMD would work with formal and informal partnerships, including landowners, to improve waterfowl production areas at a landscape level. Actions would strive to build a “neighborly interaction” between privately-owned, State and WMD lands within each watershed. The WMD would work with partners to complete the engineering and funding and would continue to support and work cooperatively to further the goals of the Rainwater Basin Joint Venture.

The proposed action (Alternative B) was selected because it best meets the purposes and goals of the District, as well as the mission and goals of the National Wildlife Refuge System. The proposed action will also benefit federally listed species, shore birds, migrating and nesting waterfowl, neotropical migrants and resident wildlife. Environmental education and partnerships will result in improved wildlife-dependent recreational opportunities. Cultural and historical resources as well as federally listed species will be protected.

Opportunity for public input will be provided at public meetings to be scheduled soon. The specific date and time for the public meeting is yet to be determined, but will be announced via local media and a planning update. All information provided voluntarily by mail, by phone, or at public meetings (e.g., names, addresses, letters of comment, input recorded during meetings) becomes part of the official public record. If requested under the Freedom of Information Act by a private citizen or organization, the Service may provide copies of such information. The environmental review of this project will be conducted in accordance with the requirements of the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321 et seq.); NEPA Regulations (40 CFR parts 1500–1508); other appropriate Federal laws and regulations; Executive Order 12996; the National Wildlife Refuge System Improvement Act of 1997; and Service policies and procedures for compliance with those laws and regulations.

Dated: March 30, 2007.

**Elliott Sutta,**

Acting Regional Director, Region 6, Denver, Colorado.

**Editorial Note:** This document was received at the Office of the Federal Register on July 13, 2007.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CO-160-1430-EU; COC-69635]

#### Notice of Realty Action: (Non-Competitive) Direct Sale of Public Lands, Hinsdale County, CO

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

**ACTION:** Notice of Realty Action.

**SUMMARY:** The following described 0.76-acre public land parcel near Lake City, Hinsdale County, Colorado, has been examined and found suitable for title transfer by (non-competitive) direct sale to Patsie and Michael DeHuff. The sale will be conducted under the authority of section 203(f)(2) of the Federal Land Policy and Management Act of 1976, as amended, 43 U.S.C. 1701 *et seq.* (FLPMA) and CFR 2711.3-3(a), and will take place according to procedures governing direct sale of public land.

**DATES:** On or before September 4, 2007, interested parties may submit comments concerning the proposed sale to the BLM Field Office Manager at the below address. Only written comments will be accepted.

**ADDRESSES:** Address all written comments concerning this notice to the Field Manager, BLM Gunnison Field Office, 216 N. Colorado St., Gunnison, Colorado 81230.

**FOR FURTHER INFORMATION CONTACT:** Marnie Medina, Realty Specialist, at the above address, or call: (970) 642-4457.

**SUPPLEMENTARY INFORMATION:** The 0.76-acre parcel is approximately 5 miles west of Lake City, in Hinsdale County, Colorado. It is offered on a non-competitive (direct) sale basis to Patsie and Michael DeHuff in accordance with Section 203(f)(2) of the Federal Land Policy and Management Act of 1976 (FLPMA) and 43 CFR 2711.3-3(a). The BLM Gunnison Field Manager has determined that a non-competitive (direct) sale will be in the best interest of the public. In accordance with 43 CFR 2711.3-3(a)(5), this parcel is being offered by (non-competitive) direct sale to Patsie and Michael DeHuff at not less than the appraised fair market value

(FMV) as determined by the authorized officer after appraisal. An appraisal report has been prepared by a State-certified appraiser for the purpose of establishing FMV. Direct sale is based on the DeHuff's inadvertent occupancy of the parcel and value of added improvements consisting of a log cabin residence, solar panels, a battery and generator shed, buried electric lines from the solar panels to the shed and to the cabin, a 165-foot deep domestic water well, a septic system, a buried 500-gallon propane tank, a parking pad, a driveway, and other personal property.

The parcel is described as follows:

#### New Mexico Principal Meridian

Colorado

T. 44 N., R. 5 W.,  
Tract 37.

The area described contains 0.76 acre, more or less, in Hinsdale County.

The market value for this land, utilizing direct sale procedures, at not less than the current appraised fair market value, is determined to be \$7,000.00.

This 0.76-acre parcel is not required for any Federal purposes. It has been determined that this parcel is impractical to manage as part of the public lands. BLM has determined that resource values will not be adversely affected by title transfer of this 0.76-acre parcel to non-Federal ownership. Sale of the parcel conforms to criteria of the BLM Gunnison Resource Area Resource Management Plan (RMP) approved in February 1993. The patent, when issued, will contain the following reservations, covenants, terms and conditions:

1. The parcel will be conveyed with a reservation of a right-of-way to the United States for ditches and canals constructed by the authority of the United States under the Act of August 30, 1890 (43 U.S.C. 945).

2. The patentee, by accepting the patent, 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 arising from the past, present, or future acts or omissions of the grantor, its employees, agents, contractor, or lessees, or a third party arising out of, or in connection with, the grantor's use and/or occupancy of the deeded real property resulting in: Violations of Federal, State and local laws and regulations that are now, or in the future become, applicable to the real property: (1) Judgments, claims, or demands of any kind assessed against the United States; (2) costs, expenses, or damages of any kind incurred by the

United States; (3) 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; (4) other activities by which solids or hazardous substances or wastes, as defined by Federal and State environmental laws are generated, released, stored, used, or otherwise disposed of on the deeded real property, and any cleanup response, remedial action, or other actions related in any manner to said solid or hazardous substances or wastes; or (5) natural resource damages as defined by Federal and State law. This covenant shall be construed as running with the deeded real property and may be enforced by the United States in a court of competent jurisdiction.

Pursuant to the requirements established by Section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), (42 U.S.C. 9620(h)), as amended by the Superfund Amendments and Reauthorization Act of 1988, (100 Stat. 1670), notice is hereby given that the above-described parcel has been examined and no evidence was found to indicate that any hazardous substances have been stored for one year or more, nor had any hazardous substances been disposed of or released on the subject property.

Upon publication of this notice in the **Federal Register** the parcel will be segregated from appropriation under the public land laws, including the general mining laws, except the sale provisions of the Federal Land Policy Management Act of 1976. The segregation will terminate upon issuance of the patent, upon publication in the **Federal Register** of a termination of the segregation, or on July 20, 2009, whichever occurs first unless extended by the BLM State Director, Colorado, in accordance with 43 CFR 2711.1-2(d) prior to the termination date.

No warranty of any kind, expressed or implied, is given by the United States as to the title, the parcel's physical condition or potential uses. The conveyance will not be on a contingency basis. It is the buyer's responsibility to be aware of all applicable Federal, State, or local government laws, regulations, or policies that may affect the subject parcel or its future uses. It is also the buyer's responsibility to be aware of existing or prospective uses of nearby properties.

The land will not be offered for sale until at least 60 days after the date of publication of this notice in the **Federal**