

acres located in Benzie County was reserved for lighthouse purposes. The parcel contained the Point Betsie Light Station located on the eastern shore of Lake Michigan near the city of Frankfort. The original parcel has subsequently been resurveyed and divided into three (3) separate lots: Lot 10—1.70 acres, Lot 11—3.52 acres and Lot 12—2.35 acres.

The Department of Transportation, United States Coast Guard, submitted a Notice of Intent (NOI) to relinquish custody, accountability and control of Lot 10 on January 6, 1984. A second NOI to relinquish custody, accountability and control was submitted for Lot 12 on August 12, 1998. The BLM has recommended that Lot 10 and Lot 12 be determined suitable for return to their former status as public lands, such determination to be made by the Secretary of the Interior and accomplished by the issuance of a public land order partially revoking the Executive Order. Public land order 7249 dated March 18, 1997, returned Lot 10 to its former status as public land. A proposed public land order to return Lot 12 to its former status as public land currently is pending and awaiting action within the Department.

Benzie County has applied for patent to the land under the R&PP Act of 1926.

The lease/patent when issued, will be subject to the following terms, conditions and reservations:

1. Provisions of the Recreation and Public Purposes Act of 1926, as amended and to all applicable regulations of the Secretary of the Interior.
2. Valid existing rights.
3. All minerals are reserved to the United States, together with the right to prospect for, mine and remove the minerals.
4. Terms and conditions identified through the site-specific environmental analysis.
5. Any other rights or reservations that the authorized officer deems appropriate to ensure public access and proper management of Federal lands and interest therein.

Upon publication of this notice in the **Federal Register**, the above described lands will be segregated from all forms of disposal or appropriation under the public land laws, except for lease or conveyance under the Recreation and Public Purposes Act and leasing under the mineral leasing laws. For a period of 45 days after issuance of this notice, interested parties may submit comments regarding the proposed conveyance or classification of the lands to the Field Manager, Milwaukee Field Office, Bureau of Land Management, 626 East

Wisconsin Avenue, Suite 200, Milwaukee, Wisconsin 53202.

Classification Comments: Interested parties may submit comments involving the suitability of the land for R&PP Act classification, and particularly, whether the land is physically suited for management as a historic site, whether the use will maximize future use or uses of the land, 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, the development plan, the management plan, 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 management as a historic site.

Any adverse comments will be evaluated by the State Director who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the classification will become effective 60 days from the date of publication of this notice in the **Federal Register**.

Dated: January 20, 2004.

Chris E. Hanson,

Acting Milwaukee Field Manager.

[FR Doc. 04-5097 Filed 3-5-04; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM-070-1430-01; NMNM 108654]

Notice of Realty Action—Recreation and Public Purpose (R&PP) Act Classification, San Juan County, NM

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The following described public lands in San Juan County, New Mexico have been examined and found suitable for classification for lease or conveyance to the City of Farmington under the provisions of the Recreation and Public Purposes (R&PP) Act, as amended (43 U.S.C. 869 *et seq.*). City of Farmington proposes to use the land for a neighborhood park.

DATES: Interested parties may submit comments regarding the proposed leasing/conveyance or classification of the lands to the Bureau of Land Management at the following address until April 22, 2004. The Bureau of Land Management, Farmington Field

Manager, 1235 La Plata Highway, Suite A, Farmington, New Mexico 87401 who may sustain, vacate, or modify this realty action, will review any adverse comments. In the absence of any adverse comments, this realty action becomes the final determination of the Department of the Interior and effective on May 7, 2004.

FOR FURTHER INFORMATION CONTACT:

Kathy Ollom, Realty Specialist, at the Bureau of Land Management, Farmington Field Office, (505) 599-8914. Information related to this action, including the environmental assessment, is available for review at the Bureau of Land Management, Farmington Field Office, 1235 La Plata Highway, Farmington, NM 87401.

SUPPLEMENTARY INFORMATION: The City of Farmington has proposed to use the land for a neighborhood park.

New Mexico Principal Meridian

T. 29 N., R. 14 W.

Sec. 11, lots 1 and 3.

Containing 10.09 acres, more or less.

Publication of this notice segregates the public land described above from all other forms of appropriation under the public land laws, including the general mining laws, except for leasing and conveyance under the Recreation and Public Purposes Act and leasing under the mineral leasing laws for a period until March 8, 2006. The segregative effect will terminate upon issuance of the patent to City of Farmington, or March 8, 2006, whichever occurs first.

The lease, when issued, will be subject to the following terms:

1. Provisions of the Recreation and Public Purposes Act and to all applicable regulations of the Secretary of the Interior.

2. Provisions of the Resource Conservation and Recovery Act of 1976 (RCRA) as amended, 42 U.S.C. 6901-6987 and the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) as amended, 42 U.S.C. 9601 and all applicable regulations.

3. Provisions of Title VI of the Civil Rights Act of 1964.

4. Provisions that the lease be operated in compliance with the approved Development Plan.

The patent, when issued, will be subject to the following terms:

1. Reservation to the United States of a right-of-way for ditches and canals in accordance with 43 U.S.C. 945.

2. Reservation to the United States of all minerals.

3. All valid existing rights, *e.g.* rights-of-way and leases of record.

4. Provisions that if the patentee or its successor attempts to transfer title to or

control over the land to another or the land is devoted to a use other than that for which the land was conveyed, without the consent of the Secretary of the Interior or his delegate, or prohibits or restricts, directly or indirectly, or permits its agents, employees, contractors, or subcontractors, including without limitation, lessees, sublessees and permittees, to prohibit or restrict, directly or indirectly, the use of any part of the patented lands or any of the facilities whereon by any person because of such person's race, creed, color, or national origin, title shall revert to the United States.

Leasing and patenting is consistent with current Bureau of Land Management policies and land use planning. The proposal serves the public interest since it would provide a neighborhood park for the surrounding public use.

Dated: October 23, 2003.

Joel E. Farrell,

Acting Field Office Manager.

[FR Doc. 04-5098 Filed 3-5-04; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT-100-1220-AF]

Final Supplementary Rules for the Lower Blackfoot River Corridor; Montana

AGENCY: Bureau of Land Management, Interior.

ACTION: Final supplementary rules for recreation use of public lands along the Blackfoot River and McNamara Road, Missoula County, Montana.

SUMMARY: This notice contains final supplementary rules incorporating restrictions on recreation use on public lands located within one-quarter mile on either side of the Blackfoot River and/or McNamara Road extending from Johnsrud Park upstream for approximately 10 miles. The final supplementary rules are necessary to address resource protection needs identified in the Lower Blackfoot Corridor Environmental Assessment, MT-100-00-02.

EFFECTIVE DATE: The final rules are effective on April 7, 2004.

ADDRESSES: Field Manager, Bureau of Land Management, Missoula Field Office, 3255 Fort Missoula Road, Missoula, Montana 59804. You may also contact the BLM by internet e-mail at the following address: *MT-Missoula-FO@blm.gov*.

FOR FURTHER INFORMATION CONTACT: Nancy Anderson, Missoula Field Office, 3255 Fort Missoula Road, Missoula, Montana 59804, (406) 329-3914.

SUPPLEMENTARY INFORMATION:

- I. Comments
- II. Background
- III. Discussion of Supplementary Rules
- IV. Procedural Matters

I. Comments

No comments received.

II. Background

The Blackfoot River Recreation Corridor is a multi-cooperative partnership consisting of private landowners, Montana Department of Fish, Wildlife and Parks, and the Bureau of Land Management (BLM). This partnership was established in the 1970s to provide protection of natural resources and private property and to provide public safety along 26 miles of free flowing Blackfoot River.

In its June 1997 Lower Blackfoot River Assembled Land Exchange Environmental Assessment (MT-074-07-06), the BLM stated that "recreation along the Blackfoot River would continue to be managed under the existing Blackfoot River Recreation Corridor Landowner's Agreement."

In 1998, the BLM began acquiring land within the corridor. The BLM now manages approximately 12,000 acres of land upstream from Johnsrud Park.

Since 1999, the BLM has managed this area under an interim restriction order (43 CFR 8364.1 (d)). This order contains prohibited acts related to camping, motor vehicle use, public safety, and resource protection.

In 2001, the BLM completed the Lower Blackfoot Corridor Environmental Assessment. You may obtain the Environmental Assessment, upon which these supplementary rules are based, from the Missoula Field Office.

The lands affected by these rules are public lands in Missoula County, Montana, in the following sections:

- T. 14 N., R. 15 W., Secs. 18 and 19.
- T. 13 N., R. 16 W., Secs. 4, 5, and 6.
- T. 14 N., R. 16 W., Secs. 13 and 14, 20 to 29, inclusive, 32 and 33.

III. Discussion of Supplementary Rules

Implementing these supplementary rules will establish consistency with the existing Montana Department of Fish, Wildlife and Parks' Blackfoot River Recreation Corridor rules. The supplementary rules are consistent with the interim restriction order and are supported by the Lower Blackfoot Corridor Environmental Assessment MT-100-00-02. BLM is finalizing these

supplementary rules under the authority of 43 CFR 8365.1-6.

IV. Procedural Matters: Executive Order 12866, Regulatory Planning and Review

These supplementary rules are not a significant regulatory action and are not subject to review by Office of Management and Budget under Executive Order 12866. These supplementary rules would not have an effect of \$100 million or more on the economy. They are not intended to affect commercial activity, but contain rules of conduct for public use of certain recreational areas. They will not adversely affect, in a material way, the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities. These supplementary rules would not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency. The supplementary rules would not alter the budgetary effects of entitlements, grants, user fees, or loan programs or the right or obligations of their recipients; nor do they raise novel legal or policy issues.

National Environmental Policy Act

The BLM has prepared an environmental assessment (EA) and has found that the supplementary rules would not constitute a major Federal action significantly affecting the quality of the human environment under section 102(2)(C) of the Environmental Protection Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C). The supplementary rules merely contain rules of conduct for certain recreational lands in Montana. These rules are designed to protect the environment and the public health and safety. A detailed statement under NEPA is not required. BLM has placed the EA and the Finding of No Significant Impact (FONSI) on file in the BLM Administrative Record at the address specified in the **ADDRESSES** section.

Regulatory Flexibility Act

Congress enacted the Regulatory Flexibility Act (RFA) of 1980, as amended, 5 U.S.C. 601-612, to ensure that Government regulations do not unnecessarily or disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule would have a significant economic impact, either detrimental or beneficial, on a substantial number of small entities. The supplementary rules do not pertain specifically to commercial or governmental entities of any size, but to public recreational use of specific