

closure through local media outlets by posting this notice with a map of the closed areas at key locations that provide access the closure area.

**FOR FURTHER INFORMATION CONTACT:** Steven W. Anderson, Field Manager, Bureau of Land Management, Redding Field Office, 355 Hemsted Drive, Redding, CA 96002 or Francis Berg, BLM, phone (530) 224-2100 or by e-mail at [wkuntz@ca.blm.gov](mailto:wkuntz@ca.blm.gov).

**SUPPLEMENTARY INFORMATION:** The public lands affected by the French Fire and addressed in the BAER Plan are closed to travel by horseback, motorized and mechanized vehicle use (*i.e.*, including trucks, sport utility vehicles, all-terrain vehicles, cars, motorcycles, mountain bikes) except for: Authorized access to private lands and mining claims, use by fire and law enforcement vehicles, emergency activities and other authorized uses. The authorities for this closure and restriction order are 43 CFR 8364.1 and 9268.3(d).

The following paragraphs explain the background for BLM's management of the closed lands, and the reason for the closure and restriction.

These lands and roads are temporarily closed to vehicles to protect public health and safety from rockslides, timber deadfall and slope failure due to loss of vegetation and falling trees in the areas affected by the fire, and to allow for post-fire road reconstruction and maintenance. The treat of increased vehicle use may increase due to the lack of vegetation and other physical barriers that previously blocked access. There is also the increased potential for the introduction of invasive/non-native plants in the burdened areas from motorized and mechanized vehicles, and the potential for collection or lotting of cultural and historical artifacts now revealed due to the loss of vegetation. This closure and restriction order applies to approximately 7,153 acres of public lands affected by the French Fire of August 2004.

## Closure Order

### Section 1. Closed Lands

This closure affects all of the public lands and roads, subject to the exceptions in Section 2, located within the French Fire perimeter. Public lands in the following described tracts are closed to travel by horseback, motorized and mechanized vehicles:

T. 33N., R6W, sections 18, and 19, M.D.M.  
T. 33N., R7W, sections 4, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 26, 28, and 32, M.D.M.  
T. 33N., R8W, sections 12, 13, and 24, M.D.M.

A total of approximately 7,153 acres

### Section 2. Exceptions to Closures and Restriction Orders

These closures and restrictions do not apply to the following roads: Trinity Mountain Road, Hoadley Peak Road, North County Line Road, Highland Ridge Road, Tom Green Mine Road, Lewiston Turnpike and French Gulch Road. The closures and restrictions do not apply to authorized emergency vehicles, rescue vehicles, BLM operation and maintenance vehicles, resource management and recovery activities, use by fire and law enforcement vehicles. In addition, access to mining claims and private property by property owners may be authorized by the BLM Field Manager or the acting Field Manager. Nothing in this closure is intended to affect legal hunting as consistent with California Department of Fish and Game regulations.

### Section 3. Penalties

Under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a) and 43 CFR 8360-7, if you violate these closures or restrictions on public lands within the boundaries established, you may be tried before a United States Magistrate and fined no more than \$1,000 or imprisoned for no more than 12 months, or both. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

### Section 4. Conditions for Ending Closures and Restrictions

Soil stabilization, revegetation, road repairs, and treatments to control invasive species will be considered successful, and the area may be returned to preclosure travel designations and opened sooner than December 31, 2005, if and when the following occur:

a. All culverts, road safety signs, fencing, and gates have been replaced or repaired.

b. Slopes and soils within the French Fire perimeter show signs of stabilization and have not experienced slope failure through at least one winter season and at least two major rain events.

c. Regrowth of vegetation has sufficiently obscured cultural sites previously exposed by the fire.

d. Seeding treatments on areas or natural revegetation (identified in BAER Plan for French Fire) have resulted in at least 30% regeneration of native species,

or have been deemed unsuccessful after at least one full growing season.

**J. Anthony Danna,**

*Deputy State Director, Natural Resources, California State Office.*

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**BILLING CODE 4310-40-M**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM-070-1430-ES; NMMN-108598]

### Notice of Realty Action: Non-Competitive Direct Sale of Public Lands in San Juan County, NM

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

**ACTION:** Notice of realty action.

**SUMMARY:** Lands in San Juan County, New Mexico are being considered for direct sale to San Juan County utilizing non-competitive procedures at the appraised fair market value.

**SUPPLEMENTARY INFORMATION:** Authority for the sale is Section 203 of the Federal Land Policy and Management Act of 1976 (FLPMA).

The lands are described as follows:

#### New Mexico Principal Meridian

T. 29 N., R. 12 W.,

Sec. 28: E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ :

The lands contain 1.26 acres, more or less, located south of the San Juan County Fair grounds. This parcel of land, situated in San Juan County, is being considered for a direct sale to San Juan County, the adjacent property owner. The sale price will not be less than the fair market value of \$30,000.00. This land is not required for any federal purposes. The sale is consistent with current Bureau planning for this area, and a direct sale to the County would be in the public interest. A sale will settle a trespass and allow expansion of existing rodeo grounds. In the event of a sale, the conveyance will be of surface interests only. Any patent, when issued, will contain the following reservations to the United States:

1. Patent Reservations:

A. All valid existing rights (including rights-of-ways).

B. Reserve a right for the Federal Government to construct ditches and canals.

C. Reserve all minerals to the Federal Government.

On October 14, 2004, the public lands described above are segregated from all forms of appropriation under the public land laws, including the mining laws until July 11, 2005. The segregative

effect shall terminate as provided by 43 CFR 2711.1–2(d).

Interested parties may submit comments on the proposed sale to the Field Manager, Bureau of Land Management (BLM) Farmington Field Office, 1235 La Plata Highway, Suite A, Farmington, New Mexico 87401 until November 29, 2004. Any Adverse comments will be reviewed by the State Director who may sustain, vacate, or modify this notice of realty action. The BLM may withdraw any land or interest in the land from sale if, in the opinion of the authorized officer, consummation of the sale would not be fully consistent with FLPMA or other applicable laws. The lands will not be sold before December 13, 2004.

**Dave Mankiewicz,**

*Assistant Field Manager, Farmington, New Mexico.*

[FR Doc. 04–23127 Filed 10–8–04; 4:19 pm]

**BILLING CODE 1430–VB–P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR–014–01–1430–EU; GP–04–0239]

#### **Competitive Sale of 520 Acres of Public Lands, OR 53188; Modified Competitive Sale of 40 Acres of Public Lands, OR 59445**

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

**ACTION:** Notice of Realty Action.

**SUMMARY:** The Bureau of Land Management (BLM) is considering for sale two parcels of land in Klamath County, Oregon, at not less than their respective appraised fair market value. A 520-acre parcel is proposed to be sold through competitive bidding. An adjoining 40-acre parcel is proposed to be sold through modified competitive bidding, whereby the adjacent land owner, will be given the opportunity to meet the highest bid.

**DATES:** All comments must be received in writing by BLM on or before bid dates, and are stated below in this notice.

**ADDRESSES:** Send all written comments concerning the proposed sales to Jon Raby, BLM, Klamath Falls Resource Area Field Manager, Klamath Falls Field Office, 2795 Anderson Ave., Building 25, Klamath Falls, Oregon 97603. Electronic format submittals will not be accepted.

**FOR FURTHER INFORMATION CONTACT:** Linda Younger, Realty Specialist, at (541) 883–6916.

**SUPPLEMENTARY INFORMATION:** In accordance with the applicable provisions of 43 CFR part 2710, the following described public lands in Klamath County, Oregon, are proposed to be sold pursuant to sections 203 and 209 of the Federal Land Policy and Management Act of 1976, (43 U.S.C. 1713 and 1719). Both of the parcels described herein are difficult and uneconomic to manage as a part of the public lands and are not suitable for management by another Federal agency. No significant resource values will be affected by their disposal. The parcels proposed for sale are identified as suitable for disposal in the Klamath Falls Resource Area Resource Management Plan, dated June 2, 1995.

The parcels described below are hereby segregated from appropriation under the public land laws including the mining laws until July 11, 2005. The segregative effect on these parcels imposed by publication of this notice will terminate on July 11, 2005, upon issuance of patents for the described properties, or publication of a notice in the **Federal Register** terminating the segregation, whichever occurs first.

#### **Parcel I (Competitive Sale)**

##### **Willamette Meridian, Oregon**

T. 40 S., R. 11 E.,  
Sec. 27, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 33, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 34, N $\frac{1}{2}$ .

The area described contains 520 acres, more or less. The appraised market value for Parcel I is \$182,000.00.

Sealed bids for Parcel I will be opened to determine the high bidder at 10 a.m. PST, December 15, 2004, at the BLM Klamath Falls Field Office (address stated above).

Offers to purchase Parcel I will be made only by sealed bids. All bids must be received at the BLM, Klamath Falls Field Office, 2795 Anderson Ave., Building 25, Klamath Falls, Oregon, 97603, not later than 4:30 p.m. PST, December 14, 2004.

The outside of bid envelopes for Parcel I must be clearly marked on the front lower left-hand corner with “BLM Land Sale OR 53188,” and the bid opening date. Bids must be for not less than the appraised market value of \$182,000.00. Each sealed bid shall be accompanied by a certified check, postal money order, bank draft, or cashier’s check made payable in U.S. Currency to the order of the Bureau of Land Management, for not less than 20 percent of the amount bid.

The bid envelope must also contain a statement showing the total amount bid and the name, mailing address, and

phone number of the entity making the bid.

#### **Parcel II (Modified Competitive Sale)**

##### **Willamette Meridian, Oregon**

T. 40 S., R. 11 E.,

Sec. 34, NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area described contains 40 acres, more or less. The appraised fair market value for this parcel is \$5,000.00.

Offers to purchase Parcel II will be made only by sealed bid. All bids must be received at the BLM, Klamath Falls Field Office, 2795 Anderson Ave., Building 25, Klamath Falls, Oregon, 97603, not later than 4:30 p.m. PST, on December 14, 2004.

Sealed bids for Parcel II will be opened to determine the apparent high bidder at 9 a.m. PST, on December 15, 2004, at the BLM, Klamath Falls Field Office (address stated above).

The outside of the sealed bid envelopes for Parcel II, must be clearly marked on the front lower left-hand corner with “BLM Land Sale, OR 59445” and the bid opening date. Bids must be for not less than the appraised market value of \$5,000.00. Each sealed bid shall be accompanied by a certified check, money order, bank draft, or cashier’s check made payable in U.S. currency to the order of the Bureau of Land Management, for not less than 20 percent of the amount bid.

The bid envelope must also contain a statement showing the total amount bid and the name, mailing address, and phone number of the entity making the bid.

Under modified competitive sale procedures, the apparent high bidder and the designated bidder (Mr. Randall Turner) will be notified. Mr. Turner shall have 30 days from the bid opening date to exercise his right to meet the high bid. Refusal or failure for any reason to meet the highest bid shall constitute a waiver of Mr. Turner’s preferential consideration and the apparent high bidder shall be declared the high bidder.

#### **Additional Terms and Conditions of Sale**

Prospective purchasers will be allowed 180 days to submit the balance of the purchase price. Failure to meet this timeframe shall cause the deposit to be forfeited to the BLM. The parcel will then be offered to the next lowest qualified bidder, or if no other bids were received, the parcel will be declared unsold.

Federal law requires that public land may be sold only to either (1) Citizens of the United States 18 years of age or older; (2) corporations subject to the laws of any State and of the United