

ash on or into land, property and other interests of the United States; (5) other activities by which hazardous substances, boiler ash, or solid waste was generated, released, stored, used or otherwise disposed on the patented real property; or (6) any clean-up response, natural resource damage or other actions related in any manner to said boiler ash. This covenant shall be construed as running with the patented real property, and may be enforced by the United States in a court of competent jurisdiction.

The proposed sale is also subject to those rights for monitoring wells granted to Kerr-McGee Chemical Corp. by right-of-way serial number (CACA 34604), pursuant to Title V of the Act of October 21, 1976 (43 U.S.C. 1761).

This parcel of land located in Searles Valley, California, is being offered for sale through direct sale procedures authorized under 43 CFR 2711.3-3. This land has been used in trespass by Kerr-McGee Chemical Corp. to dispose of boiler ash and is no longer required for Federal purposes. The land is currently classified as intensive use under the CDCA plan, which does not allow for sale; however, the same land is being unclassified under the West Mojave Plan to allow for disposal of land through a direct sale. No action will be taken on these lands until the decision record for the West Mojave Plan is approved. The proposed action is consistent with the objectives, goals, and decisions of the West Mojave Plan.

An Environmental Assessment (EA) and a Finding of No Significant Impact (FONSI) has been prepared for this proposed sale. The EA and FONSI are available for public review and comment in the Ridgecrest Field Office. A copy may be requested from Janet Eubanks, Ridgecrest Realty Specialist at (951) 697-5376.

Publication of this Notice in the **Federal Register** segregates the subject land from all appropriations under the public land laws, including the general mining laws, except sale under the Federal Land Policy and 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 270 days from date of publication, whichever occurs first.

Interested parties may submit written comments to the Ridgecrest Field Manager at the above address. Comments must be received by not later than August 29, 2005.

Any adverse comments will be reviewed by the State Director, who may sustain, vacate, or modify this realty action and issue a final determination.

In the absence of timely filed objections this realty action will become the final determination of the Department of the Interior. The land will not be offered for sale until at least September 12, 2005.

**Linda D. Hansen,**

*District Manager, California Desert District (CA-610).*

[FR Doc. 05-13881 Filed 7-13-05; 8:45 am]

**BILLING CODE 4310-40-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[ES-020-05-1430-EU; FLES 052520]

#### Direct Sale of Public Land in Walton County, FL

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

**ACTION:** Notice of realty action.

**SUMMARY:** The Bureau of Land Management (BLM) proposes a direct sale under Section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750, 43 U.S.C. 1713), of approximately 0.58 acres in Walton County, Florida, at no less than fair market value.

**DATES:** Interested persons may submit written comments to the BLM at the address stated below. Comments must be received by not later than August 29, 2005.

**ADDRESSES:** Bureau of Land Management, Jackson Field Office, 411 Briarwood Dr., Suite 404, Jackson, Mississippi 39206.

**FOR FURTHER INFORMATION CONTACT:** Mary Weaver, Realty Specialist, at the above address or at (601) 977-5435.

**SUPPLEMENTARY INFORMATION:** The following described public land has been examined and found suitable for sale pursuant to Section 203 of the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1713):

#### Tallahassee Meridian, Florida

T. 3 S., R. 20 W.

Sec. 3, Lot 37

The area described contains 0.58 acres, more or less.

The proposed sale conforms to the Florida Resource Management Plan Amendment approved October 8, 2004. The land is proposed to be sold, using 43 CFR 2711.3-3 direct sale procedures, to the Palms of Dune Allen Owners Association, Inc., which is a corporation formed by an association of the owners of a condominium development known as the Palms of Dune Allen. A direct

sale is appropriate to protect the equities arising from a right-of-way grant issued previously by the Bureau of Land Management. This right-of-way authorized two boardwalks, which provide beach access from the Palms of Dune Allen land to the beach of the Gulf of Mexico. Because of the small size and configuration of the land, its historic use for access and location relative to adjoining private land, it is impractical for another party to own or for BLM to retain the land under its management.

The land will not be offered for sale until at least 60 days after August 29, 2005. The appraised fair market value of the land is \$10,000. The prospective purchaser will be allowed 30 days from receipt of a written offer to submit a deposit of at least 20 percent of the appraised market value of the land, and 180 days thereafter to submit the balance.

The following reservations, covenants and conditions will be included in the patent conveying the land:

1. All minerals shall be reserved to the United States, together with the right to prospect for, mine and remove such deposits from the same under applicable laws and such regulations as the Secretary of the Interior may prescribe.

2. Patentee, its successors and assigns, agree that the above described land is subject to the following, which shall constitute a covenant running with the land:

In order to protect the habitat of the Choctawhatchee Mouse, minimize interference with nesting areas used by sea turtles and shorebirds, and otherwise preserve natural dune habitat, the patentee, its successors and assigns, covenant and agree not to engage in, allow or suffer, with respect to the above described land:

Clearing, cutting or mowing;  
Earthmoving, sand removal, grading, cultivation, burning or filling;  
Dumping of refuse, wastes, sewage, other debris or any hazardous substances;

Draining, ditching, diking, dredging, channelizing, pumping, impounding or excavating;

Diverting or affecting the natural flow of surface or underground waters within or out of the land;

Burning, systematically removing or cutting or otherwise destroying any vegetation, except for removal of diseased or unsafe trees;

Spraying with biocides;

Introducing exotic species or otherwise altering the natural state;

Grazing of domesticated animals;

Display of billboards, signs or advertisements on or over the land,

except for the posting of no trespassing signs, signs identifying the conservation values or their protection and/or identifying the owner;

Constructing, placing or raising of any structure, whether temporary or permanent.

Notwithstanding these prohibitions, the existing boardwalks that currently traverse the land may be repaired, maintained and reconstructed in their current location, and, with respect to the western-most boardwalk, electricity service may be maintained for lighting and gate access and water supply for hose and shower, provided that lighting must be "turtle friendly", so as to not be deleterious to sea turtle nesting. In the event the sand dunes are damaged or severely eroded by the waters of the Gulf, by wind, storms, rain, hurricanes or by any natural event, the sand dunes may be rebuilt and restored, dune grasses may be planted and sand fences may be installed to encourage the natural restoration.

Detailed information concerning the proposed sale, including but not limited to documentation relating to compliance with applicable environmental and cultural resource laws, is available for review in the BLM, Jackson Field Office at the address stated above.

The above described land is segregated from appropriation under the public land laws, including the general mining laws, except for leasing under the mineral leasing laws. The segregation effect will end upon issuance of the patent or April 10, 2006, whichever occurs first.

Comments must be received by the BLM Field Manager, Jackson Field Office, at the address stated above, on or before the date stated above for that purpose. Any adverse comments will be evaluated by the State Director who may sustain, vacate, or modify this realty action. In the absence of any objections, this proposed realty action will become final.

(Authority: 43 CFR 2711.1-2 (a) and (c)).

Dated: June 17, 2005.

**Duane Winters,**

*Acting Field Manager.*

[FR Doc. 05-13877 Filed 7-13-05; 8:45 am]

**BILLING CODE 4310-GJ-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV-050-5853-ES; N-79027]

#### Notice of Realty Action: Lease/Conveyance for Recreation and Public Purposes (R&PP) Act Classification of Public Lands in Clark County, Nevada

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

**ACTION:** Notice of realty action.

**SUMMARY:** The BLM examined and found suitable for classification for lease or conveyance under the provisions of the Recreation and Public Purposes Act (R&PP), as amended (43 U.S.C. 869 *et seq.*) approximately 5 acres of public land in Clark County, Nevada. The Church of Jesus Christ of Latter Day Saints (LDS Church) proposes to use the land for a church and related facilities.

**FOR FURTHER INFORMATION CONTACT:** Sharon DiPinto, Bureau of Land Management, Las Vegas Field Office, at (702) 515-5062.

**SUPPLEMENTARY INFORMATION:** On September 2, 2004 the LDS Church filed an R&PP application for 5 acres of public land to be developed as a church with related facilities. These related facilities include a multipurpose building (a worship center, offices, classrooms, nursery, kitchen, restrooms, utility/storage rooms and a lobby) with sidewalks, landscaped areas, paved parking areas, and off site improvements. The LDS Church is a qualified nonprofit entity. Additional detailed information pertaining to this application, plan of development, and site plans is on file in case file N-79027 located in the BLM Las Vegas Field Office. The LDS Church proposes to use the following described public land for a church and related facilities:

#### Mount Diablo Meridian, Nevada

T. 23 S., R. 61 E.,

Sec. 4: S½SE4NE4NW4.

Containing 5 acres, more or less.

Churches are a common applicant under the "public purposes" provision of the R&PP Act. The LDS Church is an IRS registered non-profit organization and is therefore, a qualified applicant under the R&PP Act.

The lease/conveyance is consistent with current Bureau planning for this area and would be in the public interest. The lease/patent, when issued, will be subject to the provisions of the Recreation and Public Purposes Act and applicable regulations of the Secretary of the Interior, and will contain the following reservations to the United States:

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

2. All minerals shall be reserved to the United States, together with the right to prospect for, mine and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe and will be subject to:

1. An easement in favor of Clark County for roads, public utilities and flood control purposes.

2. All valid existing rights documented on the official public land records at the time of lease/patent issuance.

**ADDRESSES:** Send written comments to the Field Manager, Las Vegas Field Office, 4701 N. Torrey Pines Drive, Las Vegas, Nevada, 89130. Detailed information concerning this action is available for review at the office of the Bureau of Land Management, Las Vegas Field Office, 4701 N. Torrey Pines Drive, Las Vegas, Nevada, 89130-2301.

On July 14, 2005, the land described below will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease/conveyance under the Recreation and Public Purposes Act, leasing under the mineral leasing laws and disposals under the mineral material disposal laws. Interested parties may submit comments regarding the proposed lease/conveyance or classification of the lands until August 29, 2005.

*Classification Comments:* Interested parties may submit comments involving the suitability of the land for a church meeting house. 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, 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 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 R&PP use.

Any adverse comments will be reviewed by the State Director. In the absence of any adverse comments, the classification of the land described in this notice will become effective on September 12, 2005. The lands will not be offered for lease/conveyance until