



## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[A2407-014-004-065516, #O2509-014-004-125222; LLUTG02000]

#### Notice of Realty Action: Direct Sale of Public Land in Emery County, Utah

**AGENCY:** Bureau of Land Management.

**ACTION:** Notice of realty action.

**SUMMARY:** The Bureau of Land Management (BLM) proposes a direct sale of a 157.31-acre parcel of public land in Emery County, Utah, to Ferron City (City). This parcel is currently leased to the City under the Recreation and Public Purposes Act (RPPA), and it contains a municipal golf course constructed and operated by the City pursuant to an authorized Plan of Development. The purpose of the sale would be to enable future golf course management that is not limited by the requirements of the RPPA. The parcel would be offered for sale pursuant to the John D. Dingell Jr., Conservation, Management, and Recreation Act. The sale would be subject to the applicable provisions of the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, and the BLM land sale regulations. The surface estate would be sold for no less than the appraised fair market value of \$173,000, and it would not contain a reversionary clause.

**DATES:** Interested parties must submit written comments, postmarked, or delivered no later than [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. The land will not be offered for sale until after [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Mail written comments to the BLM Price Field Office, Field Manager, 125 South 600 West, Price, UT 84501. Comments may also be emailed to

utprmail@blm.gov with Millsite Land Sale in the subject line or hand delivered to the BLM office during business hours, 8:00 a.m. – 4:30 p.m. Mountain Time, Monday through Friday, except during Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Kyle Beagley, Assistant Field Manager, BLM Price Field Office, phone: 435-636-3608, or email: kbeagley@blm.gov.

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** On June 4, 2009, a *Federal Register* notice (74 FR 26887) classified the lands for lease under the RPPA and segregated the described land from all forms of appropriation under the public land laws, including the mining laws, except applications under the RPPA and leasing under the Mineral Leasing Act subject to no surface occupancy.

The BLM Price Field Office originally issued the City an RPPA lease for the 9-hole Millsite Golf Course in 1985. In 2009, the BLM amended the lease for an additional 9-hole expansion. The golf course has since been developed in accordance with the approved Plan of Development and currently operates as an 18-hole municipal course. In January 2020, the City requested to purchase the land associated with their golf course lease without a reversionary clause so it is not limited in future golf course management by the requirements of the RPPA. For example, the City has shown potential interest in co-managing the golf course with a private commercial entity to alleviate management obligations and costs to the City.

The following described public land in Emery County, Utah, located approximately three miles west of Ferron City has been examined and found suitable for

sale in accordance with section 203 of FLPMA (43 U.S.C. 1713):

**Millsite Golf Course, UTUT106385751**

Salt Lake Meridian, Utah

T. 20 S., R. 6 E.,

sec. 12, lots 9 and 17.

T. 20 S., R. 7 E.,

sec. 7, lots 4 and 5, W1/2NW1/4NE1/4SW1/4, W1/2SW1/4NE1/4SW1/4,

W1/2NW1/4SE1/4SW1/4, N1/2SW1/4SE1/4SW1/4, and SW1/4SW1/4SE1/4SW1/4;

sec. 18, lot 10.

The area described contains 157.31 acres, according to the official plats of surveys of the said land, on file with the BLM.

The parcel proposed for direct sale would include the conveyance of the surface interest of the United States in accordance with section 203 of FLPMA. All mineral interest will be reserved to the United States in accordance with FLPMA section 209 (43 U.S.C. 1719).

No warranty of any kind, express or implied, is given by the United States as to the title, whether or to what extent the land may be developed, its physical condition, future uses, or any other circumstance or condition. The conveyance of any parcel would not be on a contingency basis. However, to the extent required by law, the parcel is subject to the requirements of section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9620(h)).

The proposed sale conforms with the BLM Price Field Office Resource Management Plan (RMP), approved in October 2008. The land is identified for disposal in the Price Field Office RMP (RMP Appendix R-11), and sale of the parcel does not conflict with other decisions in the RMP. A parcel-specific environmental assessment (EA), document number DOI-BLM-UT-G020-2025-0035-EA, was prepared in

connection with this realty action and may be viewed at <https://eplanning.blm.gov/eplanning-ui/project/2040110/510>. Opportunity for public comment on the EA will occur concurrently with the 45-day comment period for the Federal Register Notice.

The parcel proposed for sale has been found appropriate for conveyance under section 203 of FLPMA, and sale is consistent with the following criteria: 43 CFR 2710.0-3(a)(2), “disposal of such tract shall serve important public objectives . . .”; and 43 CFR 2710.0-3(a)(3), “such tract, because of its location or other characteristics is difficult and uneconomic to manage as part of the public lands and is not suitable for management by another Federal department or agency.” The parcel has been developed by Ferron City as a municipal golf course, which serves an important public objective by providing a unique recreation opportunity in the local community. The parcel is expected to continue to be used as a golf course for the immediate future. The existing use of the land does, however, make the parcel difficult to manage by the BLM, and it is not appropriate for management by another Federal department or agency.

The land is suitable specifically for direct sale under FLPMA, without competition, consistent with 43 CFR 2711.3-3(a)(3), as direct sales may be used “when in the opinion of the authorized officer, a competitive sale is not appropriate and the public interest would best be served by a direct sale[.]” including when “there is a need to recognize an authorized use...which could suffer a substantial economic loss if the tract were purchased by other than the authorized user[.]” The parcel has been developed for decades as a municipal golf course. Development of the parcel has been completed by Ferron City at considerable cost, and sale of the land to another party could result in substantial economic loss to the City.

Upon publication of this notice the portion of the RPPA classification identified above and any associated segregations will be terminated, and the land described above shall be open to direct sale to the City in accordance with the RMP.

Pursuant to the requirements of 43 CFR 2711.1-2(d), publication of this notice in the *Federal Register* will segregate the land from all forms of appropriation under the public land laws, including the mining laws, except for the sale provisions of FLPMA. Until completion of the sale, the BLM will no longer accept land use applications affecting the public land. The effect of this segregation will terminate upon issuance of a patent, publication in the *Federal Register* of a termination of the segregation, or two years after the date of publication in the *Federal Register*, unless extended by the BLM Utah State Director in accordance with 43 CFR 2711.1-2(d) prior to the termination date.

In addition to publication in the *Federal Register*, the BLM will also publish this notice with *ETV* news, once a week, for three consecutive weeks.

The patent, if issued, will be subject to the following terms, covenants, conditions, and reservations:

1. A mineral reservation to the United States for all minerals;
2. A reservation to the United States for ditches and canals constructed by authority of the United States under the Act of August 30, 1890;
3. Valid existing rights issued prior to conveyance;
4. An appropriate indemnification clause protecting the United States from claims arising out of the patentee's use, occupancy, or operations on the patented lands;
5. Additional terms and conditions that the authorized officer deems appropriate.

The EA, maps, appraisal report, and other associated documents are available for review at the location listed in the **ADDRESSES** section.

Interested parties and the public may submit in writing any comments concerning the land being considered for sale, including notification of any encumbrances or other

claims relating to the identified land, to Millsite Land Sale, BLM Price Field Office, at the address listed in the **ADDRESSES** section by the deadline listed in the **DATES** section.

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. The BLM will not consider comments received via telephone calls.

The BLM Utah State Director will review adverse comments regarding the parcel and may sustain, vacate, or modify this realty action, in whole or in part. In the absence of timely adverse comments, this realty action will become the final determination of the Department of the Interior.

(Authority: 43 CFR part 2710 and Pub. L. 116-9, sec. 1253.)

**Thomas A. Heinlein**

*State Director, Acting.*

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