



BILLING CODE 4331-23

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

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NMNM105853883 (Legacy NMNM-145347)]

Intent to Amend the Resource Management Plan and Prepare an Associated Environmental Assessment; Notice of Realty Action: Proposed Sale of Public Land and Reversionary Interest in Socorro County, NM

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent and realty action.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) New Mexico State Director intends to prepare a resource management plan (RMP) amendment with an associated environmental assessment (EA) for a non-competitive direct sale of public land in Socorro County, New Mexico. Additionally, the BLM will analyze a non-competitive direct sale of a 10-acre parcel reversionary interest conveyance on a Recreation and Public Purpose (R&PP) patent. By this notice the BLM is announcing the beginning of the scoping period to solicit public comments and identify issues, providing the planning criteria for public review, and announcing a comment period on the proposed realty action offering for sale a parcel of public land and reversionary interest.

DATES: The BLM requests that the public submit comments concerning the scope of the analysis, potential alternatives, and identification of relevant information and studies by **[INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. To afford the BLM the opportunity to consider issues raised by commenters in the Draft RMP Amendment and EA, please ensure your comments are received prior to the close of the 45-day scoping period or 15 days after the last public meeting, whichever is later.

ADDRESSES: You may submit comments on issues and planning criteria related to the Proposed RMP Amendment and Non-Competitive Direct Sale of Public Land in Socorro County, New Mexico, by any of the following methods:

- Website: <https://eplanning.blm.gov/eplanning-ui/project/2040546/510>
- Mail: BLM Socorro Field Office, ATTN: Socorro Field Office
Manager, 901 South Hwy 85, Socorro, New Mexico 87801

Documents pertinent to this proposal may be examined online at the website above and at the Socorro Field Office.

FOR FURTHER INFORMATION CONTACT: BLM Socorro Field Office Assistant Field Manager, Alec Bryan, telephone (575) 838-1290, email: abryan@blm.gov. Contact Mr. Bryan to have your name added to our mailing list. 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: The BLM will consider a non-competitive direct sale of 10 acres of public land and the conveyance of 10 acres of Federal reversionary interest in R&PP patent, 30-66-0141 to the Board of County Commissioners, in Socorro County, for a flood detention pond. The BLM proposes the non-competitive direct sale because this action serves an important local public objective of facilitating the protection of the town of San Antonio by minimizing flood potential. The sale of reversionary interest to the Socorro County Board of County Commissioners is requested due to the reversionary clause in patent 30-66-0141, which restricts the purposes for which the land can be used. If the BLM determines the proposed sale is in the best interest of the public, the BLM will ensure the Federal Government receives fair compensation for the sale. The fair market appraisal value is \$27,500 for 10 acres of public land and 10 acres of reversionary interest. The public land and reversionary interest would not be offered for sale prior to 60 days from the date of publication of this notice in the *Federal Register*.

This document provides notice that the BLM New Mexico State Director intends to prepare an RMP amendment with an associated EA for the non-competitive direct sale of public land in Socorro County, New Mexico, announces the beginning of the scoping process, and seeks public input on issues and planning criteria. The RMP amendment is being considered to allow the BLM to evaluate the disposal of 10 acres of public land to the Socorro County Board of County Commissioners. An amendment to the existing 2010 Socorro RMP is required to identify the public land as available for disposal. The direct sale is subject to the applicable provisions of section 203 of FLPMA and BLM land-sale regulations at 43 CFR part 2710. Publication of this notice in the *Federal*

Register also segregates the subject public land from all forms of appropriation under the public land laws, including the general mining laws, and from the mineral leasing and geothermal leasing laws, except for the sale provisions of FLPMA.

The planning area is in the unincorporated town of San Antonio in Socorro County, New Mexico, and encompasses approximately 10 acres of public land and 10 acres of reversionary interest of R&PP patented land. San Antonio is approximately 10 miles south of Socorro, New Mexico.

The scope of this land use planning process does not include addressing the evaluation or designation of areas of critical environmental concern (ACECs), and the BLM is not considering ACEC nominations as part of this process.

Purpose and Need

The need of the proposed action is to respond to the request from the Socorro County Board of County Commissioners for a FLPMA non-competitive sale of public land and the conveyance of Federal reversionary interest associated with the R&PP patent. The purpose for the proposed action is to transfer from Federal ownership the small parcel of land that is logistically and economically difficult to manage (FLPMA, 43 U.S.C. 1713(a)(1)). The BLM needs to amend the 2010 Socorro RMP because section 203 of FLPMA specifically requires that land made available for disposal under the sale authority be clearly identified in the relevant land use plan. The BLM proposes to amend the 2010 Socorro RMP to identify the parcel of public land as available for disposal through sale. Additionally, the EA will analyze the conveyance of 10 acres of reversionary interest on an adjacent parcel of land in which a patent was issued under the R&PP Act to the Socorro County Board of County Commissioners. The patented lands

have already been identified in the 2010 Socorro RMP for disposal, however additional analysis is required to evaluate the direct sale of reversionary interest in the patented land.

Preliminary Alternatives

The RMP identifies parcels suitable for disposal, and the subject public land is not currently listed as available for disposal. The BLM will analyze the suitability for disposal of the 10 acres of public land per the criteria listed in FLPMA section 203(a). The RMP amendment would allow for the 10-acre public land to be sold if it is found suitable for disposal.

Pursuant to the R&PP Act, the United States retains and continues to hold a reversionary interest in the below described 10 acres, adjacent to the public land, under patent number 30-66-0141. If the Socorro County Board of County Commissioners attempts to construct a detention pond component on the patented land it would trigger the R&PP Act reverter, in which the land “shall revert to the United States” (43 U.S.C. 86g-2(a)). Consequently, the Socorro County Board of County Commissioners has applied to the BLM to purchase, pursuant to section 203 of FLPMA of 1976, as amended, the reversionary interest from the United States. The reversionary interest is proposed to be conveyed to the Socorro County Board of County Commissioners, and given its location, the parcel would then be used for the construction and operation of a detention pond.

The BLM is considering a direct sale of the following described public land and reversionary interest:

New Mexico Principal Meridian, New Mexico

T. 4 S., R. 1 E.,

Sec. 31, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 10 acres of public land, according to the official plat of the survey of the said land on file with the BLM.

New Mexico Principal Meridian, New Mexico

T. 4 S., R. 1 E.,

Sec. 31, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 10 acres of reversionary interest in R&PP patent 30-66-0141, according to the official plat of the survey of the said land on file with the BLM.

This sale of reversionary interest is consistent with 43 CFR 2711.3-3. The objectives, goals, and decisions are consistent with the RMP, such as the land and realty objective to make land available for community expansion, provide economic development, and to increase the potential for economic diversity.

The conveyance document of reversionary interest would have all other terms and conditions of Patent No. 30-66-0141 to continue to apply to its land involved. The conveyance document of the public land, if issued, will contain the following terms, covenants, conditions, and reservations:

1. The reservation of all minerals, 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.
2. The reservation of 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).

3. The parcels are subject to all valid existing rights.
4. Subject to reservations for roads and public utilities rights-of-way.
5. An appropriate indemnification clause protecting the United States from claims arising out of the lessee's/patentee's use, occupancy, or occupations on the patented land
6. Additional terms and conditions that the authorized officer deems appropriate.

The No Action Alternative would not amend the 2010 Socorro RMP to allow for the disposal of public land. The public land and reversionary interest would be retained in Federal ownership and the BLM would continue to manage the small, isolated parcel and maintain the reversionary interest in the patented land.

The BLM welcomes comments on all preliminary alternatives as well as suggestions for additional alternatives.

Planning Criteria

The planning criteria guide the planning effort and lay the groundwork for effects analysis by identifying the preliminary issues and their analytical frameworks.

Preliminary issues for the planning area have been identified by BLM personnel and from early engagement conducted for this planning effort with Federal, State, and local agencies; Tribes; and stakeholders. The BLM has identified six preliminary issues for this planning effort's analysis:

1. How would implementation of the proposed action or no-action alternative impact cultural resources?
2. How would implementation of the proposed action or no-action alternative impact the floodplain and floodplain management?

3. How would implementation of the proposed action or no-action alternative impact migratory birds?
4. How would implementation of the proposed action or no-action alternative impact threatened and/or endangered species or special status species?
5. How would implementation of the proposed action or no-action alternative impact fish and wildlife management?
6. How would implementation of the proposed action or no-action alternative impact the BLM land and realty program?

Public Scoping Process

This notice of intent initiates the scoping period and public review of the planning criteria, which guide the development and analysis of the RMP Amendment and EA. The BLM has prepared an EA document, DOI-BLM-NM-A020-2025-0021-RMP-EA, for the RMP amendment and non-competitive direct sale and has made it available for comment.

The BLM does not intend to hold any public meetings, in-person or virtual, during the public scoping period. Should the BLM later determine to hold public meetings, the specific date(s) and location(s) of any meeting will be announced at least 15 days in advance through an announcement in the *El Defensor Chieftain* newspaper as well as on the BLM New Mexico's Facebook page, and the project's web page on the BLM National NEPA Register.

The EA, environmental site assessment, mineral potential report, and approved appraisal report will be made available for review at the Socorro Field Office in the **ADDRESSES** section above. Interested parties may submit, in writing, any comments concerning the sale, including notifications of any encumbrances or other claims relating

to the parcel. The comment period on the EA will end concurrently with the close of the comment period associated with this Notice.

Sale Notifications

The segregation will terminate upon issuance of a conveyance or July 23, 2028, whichever occurs first, unless extended by the BLM New Mexico State Director in accordance with 43 CFR 2711.1-2(d). The BLM is no longer accepting land-use applications affecting the subject public land, except applications to amend previously filed right-of-way applications or existing authorizations to increase grant terms in accordance with 43 CFR 2807.15 and 43 CFR 2886.15.

The notification of the proposed RMP amendment and EA and, if applicable, signed finding of no significant impact (FONSI) would begin a 30-day protest period subject to BLM Manual Section 2711.1 step 4(d) on the land-sale decision. The BLM New Mexico State Director will review all protests and may sustain, vacate, or modify the RMP amendment and land and Federal interest sale, in whole or in part. In the absence of any protests and FONSI, the BLM may select the approved RMP amendment alternative and prepare a decision record which would document the final determination of the Department of the Interior for the land and Federal interest sale.

In addition to publication of this notice in the *Federal Register*, the BLM will publish this notice in the *El Defensor Chieftain* newspaper once a week for three consecutive weeks. Any other subsequent notices related to the RMP amendment and land, and Federal interest sale may also be published in the *El Defensor Chieftain* newspaper.

Interdisciplinary Team

The BLM will use an interdisciplinary approach to develop the plan to consider the variety of resource issues and concerns identified. Specialists with expertise in the following disciplines will be involved in this planning effort: outdoor recreation, archaeology, wildlife, land and realty, soils, vegetation, paleontology, geology, air quality, sociology, and economics.

Additional Information

The BLM will identify, analyze, and consider mitigation to address the reasonably foreseeable impacts to resources from the proposed plan amendment, and all analyzed reasonable alternatives and, in accordance with 40 CFR 1502.14(e), include appropriate mitigation measures not already included in the proposed plan amendment or alternatives. Mitigation may include avoidance, minimization, rectification, reduction or elimination over time, and compensation; it may also be considered at multiple scales, including the landscape scale.

The BLM will utilize and coordinate the NEPA and land use planning processes for this planning effort to help support compliance with applicable procedural requirements under the Endangered Species Act (16 U.S.C. 1536), and section 106 of the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR 800.2(d)(3), including public involvement requirements of section 106. The information about historic and cultural resources and threatened and endangered species within the area potentially affected by the proposed plan will assist the BLM in identifying and evaluating impacts to such resources.

The BLM will consult with Tribal Nations on a government-to-government basis in accordance with Executive Order 13175, BLM Manual Section 1780, and other

Departmental policies. The BLM will send invitations to potentially affected Tribal Nations prior to consultation meetings. The BLM will provide additional opportunities for government-to-government consultation during the NEPA process. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with Tribal Nations and stakeholders that may be interested in or affected by the Proposed RMP Amendment and Non-Competitive Direct Sale of Public Land and Reversionary Interest in Socorro County, New Mexico, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate in the development of the environmental analysis as a cooperating agency.

Before including your address, phone number, email address, or other personally identifiable information in your comment, you should be aware that your entire comment – including your personally identifiable information – may be made publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

No warranty, or covenant of any kind, express or implied, will be given or made by the United States, its officers, or employees as to access to or from the above-described parcel of land, the title to the land, whether or to what extent the land may be developed, its physical condition, or its past, present or potential uses, and the conveyance of any such parcel will not be on a contingency basis. It is the responsibility of the buyer to be aware of all applicable Federal, State, and local government policies and regulations that would affect the subject land. It is also the buyer's responsibility to be aware of existing or prospective uses of nearby properties. Land without access from

a public road or highway will be conveyed as such, and future access acquisition will be the responsibility of the buyer.

The purchaser will have 30 days from the date of receiving the sale offer to accept the offer and to submit a deposit of 20 percent of the purchase price. The purchaser must remit the remainder of the purchase price within 180 days from the date of the sale offer. Payments must be by certified check, U.S. postal money order, bank draft, or cashier's check, and made payable to the U.S. Department of the Interior-BLM. The purchaser may also conduct an Electronic Funds Transfer (EFT). The balance is due 2 weeks prior to the 180th day if the purchaser conducts an EFT. Failure to meet conditions established for this sale will void the sale and forfeit any payment(s) received.

(Authority: 40 CFR 1501.9, 43 CFR 1610.2, and 43 CFR 2710.)

Gera A. Ashton,

Acting State Director,

BLM New Mexico.

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