

state, local or tribal governments in the aggregate, or to the private sector, of \$100,000,000 or more in any one year.

Executive Order 12612

The final rule would not have sufficient federalism implications to warrant BLM preparation of a Federalism Assessment (FA).

Executive Order 12630

The final rule does not represent a government action capable of interfering with constitutionally protected property rights. Section 2(a)(1) of Executive Order 12630 specifically exempts actions abolishing regulations or modifying regulations in a way that lessens interference with private property use from the definition of "policies that have takings implications." Since the primary function of the final rule is to abolish unnecessary regulations, there will be no private property rights impaired as a result. Therefore, BLM has determined that the rule would not cause a taking of private property, or require further discussion of takings implications under this Executive Order.

Executive Order 12988

The Department of the Interior has determined that this rule meets the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988.

Author

The principal author of this final rule is Frank Bruno, Regulatory Management Team, Bureau of Land Management, 1849 C Street, NW., Washington, DC 20240; Telephone 202/452-0352.

List of Subjects for 43 CFR Part 2560

Alaska, Homesteads, Indians—Lands, Public Lands—Sale, Reporting and Recordkeeping requirements.

For the reasons stated in the preamble, and under the authority of 43 U.S.C. 1740, part 2560, group 2500, subchapter B, chapter II of title 43 of the Code of Federal Regulations is amended as set forth below:

PART 2560—ALASKA OCCUPANCY AND USE

1. The authority citation for part 2560 is added to read as follows:

Authority: 43 U.S.C. 1201, 1740.

2. Part 2560 is amended by removing subpart 2567 in its entirety.

Dated: August 27, 1996.

Sylvia V. Baca,

Deputy Assistant Secretary of the Interior.

[FR Doc. 96-22704 Filed 9-9-96; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Part 2610

[WO-350-1430-00-24 1A]

RIN 1004-AC80

Carey Act Grants

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of proposed rulemaking.

SUMMARY: In response to President Clinton's Government-wide regulatory reform initiative, the Bureau of Land Management proposes to remove the regulations concerning Carey Act Grants, because the provisions are obsolete. Since 1980 when regulations were issued, only one public land State has applied for a grant of desert lands under the Carey Act.

DATES: Submit comments by October 10, 1996. BLM may, but need not, consider comments received or postmarked after this date in preparing the final rule.

ADDRESSES: If you wish to comment, you may hand-deliver comments to the Bureau of Land Management, Administrative Record, Room 401, 1620 L St., NW., Washington, DC; or mail comments to the Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street, NW, Washington, DC 20240. You also may transmit comments electronically via the Internet to WOCComment@WO0033wp.wo.blm.gov. Please include "attn: RIN 1004-AC80" in your message. If you do not receive a confirmation from the system that we have received your internet message, contact us directly. You will be able to review comments at BLM's Regulatory Management Team office, Room 401, 1620 L St., NW., Washington, D.C., during regular business hours (7:45 a.m. to 4:15 p.m.) Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Jeff Holdren, Bureau of Land Management, Realty Use Group, at 202-452-7779.

SUPPLEMENTARY INFORMATION:

- I. Public Comment Procedures
- II. Discussion of Proposed Rule
- III. Procedural Matters.

I. Public Comment Procedures

Written comments on the proposed rule should be specific, focus on issues pertinent to the proposed rule, and explain the reason for any

recommended change. Where possible, comments should reference the specific section or paragraph of the proposal being addressed. BLM may, but need not consider or include in the Administrative Record for the final rule comments received or postmarked after the close of the comment period (see **DATES**) or delivered to an address other than the one listed above (see **ADDRESSES**).

II. Discussion of Proposed Rule

Part 2610 of 43 CFR implements Section 4 of the Carey Act, 43 U.S.C. 641 *et seq.* The Act authorizes the Secretary of the Interior, through BLM State Directors, to grant and patent up to one million acres of desert lands to individual States and to grant and patent additional acreage to certain States, to aid these public land States in the reclamation of desert lands, and the settlement, cultivation, and sale of such lands, by small tracts, to actual settlers.

These regulations were issued in 1980 when several of the arid western States indicated a desire to use the provisions of the Act to encourage reclamation of lands that had potential for agricultural production. However, the conditions in the west are such that although some public lands are available with the capability for agricultural production, there is limited or no water that can be allocated for the large projects envisioned by the Act. As a result, to BLM's knowledge there has been only one application since 1980 for a Carey Act grant of desert lands.

III. Procedural Matters

National Environmental Policy Act of 1969

The BLM has prepared a draft environmental assessment (EA), and has made a tentative finding that the final rule would not constitute a major federal action significantly affecting the quality of the human environment under section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C). The BLM anticipates making a Finding of No Significant Impact (FONSI) for the final rule in accordance with the BLM's procedures under NEPA. The BLM has placed the EA on file in the BLM Administrative Record at the address specified previously. The BLM will complete an EA on the final rule and make a finding on the significance of any resulting impacts prior to promulgation of the final rule.

Paperwork Reduction Act

The proposed rule does not contain information collection requirements that

the Office of Management and Budget must approve under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Regulatory Flexibility Act

BLM has determined that the proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Unfunded Mandates Reform Act of 1995

Pursuant to the requirements of section 205 of the Unfunded Mandates Reform Act of 1995 (UMRA), BLM has selected the most cost-effective and least burdensome alternative that achieves the objectives of the rule. Removal of 43 CFR part 2610 will not result in any unfunded mandate to state, local or tribal governments in the aggregate, or to the private sector, of \$100,000,000 or more in any one year.

Executive Order 12612

The proposed rule would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Executive Order 12630

The proposed rule does not represent a government action capable of interfering with constitutionally protected property rights. Section 2(a)(1) of Executive Order 12630 specifically exempts actions abolishing regulations or modifying regulations in a way that lessens interference with private property use from the definition of "policies that have takings implications." Since the primary function of the rule is to abolish unnecessary regulations, there will be no private property rights impaired as a result. Therefore, the Department of the Interior has determined that the rule would not cause a taking of private property, or require further discussion of takings implications under this Executive Order.

Executive Order 12866

According to the criteria listed in section 3(f) of Executive Order 12866, BLM has determined that the proposed rule is not a significant regulatory action. As such, the rule is not subject to Office of Management and Budget review under section 6(a)(3) of the order.

Author

The principal author of this rule is Jeff Holdren, Realty Use Group, (202) 452-7779, assisted by Frances Watson, Regulatory Management Team, (202) 452-5006.

List of Subjects in 43 CFR Part 2610

Homesteads, Intergovernmental relations, Irrigation, Public lands—grants, Reclamation.

For the reasons stated in the preamble, and under the authority of 43 U.S.C. 1740, BLM proposes to remove part 2610 of group 2600, subchapter B, chapter II of title 43 of the Code of Federal Regulations.

Dated: August 27, 1996.
Sylvia V. Baca,
Deputy Assistant Secretary of the Interior.
[FR Doc. 96-22705 Filed 9-9-96; 8:45 am]
BILLING CODE 4310-84-M

43 CFR Parts 6400 and 8350

RIN 1004-AC87

Wild and Scenic Rivers

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: In response to President Clinton's Government-wide regulatory reform initiative, the Bureau of Land Management (BLM) proposes to write the regulation on wild and scenic rivers in a straightforward "Plain English" style. This regulation would establish uniform standards and procedures by which BLM will consider Federal licensing of, or assistance to, water resource projects on components affecting Wild and Scenic Rivers or Study Rivers administered by the Secretary of the Interior, through the Director, BLM. The regulation would harmonize BLM's procedures and definitions with those of the U.S. Forest Service to streamline and improve the administration of the Wild and Scenic Rivers System.

DATES: Submit comments by October 10, 1996. BLM may, but need not, consider comments received or postmarked after this date in preparing the final rule.

ADDRESSES: Commenters may hand-deliver comments to the Bureau of Land Management, Administrative Record, Room 401, 1620 L St., NW, Washington, DC; or mail comments to the Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street, NW, Washington, DC 20240. Commenters may transmit comments electronically via the Internet to: WOCComment@WO0033wp.wo.blm.gov. [For Internet, please include "Attn: AC87", your name and address in your message.]

Comments will be available for public review at the L Street address during regular business hours, from 7:45 a.m. to

4:15 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Gary Marsh, Special Areas and Land Tenure Team, (202) 452-7795.

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures
II. Discussion of Proposed Rule
III. Procedural Matters

I. Public Comment Procedures

Written comments on the proposed rule should be specific, focus on issues pertinent to the proposed rule, and explain the reason for any recommended change. Where possible, comments should reference the specific section or paragraph of the proposal being addressed. If comments are received or postmarked after the close of the comment period (see **DATES**) or delivered to an address other than the one listed above (See **ADDRESSES**), BLM will not necessarily consider or include them in the Administrative Record for the final rule.

II. Discussion of Proposed Rule

This proposed rule follows up an Advance Notice of Proposed Rulemaking that the BLM published in the June 5, 1996, Federal Register (61 FR 28546). That advance notice notified the public of the restructuring of 43 CFR Parts 6000-9000, and of BLM's plans to publish proposed rules for those parts in the near future. BLM now proposes to renumber and revise present Part 8350 of 43 CFR under the authority of Section 7 of the Wild and Scenic Rivers Act, as amended (16 U.S.C. 1278). That Act directs Federal agencies to protect the free-flowing condition and other values of designated rivers and congressionally-authorized study rivers from the harmful effects of proposed water resources projects.

The proposed rule sets forth applicable procedures that the Director, BLM, uses in administering Federal assistance for proposed water resources projects affecting Wild and Scenic Rivers or Study Rivers. This regulation is consistent with that of the Forest Service, U.S. Department of Agriculture, at 36 CFR Part 297.

III. Procedural Matters

National Environmental Policy Act of 1969

The BLM has prepared a draft environmental assessment (EA), and has made a tentative finding that the final rule would not constitute a major federal action significantly affecting the quality of the human environment under section 102(2)(C) of the National Environmental Policy Act of 1969