

## DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

[CA-190-98-1220-24-1A]

**Emergency Closure of Public Lands in San Benito and Fresno Counties, California**

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

**ACTION:** Notice of emergency closure and restrictions on use of public lands in the Clear Creek Management Area, located in San Benito and Fresno Counties, California.

**SUMMARY:** This notification serves to document an emergency closure order which went into effect on February 10, 1998 for all public lands (approximately 50,000 acres) within the Clear Creek Management Area. This notice supercedes and replaces a 1995 emergency closure order (S 5-00161-GP5-010-004) for this area. The authorized officer has determined that the flooding, slides and road washouts resulting from recent severe rainstorms, have made this area unsafe for recreational use, and that additionally, recreational use could result in serious damage to natural resources. Public lands in this area are therefore temporarily closed to public recreational use, although some exemptions apply, as described below. The closure will be lifted as soon as County Roads and internal access roads can be repaired and maintained to meet a minimum of public safety and access needs. Notice is also served that because of environmental sensitivity, the area known as "Upper Hillclimb Canyon", which is within the Clear Creek Management Area, will remain closed to vehicle use until such time as manageable routes through this area may be determined. Finally, notice is served that because of environmental hazards, several abandoned mine sites commonly known as the "Alpine", "Archer", "Aurora", "Larios Canyon", and "Molina" will also remain closed to all public entry, with the exception of access routes through these mined areas as demarcated by BLM signs. Additional abandoned mines may additionally be closed under subsequent **Federal Register** notices, pending review of water quality sampling results.

The purpose of this closure is to protect human life and safety, to protect sensitive resources, including threatened plants and their habitat, water quality and aquatic species, and wildlife habitat, and to prevent human contact with known hazardous substances.

A map of the areas affected by these closures is on file and may be viewed at the Hollister Field Office of the Bureau of Land Management. The area known as "Upper Hillclimb Canyon" is further described as all areas encompassed by Clear Creek Canyon Road, East Clear Creek Ridge Route, South Clear Creek Road, and Reservoir Road except for the included portions of Sections 5 and 6 of T.18 S., R.12 E. A map showing the Hillclimb Canyon closure is also available for viewing at the Hollister Field Office. A map showing the mine site closures is also available at the Hollister Field Office.

The above closures and restrictions are temporary and are intended to prevent further resource damage, and/or adverse impacts to public health and safety. The following persons are exempt from this closure order:

(1) Federal, State, or Local Law Enforcement Officers, while engaged in the execution of their official duties.

(2) BLM personnel or their representatives while engaged in the execution of their official duties.

(3) Any member of an organized rescue, fire-fighting force, Emergency Medical Services organization while in the performance and execution of an official duty.

(4) Any member of a federal, state or local public works department while in the performance of an official duty.

(5) Any person in receipt of a written authorization of exemption obtained from the Hollister Field Office.

(6) Local landowners, persons with valid existing rights or lease operations, or representatives thereof, who have a responsibility or need to access their property or to continue their operations on public land.

**EFFECTIVE DATE:** The overall closure became effective on February 10, 1998, and shall remain in effect until rescinded or modified by the Authorized Officer after consideration of current weather conditions. Emergency closures of Upper Hillclimb Canyon and the above-listed mines will remain in effect until further notice.

**SUPPLEMENTARY INFORMATION:** These closures and restrictions are under the authority of 43 CFR 8364.1 and 43 CFR 8341.2. Persons violating this closure shall be subject to the penalties provided in 43 CFR 8360.0-7 and 8340.0-7, including a fine not to exceed \$100,000 and/or imprisonment not to exceed 12 months.

**FOR FURTHER INFORMATION CONTACT:** Area Manager, Hollister Field Office, 20 Hamilton Court, Hollister, CA 95024, (408) 630-5000.

Dated: February 10, 1998.

**Robert E. Beehler,**

*Hollister Field Manager.*

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## DEPARTMENT OF THE INTERIOR

## National Park Service

**REVISION—Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Control of Tonto National Forest, United States Forest Service, Phoenix, AZ**

**AGENCY:** National Park Service

**ACTION:** Notice

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects in the control of Tonto National Forest, United States Forest Service, Phoenix, AZ. **This notice was originally published September 26, 1996.**

A detailed assessment of the human remains was made by U.S. Forest Service professional staff, American Museum of Natural History professional staff, Arizona State Museum professional staff, Arizona State University professional staff, Museum of Northern Arizona professional staff, and the Peabody Museum of Archaeology and Ethnology professional staff in consultation with representatives of the Ak-Chin Indian Community, the Gila River Indian Community, the Hopi Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the Tohono O'odham Nation, and the Yavapai-Prescott Indian Tribe. **Since publication of the original notice, consultation has also been conducted with the San Carlos Apache Tribe, the Yavapai-Apache Tribe, and the White Mountain Apache Tribe. Copies of the original notice were also sent to these Indian tribes.**

Continuities of ethnographic materials, technology, and architecture indicate affiliation of the above mentioned sites with historic and present-day Piman and O'odham cultures. Oral traditions presented by representatives of the Ak-Chin Indian Community, the Gila River Indian Community, the Salt River Pima-Maricopa Indian Community, and the Tohono O'odham Nation support affiliation with the Salado and Hohokam sites in this area of central Arizona. **Based upon further oral**