

Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

#### *Takings (E.O. 12630)*

In accordance with Executive Order 12630, we find that the closures and supplementary rules do not have significant takings implications. The enforcement provision interim final does not include any language requiring or authorizing forfeiture of personal property or any property rights. E.O. 12630 addresses concerns based on the Fifth Amendment dealing with private property taken for public use without compensation. The two fire areas are both on public land managed by the Bureau of Land Management, and any owners of private inholdings are specifically excluded from the effect of the closures and rules. Therefore no private property is affected. A takings implications assessment is not required.

#### *Federalism (E.O. 13132)*

In accordance with Executive Order 13132, we find that the closures and supplementary rules do not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. The closures and rules do not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. The rules do not preempt state law.

#### *Civil Justice Reform (E.O. 12988)*

In accordance with Executive Order 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Executive Order.

#### *Consultation and Coordination With Indian Tribal Governments (E.O. 13175)*

In accordance with Executive Order 13175, we have found that this final rule would not include policies that have tribal implications. The rule would not affect lands held for the benefit of Indians, Aleuts, and Eskimos.

#### *Paperwork Reduction Act*

The closures and supplementary rules do 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.*

#### *National Environmental Policy Act*

The closures and supplementary rules do not constitute a major Federal action significantly affecting the quality of the

human environment. A detailed statement under the National Environmental Policy Act of 1969 is not required. [EA prepared?? need to refer to it]

#### *Clarity of This Regulation*

Executive Order 12866 requires each agency to write regulations that are easy to understand. We invite your comments on how to make this rule easier to understand, including answers to questions such as the following:

- (1) Are the requirements in the rule clearly stated?
- (2) Does the rule contain technical language or jargon that interferes with its clarity?
- (3) Does the format of the rule (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity?
- (4) Would the rule be easier to understand if it were divided into more (but shorter) sections?
- (5) Is the description of the rule in the **SUPPLEMENTARY INFORMATION** section of this preamble helpful in understanding the interim final rule? What else could we do to make the interim final rule easier to understand?

If you have any comments that concern how we could make this rule easier to understand, in addition to sending the original to the address shown in **ADDRESSES**, above, please send a copy to: Office of Regulatory Affairs, Department of the Interior, Room 7229, 1849 C Street NW., Washington, DC 20240. You may also e-mail the comments to this address: [Execsec@ios.doi.gov](mailto:Execsec@ios.doi.gov).

The authority for these closures and supplementary rules is found in Authority: 43 U.S.C. 1733; 43 CFR 8364.1; and 43 CFR 8365.1-6.

#### Sec. 1 Prohibited acts.

a. *Prohibited acts.* Within the closed area you must not:

1. Operate any motorized vehicle.
2. Operate any mechanized vehicle.

b. *Exemptions.* The following are exempt from prosecution under the prohibited acts:

1. Any person operating a motorized vehicle on a publicly maintained State or County road;
2. Any Federal, state or local officers or employees or contractor in the scope of their duties;
3. Members of any organized rescue or fire-fighting force in the performance of official duty;
4. Any private landowners owning property within the fire perimeters and exercising rights of ingress/egress to that property using existing roads; and
5. Any person authorized in writing by BLM.

#### Sec. 2 Penalties.

On public lands, under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)) and 43 CFR 8360.0-7, any person who violates any of these supplementary rules may be tried before a United States Magistrate and fined no more than \$1,000 or imprisoned for no more than 12 months, or both. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

Dated: February 12, 2003.

**Elaine M. Brong,**

*Oregon State Director.*

[FR Doc. 03-7170 Filed 3-25-03; 8:45 am]

**BILLING CODE 4310-33-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[ID-085-03-1430-AA]

#### **Implementation of Off Highway Vehicle (OHV) Management, Upper Columbia-Salmon Clearwater District, ID**

**AGENCY:** Bureau of Land Management, Upper Columbia-Salmon Clearwater District, Idaho, Interior

**ACTION:** Implementation of Off Highway Vehicle (OHV) management for the Salmon Field Office, Upper Columbia-Salmon Clearwater District, BLM.

**SUMMARY:** In a **Federal Register** notice dated February 25, 2000, the Salmon Field Office notified the public of the BLM's intent to amend the Lemhi Resource Management Plan (RMP) (BLM 1987) to address several management concerns, including the need for Aadditional guidance for management of resources, values, and uses on public lands within the (Lewis and Clark National Historic) Trail corridor and its surrounding area, and for other areas where visitor use is increasing substantially." This concern has been addressed through amended off-highway vehicle use (OHV) designations for the approximately 594,837-acre Salmon Field Office area, as well as other management decisions. The Lemhi RMP amendment was approved by the Idaho State Director on August 29, 2001. As stated in 43 CFR 8342.2(b), that approval constituted the formal designation of off-highway vehicle use areas for the Salmon Field Office area. This Notice is published in compliance with 43 CFR 8364.1 Closure and restriction orders. Additional efforts to inform the public of the changes in OHV designations will be made during the next six to twelve months as the Salmon

Field Office holds informational meetings, prepares and distributes a Travel Map, installs signs identifying the restricted or closed areas, and contacts public land visitors via the media and in the field.

Changes in OHV designations were primarily made to address existing or potential future impacts to cultural, historic, and scenic resources; fisheries and wildlife habitat; undeveloped and non-motorized recreational opportunities; and native vegetation in the Salmon Field Office area. These designations were developed based on public and tribal input and an environmental analysis of various management alternatives. This closure and restriction order supersedes the OHV designation and closure notices published in the **Federal Register** by the Salmon District Office on September 5, 1986; September 29, 1987; and April 24, 1989.

**FOR FURTHER INFORMATION CONTACT:** For further information about the amended OHV designations or to obtain a copy of the RMP amendment (which includes maps of the OHV designations), please contact Michael Liner, Outdoor Recreation Planner, by phone at (208) 756-5466, by e-mail at Michael\_Liner@blm.gov, or by mail at the Bureau of Land Management, 50 Highway 93 South, Salmon, Idaho 83467.

**SUPPLEMENTARY INFORMATION:** The majority (about 96.5%) of public lands administered by the Salmon Field Office now have an OHV designation of "limited," which means that motorized vehicle travel within specified areas and/or on designated routes, roads, vehicle ways, or trails is subject to restrictions. The remaining public lands (approximately 3.5%) are designated "closed"; *i.e.*, motorized vehicle travel is prohibited in those areas.

**Exceptions for Off-road Vehicle Use—**Excluding the Eighteenmile Wilderness Study Area (WSA), located about 15 miles southeast of Leadore, Idaho (see point "(1)" of the Limited and Closed Designation Areas in the following two paragraphs), temporary exceptions to the OHV limitations and closures for the Salmon Field Office area may be authorized for any military, fire, emergency, or law enforcement vehicle while it is being used for emergency purposes, any vehicle in official use, and any vehicle whose use is expressly authorized in writing by the authorized officer.

The following additional exceptions for off-road travel may apply in "Limited" Designation Areas; vehicle use may be allowed:

(a) Within 300 feet of existing roads, vehicle ways, or trails for direct access to campsites, to retrieve downed big game, or to harvest forest products;

(b) Immediately adjacent to existing roads, vehicle ways, and trails for purposes such as parking, turning around, or passing another vehicle;

(c) If the vehicle weighs 1,500 pounds or less gross vehicle weight and is traveling on at least six inches of continuous snow cover; and

(d) Snowmobiles on groomed trails only.

These exceptions (a) through (d) are referenced in the "Limited Designation Areas" section below when they pertain to a given limitation.

**"Closed" Designation Areas—**The areas designated "closed" to OHV use are as follows. (1) The portion of the Eighteenmile WSA recommended to Congress as suitable for wilderness designation (14,796 acres) is closed to OHV use to maintain the area's suitability for wilderness designation. Temporary exceptions for OHV use are allowed in emergencies and search and rescue operations, for official purposes by the BLM and other Federal, State, and local agencies, and to build or maintain structures or installations, as provided for in the Interim Management Policy and Guidelines for Lands Under Wilderness Review (BLM 1995). (2) The 236-acre Trail Creek Area of Critical Environmental Concern (ACEC), located approximately 12 miles west of Lemhi, Idaho, is closed to OHV use to preserve the unroaded old growth forest and riparian habitat and provide additional protection to high quality elk habitat. (3) About 1,200 acres on the hillside above the Chief Tendoy Cemetery (located about 20 miles southeast of Salmon, Idaho) are closed to OHV use for safety reasons (the area is extremely steep and hazardous). (4) Approximately 1,080 acres in the Birch Creek Springs area located about 35 miles south of Leadore, Idaho, are closed to OHV use to protect the unique wetland, riparian, and vegetative resources of the area.

**"Limited" Designation Areas—**Specific restrictions within "limited" designation areas are as follows. (1) OHV travel within the portion of the Eighteenmile WSA recommended to Congress as "non suitable" for wilderness designation (10,126 acres) is limited yearlong to one designated route along the northwestern boundary (the Powderhorn Gulch Road) to allow some motorized access to the WSA while still protecting the WSA's suitability for wilderness designation (exception (b) applies). Temporary exceptions for OHV use off of this route are allowed in emergencies and search and rescue

operations, for official purposes by the BLM and other Federal, State, and local agencies, and to build or maintain structures or installations, as provided for in the Interim Management Policy and Guidelines for Lands Under Wilderness Review (BLM 1995). (2) OHV use within the Continental Divide National Scenic Trail Special Recreation Management Area (SRMA) (about 4,600 acres located along the eastern boundary of the Field Office area) is limited to designated routes to reduce conflicts between motorized and non-motorized recreation opportunities within the SRMA and to provide habitat security for wintering big game. The following designated routes may be used yearlong: The portion of the Divide Road beginning about six miles south of Lemhi Pass, the Copper Queen Road, the Cow/Yearian Divide Ridge Road, the two branches of the Reese Creek Road, the Reese/Peterson Divide Ridge Road, the Whiskey Springs Ridge Road east of State Highway 29, and the "spur" road off the Whiskey Springs Ridge Road (exceptions (a), (b), and (c) apply). A northern section of the Divide Road (beginning at the Copper Queen Road intersection and continuing about four miles to the Cow/Yearian hydrologic divide) and two spur roads off the Divide Road may be traveled seasonally, from May 1 through December 15 (exceptions (a), (b), and (d) apply). (3) OHV travel within the Chief Tendoy Cemetery is limited yearlong to the designated route to the monument (no exceptions for off-road travel) to ensure protection of the Cemetery and associated Native American burials. This 40-acre parcel in T19N, R24E, B.M.

Section 28: NE $\frac{1}{4}$  SW $\frac{1}{4}$  was reserved for an Indian Cemetery by a Secretarial decree on October 1, 1907. (4) OHV travel within the Lewis and Clark National Historic Trail SRMA (three areas totaling approximately 31,014 acres) is limited to designated routes to protect the historic trail from ground disturbance and to maintain the natural and historical integrity of the trail area. In the River Bluffs area just north of Salmon, Idaho, OHV use is limited yearlong to the Recreation and Public Purposes Act lease site designated use areas (two areas totaling about 74 acres), the River Bluff Road, the Sagehen Flat Road, the Powerline Road, and the road that heads south from the Powerline Road toward Kirtley Creek (no exceptions for off-road use apply). (*Note:* The designated use areas within the Recreation and Public Purposes Act lease site are provided to be consistent with the lease stipulations.) OHV travel within the Agency Creek portion of the

SRMA is limited to the seasonal and yearlong routes listed in section (9) below (exceptions (a), (b), and (d) apply). OHV travel within the Tower Creek portion of the SRMA is limited to the seasonal and yearlong routes listed in section (10) below (exception (b) applies). (5) OHV travel within the 1,060-acre Sevenmile ACEC, located about seven miles south of Salmon, Idaho, is limited yearlong to two designated routes in the upper portion of the ACEC: The route which accesses the Sunset Heights Water District Spring and the route which accesses the upper portion of the Sevenmile watershed (exceptions (a) and (b) apply). This use limitation is implemented to help ensure public safety and resource protection in areas with steep slopes and highly erosive soils, while allowing motorized access in more stable areas. (6) OHV use within the following recreation sites and use areas is limited to designated routes and use areas yearlong to ensure visitor safety and reduce conflicts between motorized and non-motorized recreation use (no exceptions for off-road use apply): The Shoup Bridge, Morgan Bar, Williams Lake, Tower Creek, Smokey Cubs, McFarland, and Agency Creek Recreation Sites, as well as several access points along the Salmon River: Eightmile River Access, Elevenmile River Access, Lime Creek Trailhead, and Kilpatrick River Access. (7) OHV use on about 29,599 acres in the Hayden, Basin, and Muddy creek areas west of Lemhi, Idaho, is limited to designated routes in order to address erosion concerns and the potential for sedimentation impacts to occupied threatened/endangered fish habitat (exceptions (a), (b), and (c) apply). The Hayden Creek Road and Basin Creek Road may be used by motorized vehicles yearlong. OHV use on the following designated routes is only allowed from June 16 to February 28: Muddy Creek Road, Colson Cutoff, Roostercomb Mountain Road, and several additional unnamed routes between Basin Creek and Muddy Creek. (8) No vehicle travel is allowed on the following roads constructed for previous timber sales, unless specifically authorized by the BLM: Baldy Basin, Sawmill Canyon, Birch Creek, and McDevitt Creek. These restrictions are implemented to reduce water quality impacts. (9) OHV use on about 25,904 acres in the Kenney, Pattee, and Agency creek drainages (located approximately 15 miles southeast of Salmon, Idaho) is limited to designated routes and/or closed seasonally (exceptions (a), (b), and (d) apply). These limitations are implemented to improve habitat

security in big game winter range and to protect cultural and scenic resources in the Lewis and Clark Trail SRMA. Motorized travel is allowed yearlong on the Alkali Flat Road, Warm Springs Wood Road, Agency Creek Road, Divide Road (excepting about four miles beginning at the Copper Queen Road intersection south to the Cow/Yearian hydrologic divide), Copper Queen Road, and about four miles of the Pattee Creek Road. OHV use on several routes in the Agency, Pattee, and Warm Springs Creek drainages is only permitted from May 1 through December 15. The following route is designated for snowmobile use: The Divide Road from Lemhi Pass south to the Copper Queen Road to the Agency Creek Road. Vehicle travel is permitted on existing roads, vehicle ways, and trails from May 1 through December 15 on about 1,260 acres south of Kenney Creek and 2,325 acres south of the SRMA boundary (exceptions (a) and (b) apply); the remainder of the year these areas are closed to OHV use to protect wintering big game. (10) OHV use on about 5,192 acres in the Tower Creek area located about 11 miles north of Salmon, Idaho, is limited to designated routes to protect wildlife habitat and cultural and scenic resources along the Lewis and Clark National Historic Trail (exception (b) applies). Travel is allowed yearlong on the Kruley Gulch Road and Tower Creek Road. From May 1 through December 15, travel is also allowed on the ridge route (from U.S. Highway 93 to a point about 2.9 miles from the highway) and the route that bears west off the ridge route about 1.5 miles from the highway. (11) OHV use on about 7,805 acres in the Badger Springs area (located about seven miles north of Salmon, Idaho) is prohibited from December 16 through April 30 to protect big game winter habitat. The remainder of the year vehicle use is limited to existing roads, vehicle ways, and trails. (12) In the Henry Creek area (approximately 4,046 acres) located about nine miles south-southwest of Salmon, Idaho, OHV use is only allowed on existing roads, vehicle ways, and trails from April 11 through September 19; during this time, motorized access is limited to vehicles 48 inches in width or narrower (exception (b) applies). These limitations are implemented to address safety and erosion concerns. (13) OHV use on all remaining public lands not affected by the above limitations or closures (about 402,385 acres) is limited to the existing roads, vehicle ways, and trails visible on 1993-1994 aerial photos and/or 1992 digital orthophotos, as verified through on-the-ground review

(exceptions (a), (b), and (c) apply). Vehicle travel on single-track vehicle ways is limited to two-wheeled vehicles and will not promote expansion of those ways into two-track routes. These limitations are implemented to reduce impacts to cultural resources, visual resources, native vegetation, and fisheries and wildlife habitat.

Dated: February 12, 2003.

**Jenifer L. Arnold,**

*Acting District Manager.*

[FR Doc. 03-7163 Filed 3-25-03; 8:45 am]

**BILLING CODE 4310-GG-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Outer Continental Shelf (OCS) Scientific Committee of the Minerals Management Advisory Board; Announcement of Plenary Session

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of meeting.

**SUMMARY:** The Minerals Management Advisory Board OCS Scientific Committee will meet at the Hilton Anchorage Hotel in Anchorage, Alaska.

**DATES:** Tuesday, April 22, 2003, from 8:30 a.m. to 5 p.m., Wednesday, April 23, from 7:45 a.m. to 3:15 p.m., and Thursday, April 24, from 8:30 a.m. to 5 p.m.

**ADDRESSES:** Hilton Anchorage Hotel, 500 West Third Avenue, Anchorage, Alaska 99501, telephone (907) 272-7411.

**FOR FURTHER INFORMATION CONTACT:** A copy of the agenda may be requested from MMS by calling Ms. Carolyn Beamer at (703) 787-1211. Other inquiries concerning the OCS Scientific Committee meeting should be addressed to Dr. James Kendall, Executive Secretary to the OCS Scientific Committee, Minerals Management Service, 381 Elden Street, Mail Stop 4043, Herndon, Virginia 20170-4817 or by calling (703) 787-1656.

**SUPPLEMENTARY INFORMATION:** The OCS Scientific Committee is an outside group of non-Federal scientists which advises the Director, MMS, on the feasibility, appropriateness, and scientific merit of the MMS OCS Environmental Studies Program as it relates to information needed for informed OCS decisionmaking.

The Committee will meet in plenary session on Tuesday, April 22. Presentations will be made by the Deputy Associate Director for Offshore Minerals Management and the Director,