

local small businesses bear-proof canisters to rent, and they keep the \$5/ trip rental charge as cost for handling the canisters and administering the program.

#### *Unfunded Mandates Reform Act*

These emergency final supplementary rules do not impose an unfunded mandate on State, local, or tribal governments or the private sector of more than \$100 million per year; nor do the supplementary rules have a significant or unique effect on State, local, or tribal governments or the private sector. The supplementary rules do not require anything of State, local, or tribal governments. Therefore, BLM is not required to prepare a statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*).

#### *Executive Order 12630, Governmental Actions and Interference With Constitutionally Protected Property Rights (Takings)*

The emergency final supplementary rules do not represent a government action capable of interfering with constitutionally protected property rights. The emergency final supplementary rules do not address property rights in any form, and do not cause the impairment of any persons' property rights. Therefore, the Department of the Interior has determined that the emergency final supplementary rules will not cause a taking of private property or require further discussion of takings implications under this Executive Order.

#### *Executive Order 13132, Federalism*

The emergency final supplementary rules will not have a substantial direct effect 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 supplementary rules affect land in only one State, California, and do not address jurisdictional issues involving the California State government. Therefore, in accordance with Executive Order 13132, BLM has determined that these emergency final supplementary rules do not have sufficient federalism implications to warrant preparation of a federalism assessment.

#### *Executive Order 12988, Civil Justice Reform*

Under Executive Order 12988, BLM has determined that these emergency final supplementary rules will not unduly burden the judicial system and

that they meet the requirements of sections 3(a) and 3(b)(2) of the Executive Order.

#### *Paperwork Reduction Act*

These emergency final 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.*

#### *Author*

The principal author of these emergency final supplementary rules is Scott Adams, Outdoor Recreation Planner, of the King Range Project Office within the Arcata Field Office, Bureau of Land Management, Department of the Interior.

For the reasons stated in the Preamble, and under the authority of 43 CFR part 8360, section 8365.1-6, the Arcata Field Office Manager establishes emergency final supplementary rules to read as follows:

Dated: June 14, 2002.

#### **J. Anthony Danna,**

*Deputy State Director, Natural Resources.*

*Editorial note:* This document was received at the Office of the Federal Register, April 25, 2003.

Emergency final supplementary rules for the King Range National Conservation Area, requiring the mandatory use of hard-sided, bear-proof storage canisters by backcountry overnight visitors.

#### **Sec. 1 Rules of Conduct**

a.1. All backcountry overnight users camping on BLM-administered public lands within the boundaries of the King Range National Conservation Area must carry and use hard-sided, bear-proof food storage canisters.

2. The canisters must be of sufficient size to permit storage of all food, toiletries, sunscreen, surfboard wax, insect repellent and other scented items for the duration of the trip.

b. Each person must possess a minimum of one canister, and must use the canister to store the types of items listed in paragraph a.2. of this section, plus any food scraps and scented trash items such as empty cans, energy/candy wrappers, surf wax wrappers, etc.

c. Stock users must use either portable bear canisters or bear proof panniers of sufficient size to store materials for all party members.

#### **Sec. 2 Definitions**

For the purposes of these supplementary rules—

*Backcountry location* means any place outside of a developed campground

where food and other scented items cannot be stored inside a locked vehicle.

*Hard-sided* means made of rigid material and of a size and shape that bears cannot grasp by the mouth or paws, or otherwise carry for a significant distance, and having a closing and latching lid that is tested and proven effective against bears.

#### **Sec. 3 Prohibited Acts**

a. You must not camp in the backcountry on BLM-administered public lands without using a hard-sided, bear-proof food storage canister or pannier sufficient for the storage of all food, toiletries, food scraps and trash, and all other scented items, for the duration of your backcountry trip.

b. You must not substitute for the use of bear canisters by hanging food, trash, and other scented items from tree limbs, by burying these items, or by using any other technique in place of using the prescribed portable bear-proof storage canisters.

#### **Sec. 4 Exception**

These supplementary rules do not apply to overnight use within designated campgrounds or near vehicles where food is stored and locked inside.

#### **Sec. 5 Penalties**

Under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)), if you knowingly and willfully violate or fail to comply with the emergency final supplementary rules provided in this notice, you may be subject to a fine under 18 U.S.C. 3571 or other penalties in accordance with 43 U.S.C. 1733.

[FR Doc. 03-10720 Filed 5-1-03; 8:45 am]

BILLING CODE 4310-40-P

## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Land Management**

[UT 050-1610-DO-012J]

#### **Call for Coal Resource and Other Resource Information for Public Lands in Garfield, Piute, Sanpete, Sevier and Wayne Counties, Utah**

**AGENCY:** Richfield Field Office, Bureau of Land Management, Richfield, UT

**ACTION:** Call for coal resource and other resource information.

**SUMMARY:** A Notice of intent to prepare a Resource Management Plan for public lands and resources in Garfield, Piute, Sanpete, Sevier and Wayne counties, Utah was published in the **Federal Register**, volume 66, no. 212, Thursday,

November 1, 2001. This supplements that notice with a call for coal resource and other resource information, as required in 43 CFR 3420.1.

**DATES:** The comment period will commence with the publication of this notice in the **Federal Register** and end 30 days after its publication.

**ADDRESSES:** Non-proprietary written comments should be sent to Coal Comments, Bureau of Land Management, Richfield Field Office, 150 East 900 North, Richfield, UT 84701; Fax 435-896-1550. Comments, including names and street addresses of respondents, will be available for public review at the Richfield Field Office during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays and may be published as part of the Environmental Impact Statement. Proprietary data marked as confidential may be submitted in response to this call, however, all such proprietary data should be submitted only to James Kohler, Chief, Branch of Solid Minerals, Utah State Office, Bureau of Land Management, P.O. Box 45155, Salt Lake City, UT 84145-0155. Data marked as confidential shall be treated in accordance with the laws and regulations governing confidentiality of such information.

**FOR FURTHER INFORMATION CONTACT:** Michael Jackson, geologist, BLM Richfield Field Office, 150 East 900 North, Richfield, UT 84701, phone: 435-896-1500, email [Michael.Jackson@ut.blm.gov](mailto:Michael.Jackson@ut.blm.gov).

**SUPPLEMENTARY INFORMATION:** The purpose of this call for coal information is to obtain any available coal resource data and any other resource information pertinent to applying the coal unsuitability criteria, and to identify any areas of interest for possible Federal coal leasing. The Resource Management Plan will identify areas acceptable for further consideration for leasing and estimate the amount of recoverable coal. Only those areas that have development potential may be identified as acceptable for further consideration for leasing. Coal companies, State and local governments and the general public are encouraged to submit information on coal geology, economic data and other development potential considerations. Where such information is determined to indicate developmental potential for an area, the area may be included in the land use planning evaluation for coal leasing. The BLM will use the unsuitability criteria and procedures outlined in 43 CFR part 3461 to assess where there are areas unsuitable for all or certain stipulated methods of mining. Additionally, multiple use decisions

that are not included in the unsuitability criteria may eliminate certain coal deposits from further consideration for leasing to protect other resource values and land uses that are locally, regionally or nationally important or unique. In making these multiple use decisions BLM will place particular emphasis on protecting the following: Air and water quality, wetlands, riparian areas and sole-source aquifers; the Federal lands, which leased, would adversely impact units of the National Park System, National Wildlife Refuge System, the National System of Trails, and the National Wild and Scenic Rivers System. Before adopting the resource management plan that makes an assessment of lands acceptable for further consideration for leasing, the BLM will consult with the state Governor and the state agency charged with the responsibility for maintaining the state's coal unsuitability program. Where tribal governments administer areas within or near the boundaries of the land use plan, the bureau shall consult with the appropriate tribal government.

Dated: April 1, 2003.

**Sally Wisely,**

*State Director.*

[FR Doc. 03-10873 Filed 5-1-03; 8:45 am]

**BILLING CODE 4310-DQ-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CA-930-1920-ET-4064; CACA 43173]

#### Notice of Proposed Withdrawal and Opportunity for Public Meeting; California

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

**ACTION:** Notice.

**SUMMARY:** The Forest Service proposes to withdraw approximately 2,030 acres in the Inyo National Forest to facilitate the establishment of the McAfee Research Natural Area. This notice closes the land for up to 2 years from mining. The land will remain open to mineral leasing and the Materials Act of 1947.

**DATES:** Comments and requests for a public meeting must be received by July 31, 2003.

**ADDRESSES:** Forest Supervisor, Inyo National Forest, 879 North Main Street, Bishop, California 93514.

**FOR FURTHER INFORMATION CONTACT:** Vernon McLean, Inyo National Forest, 760-873-2472.

**SUPPLEMENTARY INFORMATION:** On April 13, 2001, the Inyo National Forest, Forest Service, filed an application to withdraw the following described National Forest System land from location and entry under the United States mining laws (30 U.S.C. ch. 2), subject to valid existing rights:

#### Mount Diablo Meridian

All that portion of land within the Inyo National Forest, County of Inyo, State of California, described as follows: All those portions of sections 4, 8, 9, 10, 15, 16, 17, 20, 21 and 22, T. 4 S., R. 34 E., Mount Diablo Meridian, more particularly described as follows:

Beginning at a 3¼ inch capped aluminum monument, stamped "McAfee A" which lies on a peak, 13,189 feet in elevation, (Point A, Exhibit A), which is in the NW¼, section 9;

Thence, southwesterly (mostly southerly), approximately 0.88 miles to a 3¼ inch capped aluminum monument, stamped "McAfee B" which lies on a peak, 12,970 feet in elevation, (Point B, Exhibit A), which is in the SE¼, section 8;

Thence, southerly, approximately 1.43 miles to a 3¼ inch capped aluminum monument, stamped "McAfee C" which lies at the northeast corner of the Barcroft Observatory Site, (Point C, Exhibit A), which is in the NE¼, section 20;

Thence, southwesterly (mostly westerly), approximately 0.79 miles to a 3¼ inch capped aluminum monument, stamped "McAfee D" which lies on a peak, 12,205 feet in elevation, (Point D, Exhibit A), which is in the S½, section 21;

Thence, easterly approximately 1.29 miles to a 3¼ inch capped aluminum monument, stamped "McAfee E" which lies on a peak, 11,783 feet in elevation, (Point E, Exhibit A), which is in the E½, section 22;

Thence, northerly approximately 0.80 miles to a 3¼ inch capped aluminum monument, stamped "McAfee F" which lies on a peak, 11,745 feet in elevation, (Point F, Exhibit A), which is in the SE¼, section 15;

Thence, northwesterly (mostly northerly) approximately 1.06 miles to a 3¼ inch capped aluminum monument, stamped "McAfee G" which lies on knoll at the easterly end of a plateau, at approximately 11,880 feet in elevation (Point G, Exhibit A), which is in the south ½, section 10;

Thence, westerly approximately 1.32 miles along the edge of the plateau to a 3¼ inch capped aluminum monument, stamped "McAfee", which is in the S½, section 9;

Thence, northerly approximately 0.66 miles along the edge of the plateau, ascending to a 3¼ inch capped aluminum monument, stamped "McAfee H" which lies on point, approximately 13,091 feet in elevation (Point H, Exhibit A), which is in the SW¼, section 4;

Thence, southwesterly approximately 0.3 miles to the point of beginning.

The area described contains approximately 2,030 acres in Inyo County.

The land proposed for withdrawal is to be designated the McAfee Research