

the permit must be visibly displayed in accordance with posted instructions, or in the manner directed by a BLM official.

4. You must not reassign or transfer your permit to another individual or group and/or campsite(s).

5. Any authorized BLM official may revoke your permit, without reimbursement, if you violate any BLM rule or regulation. If BLM revokes your permit, you must remove all personal property and leave the recreation site within one hour of notice.

6. A recreation site is considered occupied after you have paid the appropriate permit fee, you have taken possession of the site by placing personal property at the site, and the permit is displayed in accordance with written instructions or as directed by a BLM official. You must not occupy a site in violation of instructions from a BLM official, or when there is reason to believe that the unit is properly occupied by another person or persons.

7. Except for authorized Federal, state or local personnel, during the commission of their duties, a permitted site cannot be occupied by other visitors without the consent of the permittee.

8. You must not occupy a site designated as "day use" between sunset and sunrise.

9. A single vessel and its occupants may not occupy more than one site.

10. During the hours of 10 p.m. to 6 a.m., in accordance with applicable state time zone standards, you must maintain quiet within normal hearing range of the designated recreation sites.

11. You must not cut or collect any firewood, including dead and down wood and all other vegetative material.

12. You must not moor vessels to vegetation, signs, shade ramadas, tables, grills or fire rings, toilets, trash receptacles, or other objects or structures not designed for such use.

13. You must not beach or moor a vessel in excess of posted time limits.

14. You must not discharge or use firearms or projectile weapons inside or within a half mile of any occupied recreation site.

15. You must not discharge or possess any fireworks.

16. You must keep the site free of litter and trash during the period of occupancy. You must remove all personal property, and the site must be clean, upon your departure.

17. You must keep pets on a leash no longer than six (6) feet.

18. You must not leave pets unattended, and you must remove pet waste from the site or dispose of it in available trash receptacles.

19. You must not violate any provisions of boating laws as described

in Title 5, Chapter 3, of the Arizona Revised Statutes or in the California Harbors and Navigation Code (as applicable).

20. Possession of alcoholic beverages by a person under the age of 21 years is prohibited.

21. Consumption of alcoholic beverages by a person under the age of 21 years is prohibited in the portions of the affected area that are located within Arizona.

22. You must not possess glass beverage containers on land or in the water. You may possess glass beverage containers only within the confines of a vessel.

23. Reserving recreation sites in any manner, including leaving personal property unattended overnight, is prohibited.

24. Recreation sites used for camping activities must be occupied overnight by the permittee.

25. You must not leave personal property unattended for more than 24 hours. Personal property left unattended beyond such time limit is subject to disposition under the Federal Property and Administration Services Act of 1949, as amended (40 U.S.C. 484(m)).

#### Supplementary Rules for the Parker Strip Recreation Area

Rules number 1, 3, 4, 5, 6, 7, 8, 15, 16, 20, 21, 23, 24 and 25 of the Lake Havasu Shoreline Supplementary Rules also apply to the Parker Strip Recreation Area. In addition, the following rules apply to the Parker Strip Recreation Area.

26. You must not park or operate vehicles in violation of posted restrictions.

27. Except in designated OHV Open areas, you must operate vehicles only on maintained roads and routes.

28. Vehicles operated between Parker Dam Road and the Colorado River in California must be legal for highway operation. You may operate non-highway legal golf carts in this area only within concession resorts and facilities, and within BLM-managed campgrounds.

29. Within one-half mile of Parker Dam Road, you may camp only in designated campsites.

30. Disorderly conduct is prohibited.

31. You must not discharge or use firearms in California within one mile of Parker Dam Road. In Arizona, you must not discharge or use firearms within the Parker Strip Recreation Area.

32. In BLM-managed campgrounds, no more than eight persons may occupy a single campsite.

#### Supplementary Rules for Craggy Wash

From October 1 through April 30 of each year, the following supplementary rules are in effect:

1. You must maintain your campsite free of trash and litter.

2. You must not discharge a firearm for the purpose of target practice or plinking. You may engage in legitimate hunting activities.

3. You must not operate a motor vehicle at a speed greater than 15 mph.

4. You must maintain quiet within hearing range of any other person or camp unit between 10 p.m. and 6 a.m. You must not operate a generator during these hours.

5. You must not collect firewood, including any dead and down wood, or any other vegetative material.

6. You must restrain a pet with a leash not longer than six (6) feet.

7. You must not leave a pet unattended.

8. You must not possess or discharge fireworks.

9. You must not leave personal property unattended for more than 24 hours.

#### Penalties

The authority for these supplementary rules is provided in 43 CFR 8365.1-6. Persons who violate these rules are subject to arrest, and upon conviction may be fined up to \$100,000 and/or imprisoned for not more than 12 months, as amended by 18 U.S.C. 3571 and 18 U.S.C. 3581.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-072-1220-HB]

#### Notice of Proposed Supplementary Rules for Fee Collection Sites Within the Area Managed by the Butte Field Office; Montana

**AGENCY:** Bureau of Land Management, Butte Field Office, Montana, Interior.

**ACTION:** Proposed supplementary rules.

**SUMMARY:** The Bureau of Land Management (BLM) Butte Field Office is proposing supplementary rules in order to regulate fee collection at sites administered under the Land and Water Conservation Fund (43 U.S.C. 4601). The supplementary rules are necessary to help ensure that the public makes proper payment for recreational use of public lands facilities.

**DATES:** You should submit your comments on or before July 16, 2003. In

developing final rules, BLM may not consider comments postmarked or received in person or by electronic mail after this date.

**ADDRESSES:** You may hand-deliver comments or mail comments on the proposed rules to Bureau of Land Management, Butte Field Office, 106 N. Parkmont, Butte, Montana 59701. You may also comment via the Internet to: *MT\_Butte\_FO@blm.gov*.

**FOR FURTHER INFORMATION CONTACT:** Brad Rixford, Outdoor Recreation Planner, 106 N. Parkmont, Butte, Montana 59701, 406-533-7600.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Public Comment Procedures**

Please submit your comments on issues related to the proposed rules, in writing, according to the **ADDRESSES** section above. Comments on the proposed rule should be specific, should be confined to issues pertinent to the proposed rules, and should explain the reason for any recommended change. Where possible, your comments should reference the specific section or paragraph of the proposal that you are addressing. BLM may not necessarily consider or include in the Administrative Record for the final rule comments that BLM receives after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

BLM will make your comments, including your name and address, available for public review at the Butte Office address listed in **ADDRESSES** above during regular business hours (8 a.m. to 4:30 p.m., Monday through Friday, except Federal holidays).

Under certain conditions, BLM can keep your personal information confidential. You must prominently state your request for confidentiality at the beginning of your comment. BLM will consider withholding your name, street address, and other identifying information on a case-by-case basis to the extent allowed by law. BLM will make available to the public all submissions from organizations and businesses and from individuals identifying themselves as representatives or officials of organizations or businesses.

##### **II. Procedural Matters**

###### *Executive Order 12866, Regulatory Planning and Review*

These supplementary rules are not a significant regulatory action and are not subject to review by Office of Management and Budget under Executive Order 12866. These

supplementary rules will not have an effect of \$100 million or more on the economy. They are not intended to affect commercial activity, but contain rules of conduct for public use of certain recreational areas. They will not adversely affect, in a material way, the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. These proposed supplementary rules will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency. The supplementary rules do not alter the budgetary effects of entitlements, grants, user fees, or loan programs or the right or obligations of their recipients; nor do they raise novel legal or policy issues.

##### **Clarity of the Supplementary Rules**

Executive Order 12866 requires each agency to write regulations that are simple and easy to understand. We invite your comments on how to make these proposed supplementary rules easier to understand, including answers to questions such as the following:

- (1) Are the requirements in the proposed supplementary rules clearly stated?
- (2) Do the proposed supplementary rules contain technical language or jargon that interferes with their clarity?
- (3) Does the format of the proposed supplementary rules (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce their clarity?
- (4) Would the supplementary rules be easier to understand if they were divided into more (but shorter) sections?
- (5) Is the description of the proposed supplementary rules in the **SUPPLEMENTARY INFORMATION** section of this preamble helpful in understanding the proposed supplementary rules? How could this description be more helpful in making the supplementary rules easier to understand?

Please send any comments you have on the clarity of the supplementary rules to the address specified in the **ADDRESSES** section.

##### *National Environmental Policy Act*

The BLM has prepared an environmental assessment (EA) or management agreement and has found that the proposed supplementary rules would not constitute a major Federal action significantly affecting the quality of the human environment under section 102(2)(C) of the Environmental Protection Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C). The supplementary rules merely contain rules to require payment of camping fees and display of

tickets for use of certain recreational lands in Montana. These rules are designed to ensure proper payment for use of public land facilities. A detailed statement under NEPA is not required. BLM has placed the EA and the Finding of No Significant Impact (FONSI) on file in the BLM Administrative Record at the address specified in the **ADDRESSES** section. The BLM invites the public to review these documents and suggests that anyone wishing to submit comments in response to the EA and FONSI do so in accordance with the "Public comment procedure" section above.

##### *Regulatory Flexibility Act*

Congress enacted the Regulatory Flexibility Act (RFA) of 1980, as amended, 5 U.S.C. 601-612, to ensure that government regulations do not unnecessarily or disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule would have a significant economic impact, either detrimental or beneficial, on a substantial number of small entities. The supplementary rules do not pertain specifically to commercial or governmental entities of any size, but to public recreational use of specific public lands. Therefore, BLM has determined under the RFA that these proposed supplementary rules would not have a significant economic impact on a substantial number of small entities.

##### *Small Business Regulatory Enforcement Fairness Act (SBREFA)*

These supplementary rules do not constitute a "major rule" as defined at 5 U.S.C. 804(2). Again, the supplementary rules merely contain rules for fee payment for recreational use of certain public lands. The supplementary rules have no effect on business-commercial or industrial-use of the public lands.

##### *Unfunded Mandates Reform Act*

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

*Executive Order 13132, Federalism*

The 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, Montana, and do not address jurisdictional issues involving the state government. Therefore, in accordance with Executive Order 13132, BLM has determined that these proposed 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, the Office of the Solicitor has determined that these proposed supplementary rules would not unduly burden the judicial system and that they meet the requirements of sections 3(a) and 3(b)(2) of the Order.

*Paperwork Reduction Act*

These proposed 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.*

Dated: May 7, 2003.

**A. Jerry Meredith,**

*Acting State Director, Bureau of Land Management, Montana State Office.*

**Supplementary Rules for Fee Collection at Land and Water Conservation Fund Sites**

Under 43 CFR 8365 and 16 U.S.C. 4601-6a(e), the Bureau of Land Management will enforce the following rules on public land at Holter Lake, Holter Dam, Log Gulch, Departure Point, Devil's Elbow, Clark's Bay and Divide Recreation Sites. You must follow these rules:

**Sec. 1 Fee Requirements**

- a. You must pay the posted day use or camping fee.
- b. You must display your fee payment receipt at your campsite or on your vehicle.

**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)), 43 CFR 8365.1-6 and U.S.C. 4601-6a(e) any person who violates any of these supplementary rules within the boundaries established in the rules may be tried before a United States Magistrate and fined no more than \$100. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[MT-100-1220-AF]

**Proposed Supplementary Rules for the Lower Blackfoot River Corridor; Montana**

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

**ACTION:** Proposed supplementary rules for recreation use of public lands along the Blackfoot River and McNamara Road, Missoula County, Montana.

**SUMMARY:** This notice proposes supplementary rules incorporating restrictions on recreation use on public lands located within one quarter mile on either side of the Blackfoot River and/or McNamara Road extending from Johnsrud Park upstream for approximately 10 miles. The proposed supplementary rules are necessary to address resource protection needs identified in the Lower Blackfoot Corridor Environmental Assessment, MT-100-00-02.

**DATES:** You should submit your comments by July 16, 2003. In developing final rules, BLM may not consider comments postmarked or received in person or by electronic mail after this date.

**ADDRESSES:** You may mail or deliver comments on the proposed supplementary rules to Field Manager, Bureau of Land Management, Missoula Field Office, 3255 Fort Missoula Road, Missoula, Montana 59804. You may also comment by internet e-mail at the following address: [MT\\_Missoula\\_FO@blm.gov](mailto:MT_Missoula_FO@blm.gov).

**FOR FURTHER INFORMATION CONTACT:** Nancy Anderson, Missoula Field Office, 3255 Fort Missoula Road, Missoula, Montana 59804, (406) 329-3914.

**SUPPLEMENTARY INFORMATION:**

- I. Comment Procedure
- II. Background
- III. Discussion of Supplementary Rules
- IV. Procedural Matters

**I. Comment Procedure**

*A. How Do I Comment on the Proposed Supplementary Rules?*

If you wish to comment, you may submit your comments by any one of several methods.

You may mail comments to Field Manager, Bureau of Land Management, Missoula Field Office, 3255 Fort Missoula Road, Missoula, Montana 59804.

You may deliver comments to the Missoula Field Office, 3255 Fort Missoula Road, Missoula, Montana 59804.

You may comment via email to [MT\\_Missoula\\_FO@blm.gov](mailto:MT_Missoula_FO@blm.gov). If you do not receive a confirmation that we have received your electronic message, contact us directly at (406) 329-3914.

Please submit your comments on issues related to the proposed supplementary rules, in writing or in email, to any of these addresses. Comments on the proposed supplementary rules should be specific, should be confined to issues pertinent to the proposed supplementary rules, and should explain the reason for any change you recommend. Where possible, your comments should reference the specific section or paragraph of the proposal that you are addressing.

BLM may not necessarily consider or include in the Administrative Record for the final rule comments that BLM receives or comments delivered to an address other than those listed above.

*B. May I Review Comments Submitted By Others?*

Comments, including names and street addresses of respondents, will be available for public review at the address listed under "**ADDRESSES:** Mail or personal delivery" during regular business hours (8 a.m. to 4:30 p.m.), Monday through Friday, except Federal holidays.

Individual respondents may request confidentiality, which we will honor to the extent allowable by law. If you wish to withhold your name or address, except for the city or town, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available to public inspection in their entirety.