

submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses.

(Authority: 43 CFR 2711.1-2)

Dated: April 19, 2004.

**Jon Raby,**

*Field Manager, Klamath Falls Resource Area.*

[FR Doc. 04-15884 Filed 7-13-04; 8:45 am]

**BILLING CODE 4310-33-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR-035-04-1430-ES; GP-04-178]

#### Recreation and Public Purposes (R&PP) Act Classification, OR 60165

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** Notice of realty action.

**SUMMARY:** An area of approximately 1.16 acres of public land in Baker County has been examined and found suitable for classification for lease to Baker County under the provisions of the Recreation and Public Purposes Act, as amended (43 U.S.C. 869 *et seq.*). The county proposes to use the land to establish a small roadside rest area along Highway 86 in eastern Oregon.

**DATES:** Submit comments on or before August 30, 2004.

**ADDRESSES:** Address all written comments concerning this Notice to Penelope Dunn Woods, Field Manager, Baker Field Office, 3165 10th Street, Baker City, Oregon 97814. Electronic format submittal will not be accepted.

**FOR FURTHER INFORMATION CONTACT:** Steve Davidson, Realty Specialist, Baker Field Office, Vale District, at (541) 523-1349.

**SUPPLEMENTARY INFORMATION:** The proposed lease area lies adjacent to Highway 86 and is within the following described public land:

#### Willamette Meridian, Oregon

T. 9 S., R. 44 E.,  
Sec. 6, lot 4.

The proposed lease area contains 1.16 acres, more or less, in Baker County, Oregon. The land is not needed for Federal purposes. The lease is consistent with the Baker Resource Management Plan of July 12, 1989, and would be in the public interest.

The lease, when issued, will be subject to the following terms, conditions and reservations:

1. Provisions of the Recreation and Public Purposes Act and to all

applicable regulations of the Secretary of the Interior.

2. All valid existing rights documented on the official public land records at the time of lease issuance.

3. All minerals shall be reserved to the United States, together with the right to prospect for, mine, and remove the minerals.

4. Any other reservations that the authorized officer determines appropriate to ensure public access and proper management of Federal lands and interests therein.

Upon publication of this notice in the **Federal Register**, the land will be segregated from all forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the Recreation and Public Purposes Act, and leasing under the mineral leasing laws. For a period of 45 days from the date of publication of this notice, interested persons may submit comments regarding the proposed lease or classification of the land to the above address.

*Classification Comments:* Interested parties may submit written comments involving the suitability of the land for a roadside rest area. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs.

*Application Comments:* Interested parties may submit written comments regarding the specific use proposed in the application and site plan, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the land for a roadside rest area.

Comments, including names, street addresses, and other contact information of respondents, will be available for public review. Individual respondents may request confidentiality. If you wish to request that the BLM consider withholding your name, street address and other contact information, *e.g.*, Internet address, FAX or phone number, from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. The BLM will honor requests for confidentiality on a case-by-case basis to the extent allowed by law. The BLM will make available for public inspection in their entirety all submissions from organizations and businesses, and from individuals

identifying themselves as representatives or officials of organizations or businesses.

Any adverse comments will be reviewed by the State Director. In the absence of any adverse comments, the classification will become effective 60 days from the date of publication of this notice in the **Federal Register**.

(Authority: 43 CFR 2741.5(h)(3))

Dated: May 28, 2004.

**Penelope Dunn Woods,**

*Field Manager, Baker Resource Area.*

[FR Doc. 04-15885 Filed 7-13-04; 8:45 am]

**BILLING CODE 4310-33-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV-025-1232-EA-NV06; Special Recreation Permit # NV-025-04-02]

#### Notice of Intent To Temporarily Close Public Lands: Pershing County and Washoe County, NV

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that certain lands will be temporarily closed or restricted, and certain activities will be temporarily prohibited, in and around the Burning Man event site, Pershing and Washoe Counties, Nevada, for camping, vehicle use, fire use, and aircraft landing from 0600 hours, August 25, 2004, to 2200 hours, September 6, 2004. Certain lands will be temporarily closed or restricted, and certain activities will be temporarily prohibited, in the Winnemucca District in Pershing and Washoe Counties, Nevada, for fireworks use and firearms use from 0600 hours, August 16, 2004, to 2200 hours, September 20, 2004. A closure to all public uses will be in effect inside the perimeter fence surrounding the event from August 27, 2004 to September 6, 2004. These closures, restrictions and prohibitions are being made in the interest of public safety at and around the public lands location of an event known as the Burning Man Festival. This event is expected to attract approximately 30,000 participants this year. The lands involved are located in northwestern Nevada partially within the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area.

**DATES:** August 16, 2004 to September 20, 2004.

**FOR FURTHER INFORMATION CONTACT:** Dave Cooper, National Conservation Area Manager, Bureau of Land

Management, Winnemucca Field Office, 5100 E. Winnemucca Blvd., Winnemucca, NV 89445, telephone: (775) 623-1500.

**SUPPLEMENTARY INFORMATION:**

**Public Camping Surrounding the Event Is Prohibited in the Following Areas**

T33N, R24E: W $\frac{1}{2}$ Sec1; Sec2; Sec3; Sec4; Sec9; Sec10; Sec11; W $\frac{1}{2}$ Sec12; N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec15; N $\frac{1}{2}$ Sec16; and T33 $\frac{1}{2}$ N, R24E: Sec33; Sec34; Sec35; W $\frac{1}{2}$ Sec36. The area within 50 yards of and on the outside of the perimeter fence will also be closed to camping. These areas are closed during the event period, August 30, 2004 to September 6, 2004, with the exception of defined camping areas designated and provided by the Black Rock City LLC, an authorized "pilot camp" and BLM-authorized event management-related camps.

**Operation of Motorized Vehicles at a Rate of Speed That Causes a Dust Plume Higher Than the Roof of the Vehicle, Is Prohibited in the Following Areas**

T33N, R24E: W $\frac{1}{2}$ Sec1; Sec2; Sec3; Sec4; Sec9; Sec10; Sec11; W $\frac{1}{2}$ Sec12; N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec15; N $\frac{1}{2}$ Sec16; and T33 $\frac{1}{2}$ N, R24E: Sec33; Sec34; Sec35; W $\frac{1}{2}$ Sec36. These areas are closed during the event period, August 30, 2004 to September 6, 2004, with the exception of BLM, medical, law enforcement, firefighting vehicles and Burning Man staff as designated by the BLM Authorized Officer.

**Operation of Motorized Vehicles Is Prohibited on the Following Public Lands**

T33N, R24E: Sec2; Sec3; Sec4; Sec9; Sec10; Sec11; and T33 $\frac{1}{2}$ N, R24E: Sec33; Sec34; Sec35. These legally described areas that are within the event boundary and 50 feet from the event boundary are closed during the Burning Man event, from August 30, 2004 to September 6, 2004, with the following exceptions: the main playa road that provides access between 3-mile entrance and Trego playa entrance; participant arrival and departure on designated routes; art vehicles registered with Burning Man; Black Rock City LLC staff and support; BLM, medical, law enforcement, and firefighting vehicles and motorized skateboards with or without handlebars. Art vehicles must register with Burning Man/Black Rock City LLC and must provide evidence of registration at all times.

**The Following Public Lands are Closed to Public Use**

T33N, R24E: NE $\frac{1}{4}$ S $\frac{1}{2}$ Sec4; SE $\frac{1}{4}$ Sec5; NE $\frac{1}{4}$ S $\frac{1}{2}$ Sec8; Sec9; W $\frac{1}{2}$ Sec10; N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec15; N $\frac{1}{2}$ Sec16; and T33 $\frac{1}{2}$ N, R24E: SE $\frac{1}{4}$ Sec33; SW $\frac{1}{4}$ Sec34. For event safety near the entrance road and airstrip, playa areas southwest, west and northwest of the event are closed during the Burning Man event period, from midnight August 30, 2003 to 2200 hours September 6, 2003. These areas are closed to all uses except those performed by BLM personnel, law enforcement, emergency medical services, and Burning Man staff as designated by the authorized BLM officer.

**Black Rock City LLC/Burning Man Will Abide by Fire Restriction Orders, Except for the Following When Officially Approved by Black Rock City LLC in Coordination With BLM**

Official art burns, authorized event fireworks, and other authorized fires using Black Rock City LLC/Burning Man-supplied fire barrels or approved platforms. Fire Restriction Orders may be in effect pursuant to 43 CFR 9212.2, 36 CFR 261.50(a)(b) for all lands managed by the BLM, Winnemucca Field Office.

**The Use, Sale or Possession of Personal Fireworks Within the Burning Man Event Perimeter Fence Is Prohibited on the Following Public Lands From August 30th, 2004, Through September 6, 2004**

T33N, R24E: Sec2; Sec3; Sec4; Sec9; Sec10; Sec11; and T33 $\frac{1}{2}$ N, R24E: Sec33; Sec34; Sec35, with the exception of fireworks approved by Black Rock City LLC and used as part of an official Burning Man art burn event.

**Possession of Firearms Is Prohibited on the Following Public Lands From August 16, 2004, Through September 20, 2004**

T33N, R24E: Sec2; Sec3; Sec4; Sec9; Sec10; Sec11; and T33 $\frac{1}{2}$ N, R24E: Sec33; Sec34; Sec35. This closure is in effect inside the Burning Man event perimeter fence, with the exception of county, state and federal certified law enforcement personnel under the color of law. "Firearm" means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion (Nevada Revised Statute 202.253).

**Discharge of Firearms Is Prohibited on the Following Public Lands From August 16, 2004, Through September 20, 2004**

T33N, R24E: Sec1; Sec2; Sec3; Sec4; Sec5; E $\frac{1}{2}$ Sec6; Sec8; Sec9; Sec10; Sec11; Sec12; N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec13; Sec14; Sec15; Sec16; E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec17; NE $\frac{1}{4}$ Sec21; N $\frac{1}{2}$ Sec22; NW $\frac{1}{4}$ Sec23; and T33N, R25E: Sec4; W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec9; and T33 $\frac{1}{2}$ N, R24E: Sec25; Sec26; Sec27; Sec28; Sec29; Sec32; Sec33; Sec34; Sec35; Sec36; T34N, R24E: NE $\frac{1}{4}$ S $\frac{1}{2}$ Sec33; Sec34; Sec35; S $\frac{1}{2}$ Sec36; T34N, R25E: Sec33. This closure description applies with the exception of law enforcement officers under color of law.

**Aircraft are Prohibited From Landing, Taking off, and Taxiing on the Following Public Lands From 0600 Hours on August 27, 2004, Through September 6, 2004 at 2200 Hours**

T33N, R23E: E $\frac{1}{2}$ Sec25; and T33N, R24E: Sec1; Sec2; Sec3; Sec4; SE $\frac{1}{4}$ Sec5; NE $\frac{1}{4}$ S $\frac{1}{2}$ Sec8; Sec9; Sec10; Sec11; Sec12; W $\frac{1}{2}$ Sec13; Sec14; Sec15; Sec16; Sec17; NE $\frac{1}{4}$ S $\frac{1}{2}$ Sec18; Sec19; Sec20; Sec21; N $\frac{1}{2}$ Sec22; NW $\frac{1}{4}$ Sec28; Sec29; NE $\frac{1}{4}$ Sec30; and T33N, R25E: N $\frac{1}{2}$ Sec2; N $\frac{1}{2}$ Sec3; Sec4; and T33 $\frac{1}{2}$ N, R24E: Sec25; Sec26; Sec27; Sec28; Sec33; Sec34; Sec35; Sec36; and T34N, R24E: NE $\frac{1}{4}$ S $\frac{1}{2}$ Sec23; Sec24; Sec25; Sec26; SE $\frac{1}{4}$ Sec27; E $\frac{1}{2}$ Sec33; Sec34; Sec35; Sec36; and T34N, R25E: Sec16; Sec21; S $\frac{1}{2}$ Sec22; SW $\frac{1}{4}$ Sec26; Sec27; Sec28; Sec33; Sec34; Sec35. This closure applies to the playa for approximately five miles in all directions from the event boundary during the event, with the exception of an authorized event landing strip for Burning Man staff and participants, law enforcement and emergency medical services. This airstrip is the only location where Burning Man staff and participant aircraft may land. Emergency aircraft such as Care Flight, Sheriff's Office or Medical Ambulance Transport System helicopters engaged in official business may land in other locations when circumstances require it.

A map showing these temporary closures, restrictions and prohibitions is available from the following BLM office: BLM-Winnemucca Field Office, 5100 East Winnemucca Blvd., Winnemucca, Nevada 89445.

The map may also be viewed on the Field Office Web site at: <http://www.nv.blm.gov/winnemucca>.

**Penalty**

Any person failing to comply with the closure orders may be subject to imprisonment for not more than 12

months, or a fine in accordance with the applicable provisions of 18 U.S.C. 3571, or both.

**Authority:** 43 CFR 8364.1.

**Vicki L. Wood,**

*Acting Field Manager.*

[FR Doc. 04-15899 Filed 7-13-04; 8:45 am]

**BILLING CODE 4310-HC-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR-035-00-1050-00; HAG 04-0083]

#### Notice of Proposed Supplementary Rules on Public Land in Oregon

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

**ACTION:** Proposed supplementary rules.

**SUMMARY:** The Bureau of Land Management (BLM) is publishing proposed supplementary rules that implement vehicular closure and restrictions to protect the values of the Snake River area and the Sheep Mountain Wilderness Study Area (WSA)/Area of Critical Environmental Concern (ACEC) on public lands along the West side of the Snake River between Oxbow and Brownlee Dam in Baker County, Oregon. The purpose of the closure and restrictions are to allow for the rehabilitation of newly constructed roads, trails, and ways, created or opened during the Idaho Power 230/69 KV powerline construction project, and to protect wildlife habitat, native vegetation, fragile soils, and scenic, cultural, and natural values on public land in this part of the Snake River and Sheep Mountain WSA/ACEC. These closure and restriction orders will be in effect on 9,241 acres of public land, and do not affect, limit or close any previously existing public access.

**DATES:** You must submit your comments for these proposed supplementary rules to BLM at the appropriate address below on or before August 13, 2004. BLM may not consider any comments received after the above date in making its decisions on the final rule.

**ADDRESSES:** Mail or personal delivery: Field Manager, Bureau of Land Management, Baker Resource Area, 3165 10th Street, Baker City, Oregon 97814.

**FOR FURTHER INFORMATION CONTACT:** Baker Field Manager Penelope Dunn Woods, at (541) 523-1256. Persons who use a telecommunications device for the deaf (TDD) may contact this individual by calling the Federal Information Relay

Service (FIRS) at (800) 877-8339, 24 hours a day, 7 days a week.

I. Public Comment Procedures  
II. Discussion of the Supplementary Rules  
III. Procedural Matters

#### I. Public Comment Procedures

##### *Electronic Access and Filing Address*

You may view an electronic version of this proposed rule at BLM's Internet home page: <http://www.or.blm.gov/Vale>. Click on the link labeled "NEPA/PLANNING".

##### *Written Comments*

Written comments on the proposed rule should be specific, confined to issues pertinent to the proposed rule, and should explain the reason for any recommended change. Where possible, comments should reference the specific section or paragraph of the proposal which the commenter is addressing. BLM may not consider or include in the Administrative Record for the final rule comments which BLM receives after the close of the comment period (*see DATES*) or comments delivered to an address other than those listed above (*see ADDRESSES*).

Comments, including names, street addresses, and other contact information of respondents, will be available for public review at the Baker Field Office, 3165 10th Street, Baker City, OR 97814 during regular business hours (7:45 a.m. to 4:30 p.m.), Monday through Friday, except Federal holidays. Individual respondents may request confidentiality. If you wish to request that BLM consider withholding your name, street address, and other contact information (such as: Internet address, FAX or phone number) from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your comment. BLM will honor requests for confidentiality on a case-by-case basis to the extent allowed by law. BLM will make available for public inspection in their entirety all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses.

#### II. Discussion of the Supplementary Rules

These supplementary rules will apply to the public lands within the Baker Resource Area of the Vale District. BLM has determined these rules necessary to protect the area's natural resources, to provide for safe public recreation and public health, and to reduce the

potential for damage to the environment.

The public lands in Baker County, Oregon affected by this order include all BLM-managed public lands located within the identified sections, and all other BLM lands located between these sections and the Idaho Power Oxbow-Brownlee Road along the Oxbow Reservoir:

#### Willamette Meridian, Oregon

T. 7S., R. 47E.,  
Section 25, SE $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sections 36, all except for NW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 7S., R. 48E.,  
Section 17, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Section 19, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Section 20, E $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;  
Section 30, E $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
T. 8S., R. 47E.,  
Sec. 1, lots 1 thru 4, inclusive, 7 thru 10,  
inclusive, 15, 16;  
Sec. 2, lot 1;  
Sec. 12, lots 1, 2, 7 thru 10, inclusive, 15,  
16;  
Sec. 13, all lands east of BLM road #7644;  
Sec. 24, all lands east of BLM road #7644;  
Sec. 25, all except those lands west of BLM  
road #7644.

This closure and use restriction order is the minimum required to mitigate the impacts of unregulated off-highway vehicle use on newly disturbed soil, roads, trails, and ways; to protect wildlife habitat, cultural resources, scenic values, native vegetation and fragile soils in the area; and to respond to concerns of public health and safety, wildfire, weed control and resource degradation. Actions to implement the closure and restrictions will be undertaken.

*Private Lands:* This order is in no way intended to affect the legal rights, or existing rights-of-way, of adjacent private land owners, or their interests within private lands within the closure area. Further, this order does not infer any BLM jurisdiction over private lands located within the closure area.

Copies of the closure and restriction order and maps showing the location of the closed lands and roads are available from the Baker Field Office, 3165 10th Street, Baker City, OR 97814.

#### III. Procedural Matters

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

The proposed rule does not represent a government action capable of interfering with constitutionally protected property right as it only applies to lands managed by the BLM. Therefore, the Department of the