

Issues initially identified for the proposed mining of the Dairy Syncline phosphate leases include potential effects on: Groundwater and surface water quantity and quality; wildlife and their habitats; livestock grazing; wetlands and riparian habitat; recreation; socio-economics; Native American rights, treaties, and land uses; inventoried roadless areas; visual resources; and cumulative effects.

The EIS will analyze the Proposed Action and the No Action Alternative. Other alternatives may consider: Alternative access road(s); alternative tailings pond locations; alternatives to the land sale with mitigation and land exchange; use of conveyors to transport ore to the existing mill; revising the layout or sequencing of the proposed mining facilities; different methods for reducing potential impacts from overburden handling; and other alternatives that could provide mitigation for potential impacts.

The tentative EIS project schedule is as follows:

- *Begin Public Scoping Period and Meetings:* Winter/Spring 2010.
- *Estimated date for Draft EIS and associated comment period:* Fall 2011.
- *Final EIS Publication:* June 2013.
- *Record of Decision:* August 2013.

At least four "open-house" style public scoping meetings will be held which will include displays explaining the project and providing a forum for commenting on the project. Meetings are currently planned for Pocatello, Fort Hall, Georgetown, and Soda Springs, Idaho. The dates, times, and locations of the public scoping meetings will be announced in mailings and public notices issued by the BLM (*see* contact information above). The BLM and FS are seeking information and written comments from Federal, State, and local agencies as well as Tribal entities, individuals and organizations interested in, or affected by, the Proposed Action or Alternatives. To assist the BLM and FS in identifying issues and concerns related to the Proposed Action or Alternatives, comments for scoping, and later for the Draft EIS, should be as specific as possible.

**Joe Kraayenbrink,**

*District Manager, Idaho Falls District, Bureau of Land Management.*

**Brent Larson,**

*Forest Supervisor, Caribou-Targhee National Forest.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[LLUT9200000-10-L13200000-EL000, UTU-87041]

**Notice of Invitation to Participate; Exploration for Coal in Utah License Application UTU-87041**

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

**ACTION:** Notice.

**SUMMARY:** All interested parties are hereby invited to participate with Reserve Coal Properties Company on a pro rata cost-sharing basis, in a program for the exploration of coal deposits owned by the United States of America in lands located in Emery and Sevier Counties, Utah.

**DATES:** Any party electing to participate in this exploration program must send written notice to Reserve Coal Properties Company and the Bureau of Land Management (BLM) as provided in the **ADDRESSES** section below by May 13, 2010 or 10 days after the last publication of this notice in the *Richfield Reaper* newspaper, whichever is later. This notice will be published once a week for two consecutive weeks in the *Richfield Reaper*, Richfield, Utah.

**ADDRESSES:** The exploration plan, as submitted by Reserve Coal Properties Company, is available for review in the public room of the BLM's Utah State Office, 440 West 200 South, Suite 500, Salt Lake City, Utah during normal business hours (9 a.m. to 4 p.m.), Monday through Friday. Any party electing to participate in this exploration program shall notify the BLM State Director, in writing, at the Utah State Office, P.O. Box 45155, Salt Lake City, Utah 84145 and Reserve Coal Properties Company, *Attn:* Tim Kirschbaum, P.O. Box 639, Sesser, Illinois 62884. The written notice must include a justification for participation and any recommended changes in the exploration plan with specific reasons for such changes.

**FOR FURTHER INFORMATION CONTACT:** Bill Buge at (801) 539-4086.

**SUPPLEMENTARY INFORMATION:** The authority for the notice is section 2(b) of the Mineral Leasing Act of 1920, as amended by section 4 of the Federal Coal Leasing Amendments Act of 1976 and the regulations adopted as 43 CFR part 3410. The purpose of the exploration program is to gain additional geologic knowledge of the coal underlying the exploration area for the purpose of assessing the reserves contained in a potential lease. The

Federal coal resources are located in Emery and Sevier Counties, Utah:

T. 23 S., R. 5 E., SLM, Utah

Sec. 1, all;  
Sec. 11, all;  
Sec. 12, all;  
Sec. 13, all;  
Sec. 14, all;

T. 23 S., R. 6 E., SLM, Utah

Sec. 6, lots 6 and 7, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 7, lots 1-4, NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;

These lands contain 4,082.33 acres, more or less.

The above-described land is within the Wasatch Plateau Known Coal Leasing Area. The proposed exploration program will be conducted pursuant to an exploration plan to be approved by the BLM. The plan may be modified to accommodate the legitimate exploration needs of persons seeking to participate.

The foregoing is published in the **Federal Register** pursuant to 43 CFR 3410.2-1(c)(1).

Approved:

**Selma Sierra**

*State Director.*

[FR Doc. 2010-8392 Filed 4-12-10; 8:45 am]

**BILLING CODE 4310-DQ-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[LLCOS05400-L17110000 PA000 LXSIGCA0000]

**Notice of Final Supplementary Rules for Public Lands in Colorado: Gunnison Gorge National Conservation Area (GGNCA) and Adjacent Public Lands Administered by the Bureau of Land Management Uncompahgre Field Office, Montrose and Delta Counties, CO**

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

**ACTION:** Final supplementary rules for the GGNCA and adjacent public lands in southwestern Colorado.

**SUMMARY:** This notice contains final supplementary rules for the GGNCA and adjacent public lands included in the 2004 GGNCA Resource Management Plan (RMP) and managed by the GGNCA and Uncompahgre Field Offices in Montrose and Delta Counties, Colorado. The rules implement RMP decisions that relate to the use of the lands, conduct, health and safety of public land users, and protection of natural resources. The rules address motorized and non-motorized uses, safety, firearms, hunting and target shooting, pets and pack stock use, camping, waste disposal, group size limits, permit

requirements, and length of stay. These supplementary rules will be added to the current rules in effect for the GGNCA, Gunnison Gorge Wilderness, and adjacent public lands. The supplementary rules will be enforced by Bureau of Land Management (BLM) law enforcement rangers.

**DATES:** These rules are effective May 13, 2010.

**ADDRESSES:** These rules are available at the BLM Uncompahgre Field Office, 2465 S. Townsend Avenue, Montrose, Colorado 81401.

**FOR FURTHER INFORMATION CONTACT:** Karen Tucker, GGNCA (970) 240-5300, e-mail: [karen\\_tucker@blm.gov](mailto:karen_tucker@blm.gov) or Ted Moe, BLM Law Enforcement Ranger, (970) 240-5341, e-mail: [ted\\_moe@blm.gov](mailto:ted_moe@blm.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

These final supplementary rules apply to the GGNCA, approximately 62,844 acres of public lands that include the 17,784-acre Gunnison Gorge Wilderness, and 32,937 acres of adjacent public lands managed under the GGNCA management plan. The GGNCA was established by Public Law 106-76 on October 21, 1999.

The GGNCA is located 10 miles north of Montrose, Colorado, bordered by the Black Canyon of the Gunnison National Park to the south. The supplementary rules will help the BLM achieve management objectives and implement decisions in the GGNCA RMP approved on November 12, 2004. These supplementary rules will also allow the BLM to increase law enforcement efforts that will help mitigate damage to natural resources and provide for public health and safe public recreation.

##### II. Discussion of Public Comments

The Uncompahgre Field Office proposed these supplementary rules in the **Federal Register** on September 9, 2009. The BLM received two comment letters containing three substantive comments. The following is a summary of the comments:

(1) The first comment addressed the need to clarify that the rule for single track routes should specify only two-wheeled vehicles are permitted on these types of routes.

*BLM Response:* The BLM agrees with this additional clarification as this was the intent of the original rule. Rule 2(c) has been revised to reflect the clarification.

(2) The second comment addressed the need to clarify the rule for discharging firearms within the GGNCA to make it clear that licensed hunters

may not target shoot within the National Conservation Area (NCA), even while they are out legally hunting in the area.

*BLM Response:* The BLM agrees with this additional clarification as this was the intent of the original rule. Rule 3(a) has been revised to reflect the clarification.

(3) The third comment pertained to target shooting on the 32,937 acres of non-NCA public lands managed under the GGNCA management plan. Rule 3(b) states that: "On public lands adjacent to the GGNCA, you must not target shoot except in areas closed to that use by a BLM sign or map." The commenter requested the rule be changed to state: "On public lands adjacent to the GGNCA, you must not target shoot except in areas designated as open to such use by a BLM sign or map." The commenter noted that the change was needed to ensure visitor safety and be consistent with other GGNCA rules that disallow uses such as camping, wood collection, campfires, and motorized travel, except in areas designated open to such uses by BLM sign or map.

*BLM Response:* RMP decisions that close the GGNCA to target shooting and disallow uses such as camping, wood collection, motorized travel, and campfires except in areas designated as open to such uses by BLM sign or map, were determined necessary to: Protect the NCA's nationally significant scenic, geologic, recreation, wilderness, and other natural values; ensure and enhance the safety of the increasing number of NCA visitors which use the many recreation sites and trails constructed throughout the NCA; and protect the public's investment in those high use recreation sites and other BLM infrastructure.

However, the RMP allows for the BLM's discretion to authorize dispersed target shooting, and other multiple uses such as camping, firewood collecting, etc., on non-NCA public lands which, for the most part, do not attract high visitation due to: Lack of outstanding and/or nationally significant values; lack of developed recreation facilities and trails; and less obvious access.

The RMP decisions for non-NCA lands provide regulation of dispersed multiple uses at levels that are less restrictive than those imposed on uses within the NCA. These supplementary rules were developed with this difference in mind. This difference in the level of regulation allows the public to make choices regarding the locations for, and the type of, recreation uses they want to pursue.

The RMP states that patrols by law enforcement will be conducted on the non-NCA lands to ensure user

compliance with posted regulations. If monitoring of these lands indicates resource or other problems are occurring as a result of target shooting and/or other multiple uses, the areas may be closed.

The BLM believes that the rules that implement RMP management decisions related to regulating and monitoring dispersed multiple uses, including target shooting, on non-NCA lands are sufficient to provide for the safety of visitors and protection of these public lands. The BLM contends that Rule 3(b) was developed to allow for less restrictive, dispersed uses on non-NCA lands, and is consistent with RMP decisions for these public lands as stated, and does not need additional clarification.

Other than the changes noted, and with the exception of minor non-substantive grammatical and formatting changes, the final rules remain as proposed.

##### III. Discussion of Supplementary Rules

These final supplementary rules apply to a total of 95,781 acres of public lands managed by the BLM within the GGNCA RMP planning area. The area includes 62,844 acres of NCA lands and 32,937 acres of non-NCA lands within Montrose and Delta Counties, Colorado, in the following townships:

###### Colorado, Sixth Principal Meridian

T. 14 S., R. 95 W. through 93 W.  
T. 15 S., R. 95 W. through 93 W.

###### New Mexico Principal Meridian

T. 51 N., R. 10 W. through 7 W.  
T. 50 N., R. 10 W. through 6 W.  
T. 49 N., R. 9 W. through 8 W.

These rules are consistent with the Record of Decision of the 2004 GGNCA RMP. In preparing the RMP, the BLM sought public review of four alternatives and then approved adaptive management, its preferred alternative. Adaptive management allows for flexibility in management actions based on the results of resource and visitor monitoring.

The RMP includes specific management actions that restrict certain activities and define allowable uses. The final supplementary rules implement these management actions within the GGNCA and adjacent public lands. Many of the supplementary rules apply to the entire area but some apply only to specific areas within the GGNCA. The rules are written to allow for the management flexibility that is available under the principles of adaptive management. These rules will be posted within the affected areas.

#### IV. Procedural Matters

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

These supplementary rules are not significant regulatory actions and not subject to review by the Office of Management and Budget under Executive Order 12866. These supplementary rules will not have an annual effect of \$100 million or more on the economy. 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 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 materially alter the budgetary effects of entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients, nor do they raise novel legal or policy issues. These supplementary rules are merely rules of conduct for public use of a limited area of public lands.

##### *National Environmental Policy Act*

The final supplementary rules put forth in this notice implement key land use planning decisions in the Approved GGNCA RMP and Record of Decision signed by the BLM State Director of Colorado in November 2004. The four-year RMP process included extensive public input and development of a Draft and Proposed RMP and Final Environmental Impact Statement (EIS) for the GGNCA and Gunnison Gorge Wilderness, which was completed in January 2004. During the National Environmental Policy Act process, each alternative was fully analyzed, including the types of decisions set forth in these supplementary rules. The rationale for the decisions made can be found in Chapter 5, Environmental Consequences. The BLM has placed the Final EIS, Approved RMP, and Record of Decision on file in the BLM Administrative Record at the address specified in the **ADDRESSES** section.

##### *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. These final supplementary rules do not have a significant economic

impact on entities of any size, but provide for the protection of persons, property, and resources on specific public lands. Therefore, the BLM has determined under the RFA that the supplementary rules would not have a significant economic impact on a substantial number of small entities.

##### *Small Business Regulatory Enforcement Fairness Act*

These supplementary rules are not “major” as defined under 5 U.S.C. 804(2). The supplementary rules merely establish rules of conduct for public use of a limited area of public lands and do not affect commercial or business activities of any kind.

##### *Unfunded Mandates Reform Act*

These supplementary rules do not impose an unfunded mandate on State, local, or tribal governments in the aggregate, or the private sector of more than \$100 million per year; nor do they have a significant or unique effect on small governments. The rules have no effect on governmental or tribal entities and would impose no requirements on any of these entities. The supplementary rules merely establish rules of conduct for public use of a limited selection of public lands and do not affect tribal, commercial, or business activities of any kind. Therefore, the 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)*

These supplementary rules do not have significant takings implications, nor are they capable of interfering with Constitutionally protected property rights. The supplementary rules merely establish rules of conduct for public use of a limited area of public lands and do not affect anyone’s property rights. Therefore, the Department of the Interior has determined that these rules will not cause a “taking” of private property or require preparation of a takings assessment under this Executive Order.

##### *Executive Order 13132, Federalism*

These supplementary rules will not have a substantial direct effect on the States, the relationship between the national government and the States, nor the distribution of power and responsibilities among the various levels of government. These supplementary rules do not come into conflict with any state law or regulation.

Therefore, in accordance with Executive Order 13132, the BLM has determined that these 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 rules will not unduly burden the judicial system and that they meet the requirements of sections 3(a) and 3(b)(2) of the Order.

##### *Executive Order 13175, Consultation and Coordination with Indian Tribal Governments*

In accordance with Executive Order 13175, the BLM has found that these supplementary rules do not include policies that have tribal implications. None of the lands included in these rules are Indian lands or affect Indian rights.

##### *Paperwork Reduction Act*

These supplementary rules do not contain information collection requirements that the Office of Management and Budget must approve under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.* Any information collection requirements contained in these rules are exempt from the provisions of the Paperwork Reduction Act of 1995, 44 U.S.C. 3518(c)(1). Federal criminal investigations or prosecutions may result from these rules, and the collection of information for these purposes is exempt from the Paperwork Reduction Act.

#### **Supplementary Rules for the Gunnison Gorge National Conservation Area (GGNCA) and Adjacent Public Lands**

These supplementary rules apply, except as specifically exempted, to activities within the GGNCA and adjacent public lands administered by the Bureau of Land Management (BLM) near Montrose, Colorado. These supplementary rules are in effect on a year-round basis and will remain in effect until modified by the authorized officer.

##### *1. General Travel Management*

a. You must not enter an area designated as closed by a BLM sign or map.

b. You must not use roads and/or trails by motorized or mechanized vehicle or equestrian or pedestrian travel except where designated as open to such use by a BLM sign or map.

c. You must not park in areas not designated for parking by a BLM sign or map.

d. You must not launch or operate any motorized watercraft within the GGNCA or adjacent public lands.

e. You must not operate any vehicle that produces sound exceeding 96 decibels.

f. You must not operate an off-highway vehicle (OHV) with any object or person attached or being towed in any manner unless the off-road vehicle is designed and manufactured for such purposes.

#### 2. Vehicle Size and Trail Width

a. You must not operate any vehicle except a motorcycle, All Terrain Vehicle (ATV), or a Utility Terrain Vehicle (UTV) (50 inches in width or less) for motorized cross-country travel and/or play within the Flat Top-Peach Valley Recreation Area designated open areas.

b. You must not operate any vehicle greater than 50 inches in width on any designated ATV/UTV routes.

c. You must not operate any vehicle greater than 36 inches in width or with more than two wheels on any designated single track routes.

#### 3. Firearms, Hunting, Target Shooting and Fireworks

a. Within the GGNCA, you must not discharge a firearm of any kind, with the exception of licensed hunters, who are permitted to discharge firearms only when they are in legitimate pursuit of game during the proper season with appropriate firearms, as defined by the Colorado Division of Wildlife. Recreational or target shooting with any type of firearm is prohibited everywhere in the GGNCA at all times.

b. On public lands adjacent to the GGNCA, you must not target shoot in areas closed to that use by a BLM sign or map.

c. Target shooters must not shoot or discharge any weapon at any object containing glass, or other target material that can shatter and cause a public safety hazard as a result of the projectile impact or explosion.

d. You must not engage in any activities involving the use of paintballs.

e. Persons who shoot or discharge any weapon must remove and properly dispose of all shooting materials, including spent brass or shells, their containers, and any items used as targets.

f. You must not discharge any weapon within five hundred yards of any developed recreation site or any other area that has been closed to discharge of firearms.

g. You must not possess or discharge any fireworks.

#### 4. Pets and Pack Stock

a. You must not bring any animal into the GGNCA that is not controlled by visual, audible, or physical means.

b. You must not leave any pets and/or pack stock unattended.

c. You must remove and properly dispose of pet and/or pack stock solid waste when and where indicated by a BLM sign or map.

#### 5. Special Recreation Permits and Registration

a. You must register, purchase permits, and possess proof of permits as indicated by BLM sign or map.

b. If you use the Gunnison Gorge Wilderness as ingress to or egress from the Black Canyon National Park, you must register and purchase a Gunnison Gorge Wilderness permit and possess proof of the permit while in the Wilderness.

#### 6. Group Size Limits

Exceeding group size limits, as indicated by a BLM sign or map, is prohibited.

#### 7. Camping

a. You must not camp in sites or areas not designated as open to camping by a BLM sign or map.

b. Within the Gunnison Gorge Wilderness you must not camp in any site other than the designated campsite(s) reserved by you or your group through the Gunnison Gorge permit system.

c. In designated campsites or camping areas, you must maintain quiet within normal hearing range of any other person or persons, between 10 p.m. and 6 a.m. in accordance with applicable state time zone standards.

d. You must not leave personal belongings overnight in an unattended campsite.

e. You must keep campsites free of trash, litter and debris during the period of occupancy and shall remove all personal equipment and clean sites upon departure.

#### 8. Length of Stay

a. Exceeding length of stay limits, as indicated by a BLM sign or map, is prohibited.

b. The hours of operation are sunrise to sunset in any area that is for day-use only as indicated by a BLM sign or map. You must not enter or remain in such an area after sunset or before sunrise.

#### 9. Campfires and Wood Collecting

a. You must not cut, collect, or use live, dead or down wood except in areas designated open to such use by a BLM sign or map.

b. You must not start or maintain a fire in sites or areas not designated as open for such use by a BLM sign or map.

c. Where allowed, any fire must be fully contained in a metal fire grate, fire pan, or other metal device to contain ashes. Mechanical stoves and other appliances that are fueled by gas and equipped with a valve that allows the operator to control the flame are among the devices that meet this requirement.

d. When starting or maintaining a fire outside of a developed recreation site, you must not fail to contain and dispose of fire ashes and debris in the manner indicated by a BLM sign or map.

e. You must not burn wood or other material containing nails, glass, or any metal.

#### 10. Human Waste Disposal

You must dispose of solid human waste as indicated by a BLM sign or map.

#### 11. Other Use Authorizations

You must not violate any terms, conditions or stipulations of any permit or other authorization issued for special use of these public lands.

*Exemptions:* The following persons are exempt from these supplementary rules: Any Federal, State, local and/or military employee in the scope of their duties; members of any organized rescue or fire-fighting force in performance of an official duty; and persons, agencies, municipalities, or companies holding an existing special-use permit inside the GGNCA and operating within the scope of their permit.

*Definitions:* For the purpose of these supplementary rules, the following definitions apply unless modified within a specific part or regulation:

*Adjacent public lands* means those non-GGNCA BLM public lands immediately adjacent to the GGNCA and/or the Black Canyon of the Gunnison National Park whose management is addressed under the 2004 GGNCA Resource Management Plan (RMP). These lands include: Black Ridge, Fruitland Mesa, West Peach Valley, Flat Top, East Flat Top, and Jones Draw lands.

*All Terrain Vehicle (ATV) or Utility Terrain Vehicle (UTV)* means off-road vehicles 50 inches or less in overall width and weighing no more than 800 pounds.

*Camping* means erecting a tent or a shelter of natural or synthetic materials, preparing a sleeping bag or other bedding material for use, or parking a motor vehicle, motor home, or trailer for the purpose or apparent purpose of overnight occupancy while engaged in

recreational activities such as hiking, hunting, fishing, bicycling, sightseeing, off-road vehicle activities, or other generally recognized forms of recreation.

*Designated campsite or site* means a specific location identified by the BLM for camping or other purposes. Designated sites include individual sites in developed campgrounds that contain picnic tables, shelters, parking sites, and/or grills; dispersed campsites containing a sign and natural or man-made parking barricades denoting a designated camping area; and other use areas specifically designated by signs for use by a certain user type including, but not limited to hikers, boaters, equestrians, commercial outfitters, organized groups, or OHV users.

*Designated route* means roads and trails open to motorized vehicle use and identified on a map of designated roads and trails that is maintained and available for public inspection at the BLM Uncompahgre Field Office, Montrose, Colorado. Designated roads and motorized trails are open to public use in accordance with such limits and restrictions as are, or may be, specified in the RMP or in future decisions implementing the RMP. However, any road or trail with any restrictive signing or physical barrier, including gates, fences, posts, branches, or rocks intended to prevent use of the road or trail is not a designated motorized road or motorized trail.

*Developed recreational site* means any site or area that contains structures or capital improvements primarily used by the public for recreation purposes. Such areas or sites may include such features as: Delineated spaces or areas for parking, camping or boat launching; sanitation facilities; potable water; grills or fire rings; tables; or controlled access.

*Flat Top-Peach Valley Recreation Area* means the Flat Top-Peach Valley Special Recreation Management Area designated in the 2004 GGNCA RMP. The recreation area contains developed recreation sites, open riding areas where cross-country travel is permitted, and designated routes and encompasses approximately 9,754 acres of public lands in Montrose County including lands both within and outside the GGNCA.

*Gunnison Gorge Wilderness* means the congressionally designated Wilderness Area within the GGNCA. The Wilderness is managed by the BLM as a Special Recreation Management and Wilderness Area and encompasses approximately 17,784 acres of public lands in Montrose and Delta counties.

*Gunnison Gorge permit system* means the mandatory self-issuing special

recreation permit (SRP) and registration system that applies to all users 16 years of age and older in the Gunnison Gorge Wilderness. Users are required to sign in at a Wilderness trailhead or the Chukar boater put-in site, pay applicable day-use or camping fees, and reserve the designated boater or hiker campsite(s) they intend to use during their stay.

*Motorized watercraft* means any craft operated upon water that is self-propelled by a non-living power source, including electric power.

*Off-highway vehicle (OHV) or off-road vehicle (ORV)* means any motorized vehicle capable of, or designated for, travel on or immediately over land, water, or other natural terrain, excluding: (1) Any non-amphibious registered motorboat; (2) any military, fire, emergency, or law enforcement vehicle while being used for emergency purposes; (3) any vehicle whose use is expressly authorized by the authorized officer, or otherwise officially approved; (4) vehicles in official use; and (5) any combat or combat-support vehicle when used in times of national defense emergencies.

*Utility Terrain Vehicle (UTV)* means any multi-passenger off-highway vehicle most commonly known as UTVs (Utility Terrain Vehicle or just Utility Vehicle) or Side-by-Side Vehicles; they are also known as SxS, RUV (Recreational Utility Vehicle) or MUV (Multi-Use Vehicle). They are called Side-by-Side Vehicles because a driver and passenger(s) sit side-by-side in the vehicle.

*Penalties:* 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. 43 U.S.C. 1733(a); 43 CFR 8360.0-7. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

**David B. Hunsaker,**

*Acting State Director.*

[FR Doc. 2010-8395 Filed 4-12-10; 8:45 am]

**BILLING CODE 4310-JB-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

**[LLIDIO2000.L71220000.EO0000  
LVTFD0980300; IDI-36468]**

#### Notice of Realty Action: Proposed Sale of Public Land in Caribou Co., ID

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

**ACTION:** Notice of realty action.

**SUMMARY:** The Bureau of Land Management (BLM) is proposing to sell a parcel of public land totaling 1,142.10 acres in Caribou County, Idaho by direct sale under the provisions of the Federal Land Policy and Management Act of 1976 (FLPMA). The land would be sold for not less than fair market value.

**DATES:** In order to ensure consideration in the environmental analysis of the proposed sale, comments must be received by May 28, 2010.

**ADDRESSES:** Address all comments concerning this notice to Field Manager, Bureau of Land Management (BLM), Pocatello Field Office, 4350 Cliffs Drive, Pocatello, Idaho 83204.

**FOR FURTHER INFORMATION CONTACT:** Jan Parmenter, Resource Coordinator, 1405 Hollipark Drive, Idaho Falls, Idaho 83401 or phone (208) 524-7562.

**SUPPLEMENTARY INFORMATION:** The following-described public land in Caribou County, Idaho, is being proposed for sale under the authority of Section 203 of the FLPMA (43 U.S.C. 1713):

#### Boise Meridian

T. 9 S., R. 44 E.,

Sec. 6, lots 3 to 7, inclusive, SWNE, SENW, E2SW, SE;

Sec. 7, lot 1, NE, E2NW, SE;

Sec. 17, lots 1 and 2, S2NE.

The area described contains 1,142.10 acres in Caribou County.

The J. R. Simplot Company submitted the Dairy Syncline Mine and Reclamation Plan (MRP) application to the BLM on October 6, 2008, for the Dairy Syncline Phosphate Lease Area. The MRP is currently under review by the BLM, and an environmental impact statement (EIS) will be prepared pursuant to the requirements of the National Environmental Policy Act to determine and analyze the impacts of the MRP as well as the proposed land sale.

According to the applicant, the parcel is a necessary component of the applicant's development of existing Federal mineral leases. Disposal of mill tailings is a critical aspect of the Dairy Syncline MRP, rendering the land identified for sale an integral part of the MRP. Disposal of mill tailings would require a tailings pond, an ore tailings line from the mill to the tailings pond, as well as a water main return pipeline from the tailings pond to the mill. These are all necessary components of the MRP and would occur on the lands proposed for direct sale. Without the lands proposed for sale, mineral development under this specific phosphate lease could be adversely affected.