

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1994), it is ordered as follows:

1. The Executive Order dated July 2, 1910, which established Powersite Reserve No. 73, is hereby revoked insofar as it affects the following described lands:

**Willamette Meridian**

Gifford Pinchot National Forest

T. 9 N., R. 4 E.,

Sec. 2, SW $\frac{1}{4}$ ;

Sec. 5, SE $\frac{1}{4}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 7, lots 1, 2, and 3, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 8, N $\frac{1}{2}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ .

The areas described aggregate 1,147.26 acres in Cowlitz County.

2. The lands are included in the Mt. St. Helens National Volcanic Monument and will remain closed to surface entry, mining, and mineral leasing.

Dated: June 18, 1998.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

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**DEPARTMENT OF INTERIOR**

**Bureau of Land Management**

[CA-018-1220-00]

**Recreation Management Restrictions; California, South Yuba River, Hoyt's Crossing; Supplementary Rules**

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

**ACTION:** Final Supplementary Rules.

**SUMMARY:** The Bureau of Land Management establishes supplementary rules for the management of recreational uses on public lands adjacent to the South Yuba River at Hoyt's Crossing. This action is necessary to limit adverse impacts to public lands while longterm planning for the South Yuba River is underway. The California State Parks and the County of Nevada urges the BLM to enact restrictions in the Hoyt's Crossing area to reduce ongoing problems. These Supplementary Rules will protect the resources and the recreational experience until planning is completed.

**EFFECTIVE DATE:** July 1, 1998.

**FOR FURTHER INFORMATION:**

Questions on the Final Rules can be directed to Deane Swickard, Field Manager, Folsom Field Office, 63 Natoma Street, Folsom, CA 95630, 916-985-4474.

**SUPPLEMENTARY INFORMATION:** These Supplementary Rules were published as Proposed Supplementary Rules in the **Federal Register**, April 20, 1998, 63 FR 19508-19509. No changes were made from the Proposed Supplementary Rules to the Final Supplementary Rules. Written comments were received from one organization and two individuals. No new information was revealed and the comments suggested "status quo" as an alternative plan.

One comment suggested that the BLM wait until a Management Plan is completed before rules are established. The Nevada County Department of Health requested the area be closed to camping due to health hazards associated with the improper disposal of human waste. A long range plan is needed but an immediate action is necessary to deal with existing health hazards and other recourse issues.

Two comments states there are too few camping areas along the South Yuba River due to topography. BLM agrees that the terrain limits the available locations suitable for camping. Two comments states that the ban on camping on State Park property has reinforced the need for camping opportunities at Hoyt's Crossing, the California State Parks must manage their land within mandates set forth by the California legislature. The BLM must manage public land within mandates set forth by Congress in the Federal Land Policy and Management Act plus other Federal laws. While it is the BLM's policy to allow and encourage dispersed camping in most locations, our responsibilities require us to impose restrictions in some areas. Hoyt's Crossing is one of these areas. BLM has a signed cooperative agreement with California State Parks and Recreation to manage the Federal lands within the South Yuba Recreation Area in harmony with the goals of the State Park.

Two comments stated that there is too much area dedicated to day use (State Park and BLM). BLM feels that the vast majority of recreational demand is for day use activities.

Two comments said that regulations degrade the recreational experience. True, a regulation will degrade a person's experience if that person wishes to participate in an activity prohibited by regulation.

Two comments asked where people would camp now. In the area of the South Yuba River, there are the South Yuba Campground, Malokoff Diggins State Park, and other dispersed areas around Illinois, Purdon, and Edwards Crossing.

Two comments asked if BLM was forcing campers off the river. See above paragraph.

Two comments asked if there would be additional restrictions along the South Yuba River. It is impossible to predict at this time.

Two comments objected to the penalty amounts of violating the Supplementary Rules. These penalties are set by Congress and not by BLM.

One comment questioned if the BLM was targeting nude sunbathing and gay individuals. Nothings in these rules directly affect these specific groups.

One comment stated that the South Yuba River floods every year and cleans this area. The BLM's position is not to allow trash, abandoned property, or human feces to be swept away by the water.

Two comments suggested that there is no need for any protection at Hoyt's Crossing. BLM must provide some degree of protection to all public lands. The amount of protection would be directly related to other factors, such as, amount of use, plant life, animal life, soils, water quality, and Federal mandates.

One comment suggested that we leave Hoyt's Crossing "as is". Explained previously.

One comment stated that BLM should construct campsites, fire rings, and toilets. BLM will not construct facilities until the long range planning is completed.

One comment asked what gave BLM the right to decide these issues. BLM is directed by Congress through the Federal Land Policy and Management Act of 1976 and other Federal laws to make land management decisions.

One comment suggested that the boundary between BLM, State Parks, and private property is impossible to locate. BLM plans to mark boundaries.

One comment said any signs would destroy the recreational experience. BLM will install the minimum signs needed to inform the public.

One comment said the BLM is making criminals out of citizens because of bureaucratic rules. Congress has decided that there will be sanctions for willfully violating laws and regulations.

One comment suggested there were too many rules already. BLM is mandated to enforce existing laws and regulations and enact new regulations to provide for proper land management.

One comment said these rules were restricting access to public lands. Access to Public Land remains intact.

**Supplementary Rules**

BLM adopts the following supplementary rules which will be

applicable on public land within sections 28 and 34, Township 17 North, Range 8 East of the Mt. Diablo meridian. BLM's authority to for issuing supplementary rules is contained in 43 CFR 8365.1-6.

(a) No person shall camp. The term camp is defined as the use, construction, or taking possession of public lands using tents, shacks, lean-tos, tarps, vehicles, huts, blankets, or sleeping bags.

(b) No person shall build, attend, maintain, or use a campfire. The term campfire is defined as a controlled fire occurring out of doors used for cooking, branding, personal warmth, lighting, ceremonial, or esthetic purposes.

(c) No person shall possess or consume alcoholic beverages. The term alcoholic beverages is defined as beer, wine, distilled spirits, or any other beverage defined as such by California law.

(d) No person shall possess any bottle or container made of glass.

(e) Any person who fails to comply with these Supplementary Rules will be subject to a fine of up to 100,000 dollars and/or imprisoned not to exceed 12 months. These penalties are specified by 43 U.S.C. 303 and 18 U.S.C. 3623. Federal, state, and local law enforcement personnel and emergency service personnel, while performing official duties, are exempt from these Supplementary Rules.

**D.K. Swickard,**

*Field Manager.*

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## DEPARTMENT OF THE INTERIOR

### Mineral Management Service

#### Outer Continental Shelf, Beaufort Sea, Oil and Gas Lease Sale 170

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

**ACTION:** Final Notice of Sale.

1. *Authority.* The Mineral Management Service (MMS) is issuing this Notice of Sale under the Outer Continental Shelf (OCS) Lands Act (43 U.S.C. 1331-1356, as amended) and the regulations issued thereunder (30 CFR Part 256).

A "Sale Notice Package," containing this Notice and several supporting and essential documents referenced in the Notice, is available from the MMS Alaska OCS Regional Office Public Information Unit (see paragraph 15 of this Notice).

2. *Filing of Bids.* Bidders must comply with the following requirements. Times

specified hereafter are local Anchorage, Alaska, times unless otherwise indicated.

(a) *Filing of Bids.* Sealed bids must be received by the Regional Director (RD), Alaska OCS Region, MMS, 949 East 36th Avenue, Third Floor, Anchorage, Alaska 99508-4302, during normal business hours (8 a.m. to 4 p.m.) until the Bid Submission Deadline at 10 a.m., Tuesday, August 4, 1998. If the RD receives bids later than the time and date specified above, he will return the bids unopened to bidders. Bidders may not modify or withdraw their bids unless the RD receives a written modification or written withdrawal request prior to 10 a.m. Tuesday, August 4, 1998.

(b) *Bid Opening Time.* Bid Opening Time will be 9 a.m., Wednesday, August 5, 1998, at the Wilda Marston Theatre, Z. J. Loussac Public Library, 3600 Denali Street, Anchorage, Alaska. The MMS published a list of restricted joint bidders, which applies to this sale, in the **Federal Register** at 63 FR 14473 on March 25, 1998.

(c) *Natural Disasters.* In the event of an earthquake or other natural disaster, the MMS Alaska OCS Regional Office may extend the bid submission deadline. Bidders may call (907) 271-6010 for information about the possible extension of the bid submission deadline due to such an event.

3. *Method of Bidding.* The MMS has adopted the optional use of EFT for payment of the 1/5th bonus bid. Sale 170 will be the first Alaska OCS Region sale to use these procedures; however, the process has been successfully implemented for recent Gulf of Mexico Region sales.

(a) *Submission of Bids.* For each tract bid upon, a bidder must submit a separate signed bid in a sealed envelope labeled "Sealed Bid for Oil and Gas Lease Sale 170, not to be opened until 9 a.m., Wednesday, August 5, 1998." The total amount bid must be a whole dollar amount; any cent amount above the whole dollar will be ignored by the MMS. Details of the information required on the bid(s) and the bid envelope(s) are specified in the document "Bid Form and Envelope" contained in the Sale Notice Package (see paragraph 15 of this Notice).

Bidders must execute all documents in conformance with signatory authorizations on file in the MMS Alaska OCS Region Office. Partnerships also must submit or have on file a list of signatories authorized to bind the partnership. Bidders submitting joint bids must state on the bid form the proportionate interest of each participating bidder, in percent to a

maximum of five decimal places, e.g., 33.33333 percent. The MMS may require bidders to submit other documents in accordance with 30 CFR 256.46. The MMS warns bidders against violation of 18 U.S.C. 1860 prohibiting unlawful combination or intimidation of bidders.

(b) *Submission of the 1/5th Bonus Payment.* Bidders will have the option of submitting the 1/5th cash bonus in cash or by cashier's check, bank draft, or certified check with the bid; or by using electronic funds transfer (EFT) procedures. Detailed instructions for submitting the 1/5th bonus payment by EFT are contained in the document "Instructions for Making EFT 1/5th Bonus Payments" included in the Sale Notice Package.

Bidders are advised that the MMS considers the signed bid to be a legally binding obligation on the part of the bidder(s) to comply with all applicable regulations, including paying the 1/5th bonus on all high bids. A statement to this effect will be included on each bid (see the document "Bid Form and Envelope" contained in the Sale Notice Package).

4. *Minimum Bid, Yearly Rental, and Royalty System.* The following minimum bid, yearly rental, and royalty system apply to this sale:

(a) *Minimum Bid.* Bidders must submit a cash bonus in the amount of \$62.00 or more per hectare or fraction thereof with all bids submitted at this sale.

(b) *Yearly Rental.* All leases awarded will provide for a yearly rental payment of \$13.00 per hectare or fraction thereof until initial production is obtained.

(c) *Royalty System.* After initial production is obtained, leases will require a minimum royalty of \$13.00 per hectare or fraction thereof. Leases issued as a result of Sale 170 will have a fixed royalty rate of 12 1/2 percent.

5. *Equal Opportunity.* The certification required by 41 CFR 60-1.7(b) and Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, on the Compliance Report Certification Form, Form MMS-2033 (June 1985), and the Affirmative Action Representation Form, Form MMS-2032 (June 1985) must be on file in the MMS Alaska OCS Regional Office, prior to lease award, (see paragraph (u) of the document "Information to Lessees for Sale 170" contained in the Sale Notice Package).

6. *Bid Opening.* Bid opening will begin at the bid opening time stated in paragraph 2(b). The opening of the bids is for the sole purpose of publicly