

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

announcing bids received, and no bids will be accepted or rejected at that time.

7. *Deposit of Payment.* Any payments made in accordance with paragraph 3(b) above will be deposited by the Government in an interest-bearing account in the U.S. Treasury during the period the bids are being considered. Such a deposit does not constitute and shall not be construed as acceptance of any bid on behalf of the United States.

8. *Withdrawal of Tracts.* The United States reserves the right to withdraw any tract from this sale prior to issuance of a written acceptance of a bid for the tract.

9. *Acceptance, Rejection, or Return of Bids.* The United States reserves the right to reject any and all bids. In any case, no bid will be accepted, an no lease for any tract will be awarded to any bidder, unless:

(a) the bidder has complied with all requirements of this Notice, including the documents contained in the associated Sale Notice Package (see paragraphs 1–15 of this Notice), and applicable regulations;

(b) the bid is the highest valid bid; and

(c) the amount of the bid has been determined to be adequate by the authorized officer.

No bonus bid will be considered for acceptance unless it provides for a cash bonus as specified in paragraph 4 above. Any bid submitted which does not conform to the requirements of this Notice, the OCS Lands Act, as amended, and other applicable regulations may be returned to the person submitting that bid by the RD and not considered for acceptance.

To ensure that the Government receives a fair return for the conveyance of lease rights for this sale, tracts will be evaluated in accordance with established MMS bid adequacy procedures. A copy of the current procedures ("Summary of Procedures for Determining Bid Adequacy at Offshore Oil and Gas Lease Sales: Effective August 1997, with Sale 168") is available from the MMS Alaska OCS Regional Office Public Information Unit (see paragraph 15 of this Notice). This document incorporates changes announced in a **Federal Register** Notice at 62 FR 37589, dated July 14, 1997.

10. *Successful Bidders.* The following requirements apply to successful bidders in this sale:

(a) *Lease Issuance.* The MMS will require each person who has submitted a bid accepted by the authorized officer to execute copies of the lease (Form MMS-2005 (March 1986) as amended), pay the balance of the cash bonus bid along with the first year's annual rental

for each lease issued by EFT in accordance with the requirements of 30 CFR 218.155, and satisfy the bonding requirements of 30 CFR 256, Subpart I, as amended.

(b) *Certification Regarding Nonprocurement Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions.* Each person involved as a bidder in a successful high bid must have on file, in the MMS Alaska OCS Regional Office, a currently valid certification that the person is not excluded from participation in primary covered transactions under Federal nonprocurement programs and activities. A certification previously provided to that office remains currently valid until new or revised information applicable to that certification becomes available. In the event of new or revised applicable information, the MMS will require a subsequent certification before lease issuance can occur. Persons submitting such certifications should review the requirements of 43 CFR, Part 12, Subpart D.

A copy of the certification form is contained in the Sale Notice Package.

11. *Official Protraction Diagrams.* The following Officials Protraction Diagrams, which may be purchased from the MMS Alaska OCS Regional Office Public Information Unit (see the document "Information to Lessees" contained in the Sale Notice Package), depict the blocks offered for lease in this sale:

(a) Outer Continental Shelf Official Protraction Diagrams. these diagrams sell for \$2.00 each.

NR 06–03, Beechey Point, revised September 30, 1997

NR 06–04, Flaxman Island, revised September 30, 1997

12. *Description of the Areas Offered for Bids.*

(a) *Areas Available for Leasing.* The locations of blocks offered for lease in Sale 170 are shown on Locator Maps and Official Protraction Diagrams. Some of these blocks, however, may be partially leased or transected by administrative lines such as the Federal/State jurisdictional line. Information on the unleased portions of such blocks, including the exact area in hectares, is included in the document:

"Description of Blocks Included in Sale 170"

The Sale Notice Package contains this document.

13. *Lease Terms and Stipulations.*

(a) Leases resulting from this sale will have initial terms of 10 years. Copies of the lease form are available from the MMS Alaska OCS Regional Office

Public Information Unit (see paragraph 15 of this Notice).

(b) The text of the lease stipulations is contained in the document "Lease Stipulations for Oil and Gas Lease Sale 170." This document is contained in the Sale Notice Package. The stipulations will become a part of leases on applicable blocks resulting from Sale 170.

14. *Information to Lessees.* The Sale Notice Package contains a document titled "Information to Lessees for Sale 170." The Information to Lessees items provide information on various matters of interest to lessees and potential bidders.

15. *Sale Notice Package.* The Sale Notice Package, and individual documents contained therein, are available from the Public Information Unit, Minerals Management Service, 949 East 36th Avenue, Room 308, Anchorage, Alaska 99508–4302, either in writing or by telephone at (907) 271–6070 or (800) 764–2627. For additional information, contact the Regional Supervisor for Leasing and Environment, in writing at the above address or by telephone at (907) 271–6045.

The documents referenced below and contained in the Sale Notice Package contain information essential for bidders, and bidders are charged with the knowledge contained therein. Included in the Package are:

Cover sheet.

Notice of Sale for Sale 170, Beaufort Sea.

Least Stipulations for Oil and Gas Lease Sale 170.

Information to Lessees for Sale 170.

Description of Blocks Included in Sale 170.

Debarment Certification Form.

Bid Form and Envelope.

Bidder Contact Form.

Instructions for Making EFT 1/5 Bonus Payment.

Certain documents may be viewed and downloaded from the MMS World Wide Web site at <http://www.mms.gov/alaska>. The MMS also maintains a 24-hour Fax-on-Demand Service at (202) 219–1703.

Dated: June 24, 1998.

**Cynthia Quarterman,**  
Director, Minerals Management Service.

**Bob Armstrong,**  
Assistant Secretary, Land and Minerals Management.

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