

3040 Biddle Road, Medford, Oregon 97504.

(3) You may email comments to: jhoppe@or.blm.gov.

If you do not receive a confirmation that we have received your electronic message, contact us directly at 541-523-1256.

Please make your comments on the supplementary rules as specific as possible, confine them to issues pertinent to the rules, and explain the reason for any changes you recommend. Where possible, your comments should reference the specific section or paragraph of the supplementary rules that you are addressing.

BLM may not necessarily consider or include in the Administrative Record for the final supplementary rules comments that BLM receives after May 27, 2003 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 (7:45 a.m. to 4:15 p.m.), Monday through Friday, except 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 for public inspection in their entirety.

II. Background

Notice is hereby given that all motorized and mechanized travel is prohibited on roads, trails, and public lands in two areas recently burned by wildfires. The two areas are: the Squires Peak Fire and the East Antelope Fire. The Squires Peak Fire area is located southwest of Medford, Oregon, in Jackson County. The East Antelope Fire area is located northeast of Ashland, Oregon, also in Jackson County. This action is necessary to insure public safety and to prevent additional resource damage while restoration and rehabilitation activities proceed in the two affected areas.

This rule includes the following roads and public lands within the perimeter of the Squires Peak Fire:

All public lands within the fire perimeter are located in Section 31, T. 38 S., R. 2 W., Sections 35 and 36, T. 38 S., R. 3 W., Sections 5, 6, 7, and 8, T. 39 S., R. 2 W., and Sections 1 and 2, T. 39 S., R. 3 W., Willamette Meridian. BLM roads closed are as follows: #39-3-3.0, #39-2-7.1, #38-3-26.2, #38-2-31.0, and #38-2-31.1 including those portions outside of the fire perimeter. BLM roads remaining open include: #38-3-26.1 and #28-2-29.0. This area is further designated on the Map titled "Squires Peak Fire Restricted Area", prepared by the Bureau of Land Management and dated January 31, 2003.

The rule also includes all public lands within the fire perimeter of the East Antelope Fire: These lands are within the fire perimeter as located in Sections 12, 13, and 24, T. 38 S., R. 1 E., and Sections 7, 17, 18, and 19, T. 38 S., R. 2 E., Willamette Meridian. This area is further designated on the Map titled "East Antelope Fire Restricted Area", prepared by the BLM and dated January 31, 2003.

III. Discussion of Rule

Why is this rule being published as interim final?

We are making these closures effective immediately because significant health and safety risks to the public and danger of further damage to fire-damaged and fragile resources require immediate action. The significant loss of ground cover and vegetation in these fire areas has caused accelerated erosion and potential dangers from water run-off and subsequent instability of existing roads, trails, and cross country routes. The BLM needs to take immediate and aggressive action to stop man-caused damage and to begin stabilizing the fire areas.

Because of the immediate and ongoing hazards to the public's health and safety and because of the need to protect natural resources, we find good cause to publish these rules as interim final, effective March 26, 2003, and allowing 60 days for public comment.

IV. Procedural Matters

The principal author of this interim final rule is Richard Drehobl, assisted by John Samuelson of the Ashland Resource Area, Medford District Office, BLM.

Regulatory Planning and Review (E.O. 12866)

This rule is not a significant rule and is not subject to review by the Office of Management and Budget under Executive Order 12866.

(1) This rule will not have an effect of \$100 million or more on the economy. It 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.

(2) This rule will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency.

(3) This rule does not alter the budgetary effects or entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients.

(4) This rule does not raise novel legal or policy issues.

The supplementary rules will not affect legal commercial activity, but contain rules of conduct for public use of a limited selection of public lands.

Regulatory Flexibility Act

The Department of the Interior certifies that this rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The supplementary rules will not affect legal commercial activity, but contain rules of conduct for public use of a limited selection of public lands.

Small Business Regulatory Enforcement Fairness Act (SBREFA)

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule:

- Does not have an annual effect on the economy of \$100 million or more. (See the discussion under Regulatory Planning and Review, above.)
- Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. (See the discussion above under the Regulatory Flexibility Act.)
- Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act

The closures and 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. They do not have a significant or unique effect on state, local, or tribal governments or the private sector. The closures and rules have no effect on governmental or tribal entities. A statement containing the information required by the Unfunded Mandates