

Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

#### *Takings (E.O. 12630)*

In accordance with Executive Order 12630, we find that the closures and supplementary rules do not have significant takings implications. The enforcement provision interim final does not include any language requiring or authorizing forfeiture of personal property or any property rights. E.O. 12630 addresses concerns based on the Fifth Amendment dealing with private property taken for public use without compensation. The two fire areas are both on public land managed by the Bureau of Land Management, and any owners of private inholdings are specifically excluded from the effect of the closures and rules. Therefore no private property is affected. A takings implications assessment is not required.

#### *Federalism (E.O. 13132)*

In accordance with Executive Order 13132, we find that the closures and supplementary rules do not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. The closures and rules do not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. The rules do not preempt state law.

#### *Civil Justice Reform (E.O. 12988)*

In accordance with Executive Order 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Executive Order.

#### *Consultation and Coordination With Indian Tribal Governments (E.O. 13175)*

In accordance with Executive Order 13175, we have found that this final rule would not include policies that have tribal implications. The rule would not affect lands held for the benefit of Indians, Aleuts, and Eskimos.

#### *Paperwork Reduction Act*

The closures and supplementary rules do not contain information collection requirements that the Office of Management and Budget must approve under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

#### *National Environmental Policy Act*

The closures and supplementary rules do not constitute a major Federal action significantly affecting the quality of the

human environment. A detailed statement under the National Environmental Policy Act of 1969 is not required. [EA prepared?? need to refer to it]

#### *Clarity of This Regulation*

Executive Order 12866 requires each agency to write regulations that are easy to understand. We invite your comments on how to make this rule easier to understand, including answers to questions such as the following:

- (1) Are the requirements in the rule clearly stated?
- (2) Does the rule contain technical language or jargon that interferes with its clarity?
- (3) Does the format of the rule (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity?
- (4) Would the rule be easier to understand if it were divided into more (but shorter) sections?
- (5) Is the description of the rule in the

**SUPPLEMENTARY INFORMATION** section of this preamble helpful in understanding the interim final rule? What else could we do to make the interim final rule easier to understand?

If you have any comments that concern how we could make this rule easier to understand, in addition to sending the original to the address shown in **ADDRESSES**, above, please send a copy to: Office of Regulatory Affairs, Department of the Interior, Room 7229, 1849 C Street NW., Washington, DC 20240. You may also e-mail the comments to this address: Execsec@ios.doi.gov.

The authority for these closures and supplementary rules is found in Authority: 43 U.S.C. 1733; 43 CFR 8364.1; and 43 CFR 8365.1–6.

#### Sec. 1 Prohibited acts.

a. *Prohibited acts.* Within the closed area you must not:

1. Operate any motorized vehicle.
2. Operate any mechanized vehicle.

b. *Exemptions.* The following are exempt from prosecution under the prohibited acts:

1. Any person operating a motorized vehicle on a publicly maintained State or County road;
2. Any Federal, state or local officers or employees or contractor in the scope of their duties;
3. Members of any organized rescue or fire-fighting force in the performance of official duty;
4. Any private landowners owning property within the fire perimeters and exercising rights of ingress/egress to that property using existing roads; and
5. Any person authorized in writing by BLM.

#### Sec. 2 Penalties.

On public lands, under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)) and 43 CFR 8360.0–7, 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. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

Dated: February 12, 2003.

**Elaine M. Brong,**

*Oregon State Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[ID–085–03–1430–AA]

#### **Implementation of Off Highway Vehicle (OHV) Management, Upper Columbia-Salmon Clearwater District, ID**

**AGENCY:** Bureau of Land Management, Upper Columbia-Salmon Clearwater District, Idaho, Interior

**ACTION:** Implementation of Off Highway Vehicle (OHV) management for the Salmon Field Office, Upper Columbia-Salmon Clearwater District, BLM.

**SUMMARY:** In a **Federal Register** notice dated February 25, 2000, the Salmon Field Office notified the public of the BLM's intent to amend the Lemhi Resource Management Plan (RMP) (BLM 1987) to address several management concerns, including the need for Aadditional guidance for management of resources, values, and uses on public lands within the (Lewis and Clark National Historic) Trail corridor and its surrounding area, and for other areas where visitor use is increasing substantially." This concern has been addressed through amended off-highway vehicle use (OHV) designations for the approximately 594,837-acre Salmon Field Office area, as well as other management decisions. The Lemhi RMP amendment was approved by the Idaho State Director on August 29, 2001. As stated in 43 CFR 8342.2(b), that approval constituted the formal designation of off-highway vehicle use areas for the Salmon Field Office area. This Notice is published in compliance with 43 CFR 8364.1 Closure and restriction orders. Additional efforts to inform the public of the changes in OHV designations will be made during the next six to twelve months as the Salmon