

Wild and Scenic River. Through a management plan approved in 1993, this area is collectively managed by the Bureau of Land Management, the Bureau of Indian Affairs/Confederated Tribes of the Warm Springs, and the State of Oregon. In 1994, pursuant to the management plan, separate rules for public use were created by the State of Oregon in the form of Oregon Administrative Rules and by BLM in the form of Special Rules under 43 CFR 8351.2.

Both the state and BLM developed rules independently and in many particulars they proved inconsistent with each other. Since inception, both state and Federal rules have undergone multiple revisions to accommodate changing management needs and objectives. The proposed special rules will revise the existing Federal rules to match state rules, combine all Federal rules, including past revisions, into one document, and create new rules to meet current management objectives.

The rules will govern conduct on all public lands and waters managed by BLM within the river corridor described in the notice. The rules are needed in order to protect the river's natural resources and the public health and safety.

III. Public Comment Procedures

A. How Do I Comment on the Proposed Special Rules?

If you wish to comment, you may submit your comments by any one of several methods.

You may mail comments to Deschutes Resource Field Office Manager, Bureau of Land Management, Prineville District Office, 3050 NE Third Street, Prineville, Oregon 97754.

You may deliver comments to Deschutes Resource Field Office Manager, Bureau of Land Management, Prineville District Office, 3050 NE Third Street, Prineville, Oregon 97754.

You may comment via email at tteaford@or.blm.gov. If you do not receive a confirmation that we have received your electronic message, contact us directly at 541-416-6700.

Please submit your comments on issues related to the proposed special rules, in writing, according to the **ADDRESSES** section above. Comments on the proposed special rules should be specific, should be confined to issues pertinent to the proposed special rules, and should explain the reason for any change you recommend. Where possible, your comments should reference the specific section or paragraph of the proposal that you are addressing.

BLM may not necessarily consider or include, in the Administrative Record for the final special rules, comments that BLM receives or were 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 4:30 p.m.), Monday through Friday, except Federal holidays.

We will honor, to the extent allowed by law individual respondents request for confidentiality. 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, businesses, and individuals identifying themselves as representatives or officials of organizations or businesses, available to public inspection in their entirety.

IV. Discussion of the Rules

BLM has determined these rules necessary to protect the river's resources and to provide for safe public recreation, public health, and data collection. The objective is to provide a quality recreational experience to the general public with minimal user conflicts and minimum damage to the public lands and resources.

In addition, these rules are in accordance with the January 1993 Lower Deschutes River Management Plan and Environmental Impact Statement.

Exemptions to these rules will apply to cooperating agency personnel for administrative purposes, including but not limited to, monitoring, research, law enforcement, search and rescue, and fire fighting operations. BLM may also allow exemptions on a case by case basis.

V. Procedural Matters

Tom Teaford of the BLM Prineville District Office is the principal author of these proposed special rules.

Regulatory Planning and Review (E.O. 12866)

These special rules are not significant and are not subject to review by the Office of Management and Budget under Executive Order 12866.

(1) These special rules will not have an 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.

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

(3) These special rules do not alter the budgetary effects or entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients.

(4) These special rules do not raise novel legal or policy issues.

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

Small Business Regulatory Enforcement Fairness Act (SBREFA)

These special rules are not major under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. These special rules:

Do 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 *Regulatory Flexibility Act*.

Do 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

These special rules do not impose an unfunded mandate on state, local, or tribal governments or the private sector of more than \$100 million per year. The special rules do not have a significant or unique effect on state, local, or tribal governments or the private sector. The special rules will have no effect on governmental or tribal entities. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

Takings (E.O. 12630)

In accordance with Executive Order 12630, the special rules do not have significant takings implications. The