

Suitable/To Be Excessed

Buildings (by State)

Ohio

Michaels, Christine E. A-8881
T2NRSW part secs. 27 & 33
Co: Washington OH
Landholding Agency: Agriculture
Property Number: 159230001
Status: Unutilized
Comment: 1,104 sq. ft., 1-story frame residence, disconnected utilities, off-site removal only.

Land (by State)

Iowa

C Bar J Ranch
¼ mile south of River Rd. on Stagecoach Rd.
Ames Co: Story IA
Landholding Agency: Agriculture
Property Number: 159230002
Status: Unutilized
Comment: 24.5 acres w/bldgs.—animal shops, barn, storage; wood and metal frames; potential utils.; limestone quarry approx. ¼ mi. north, perform some blasting; fenced area w/locked gate.

Ohio

Middleport Public Access Site
Gallipolis Locks & Dam
Middleport Co: Meigs OH 45760—
Landholding Agency: COE
Property Number: 319230001
Status: Underutilized
Comment: Approximately 17.23 acres including parking lot, flowage easement, right-of-way for city street and utilities.

Unsuitable Properties

Buildings (by State)

Massachusetts

Bldg. 4, USCG Support Center
Commercial Street
Boston Co: Suffolk MA 02203—
Landholding Agency: DOT
Property Number: 879240001
Status: Underutilized
Reason: Secured Area
[FR Doc. 92-25564 Filed 10-22-92; 8:45 am]
BILLING CODE 4210-29-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Central Arizona Project (CAP) Water Allocations and Water Service Contracting With Indian Tribes

AGENCY: Office of the Secretary, Interior.

ACTION: Notice of final decision to modify CAP water allocation decisions.

SUMMARY: The purpose of this action is to provide final notice of the Department's decision to modify the existing CAP water allocation decisions by deleting the requirement for a substitute water provision in CAP water

service contracts with Indian tribes. This action will facilitate removal of the substitute water provision from existing CAP water service contracts with tribes and communities and from the proposed CAP water service contract with the Gila River Indian Community (GRIC). The substitute water provision requires Indian contractors to take available non-potable effluent water or other water in lieu of CAP water under certain criteria intended to assure that there would be no diminution of the tribes' total allocation and no additional cost to the tribes. The proposal to also delete the requirement for the Winters rights crediting provision in Indian contracts is not included in this action. The Winters rights crediting provision remains in force.

FOR FURTHER INFORMATION CONTACT: Robert W. Johnson, Assistant Regional Director, Bureau of Reclamation, PO Box 61470, Boulder City, Nevada 89006-1470. Telephone (702) 293-8411.

SUPPLEMENTARY INFORMATION: Previous Department of the Interior notices of proposed and final decisions concerning CAP water allocations were published in the *Federal Register* (FR) at 37 FR 28082, December 20, 1972; 40 FR 17297, April 18, 1975; 41 FR 45883, October 18, 1976; 45 FR 52938, August 8, 1980; 45 FR 81265, December 10, 1980; 48 FR 12446, March 24, 1983; 56 FR 29704, June 28, 1991; and 57 FR 4470, February 5, 1992. The notices were published and the decisions were made pursuant to the authority vested in the Secretary by the Reclamation Act of 1902, as amended and supplemented (32 Stat. 388, 43 U.S.C. 391), the Boulder Canyon Project Act of December 21, 1928 (45 Stat. 1057), the Colorado River Basin Project Act of September 30, 1968 (82 Stat. 885, 43 U.S.C. 1501), the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) (40 CFR part 1505), the Implementing Procedures of the U.S. Department of the Interior (516 Department Manual [DM] 5.4), and in recognition of the Secretary's trust responsibility to Indian tribes.

On October 18, 1978 (41 FR 45888), Acting Secretary Frizell published the Department's allocation of CAP water made on October 12, 1978, to Indian tribes in central Arizona (1978 Decision). Under the 1978 Decision, 257,000 acre-feet of CAP water per year was allocated to the tribes for use prior to year 2005. Under that decision, the amount of water allocated to Indians after year 2005 would be decreased to either 10 percent of the CAP supply or to 20 percent of the agricultural supply, whichever was to their advantage.

Subsequently, Secretary Andrus concluded that the abrupt reduction in the Indian water supply after year 2005 would mean that the economic growth permitted on the reservations in the early years of CAP operations would be temporary, and both the Government and the tribes would be faced with the costs of a return to depressed economic conditions. Also, Secretary Andrus believed that the Indian allocation should be increased because (1) some tribes that should have been allocated CAP water were not included in the 1978 Decision and (2) CAP water should be allocated to tribes in support of permanent tribal homelands.

Secretary Andrus recognized that by improving the Indian supply in later years of CAP operations, the position of the non-Indian municipal and industrial (M&I) users would be less favorable than under the 1978 Decision. Responding to suggestions by Governor Babbitt of Arizona, Secretary Andrus incorporated the substitute water provision into the CAP water allocation decision. On December 10, 1980 (45 FR 81265), Secretary Andrus published the Indian allocations of 309,828 acre-feet of CAP water per year to 10 Indian tribes in central Arizona (1980 Decision). The 1980 Decision stated in part:

In an effort to make the M&I supply as dependable as possible, these allocations permit the substitution of non-CAP water for Indian CAP water, and provisions addressing such substitutions will be included in the Indian water service contracts.

That provision, commonly known as the "mandatory" substitute provision, was included in the 1980 Decision as a means of (1) firming the non-Indian M&I water supply in water shortage years and (2) ameliorating the concern of the non-Indian M&I entities that the increased allocation to the Indian tribes had occurred at the non-Indian M&I entities' expense. Substitute water was defined to include treated municipal effluent or other water suitable for agricultural use. On December 11, 1980, the Department executed CAP water service contracts with 9 of the 10 Tribes which had received an allocation of CAP water. The substitute water provision was included in the contracts offered to four tribes located in close proximity to municipal areas that were considered capable of taking delivery of municipal effluent in lieu of CAP water. Three of the tribes, the Salt River Pima-Maricopa Indian Community, the Ak-Chin Indian Community, and the Papago Tribe, now known as the Tohono O'odham Nation, executed CAP water service contracts containing the substitute water provision. The GRIC

had strong objections to the provision and elected not to sign the CAP water service contract offered at that time.

The substitute water provision provided that after the year 2005, up to one-half of the tribes' CAP water allocation could be exchanged. The substitution was to be accomplished under criteria intended to assure that the quality, quantity, suitability, and delivery facilities for the substitute water would be appropriate for the beneficial uses to which the water was to be put. All costs of the substitution were to be borne by the Central Arizona Water Conservation District (CAWCD) or the benefitting non-Indian subcontractor. The substitute water provision reserved to the Secretary the right to approve a substitution in the event that the Secretary determined, according to certain criteria, that the tribe was unreasonably withholding agreement to a proposed substitute water contract.

The 1980 Decision also provided that the allocation of CAP water would be credited against a tribe's Winters rights, as and when finally adjudicated or finally determined by Federal legislative action, and required that this stipulation be included in the Indian CAP water service contracts. The stipulation was included in all of the Indian contracts offered and executed, including the contract offered to GRIC.

Secretary Andrus did not allocate CAP water to non-Indian entities in the 1980 Decision. However, that decision facilitated the submission of recommendations by the Arizona Department of Water Resources (ADWR) to the Secretary for allocations of CAP water to non-Indian entities. On March 24, 1983 (48 FR 12446), Secretary Watt issued a CAP water allocation decision (1983 Decision) that allocated CAP Water to the non-Indian entities and reaffirmed Secretary Andrus's allocation to the Indian tribes with one significant modification. The 1983 Decision provided that GRIC would have to accept a 25 percent reduction in its CAP water allocation during shortage years in lieu of the 10 percent reduction that was required in the 1980 Decision. The 1983 Decision reaffirmed (1) the requirement for the substitute water provision in the contracts with Indian entities and (2) the allocation of water to Indian entities for tribal homeland purposes. The requirement for crediting the CAP allocation toward a tribe's Winters rights was not changed by the 1983 Decision.

Comments on the Proposed Modifications and Responses

On June 28, 1991 (56 FR 29704), Secretary Lujan published notice of proposed modifications to the CAP water allocation decisions and invited written comments from interested parties within 30 calendar days following the date of the notice. During the comment period, written comments were received from officials of ADWR, Salt River Project, CAWCD, municipalities, Indian tribes and communities, and non-Indian irrigation districts. The comments focused on (1) the substitute water provision and (2) crediting CAP water allocations against a tribe's Winters rights. A synopsis of the comments and concerns of each commenter on the proposed modifications and the Department's responses follow:

(1) City of Phoenix, July 25, 1991.

Comment 1-1: The City of Phoenix agrees with the reasons for deleting the mandatory substitute water provision from the Indian CAP contracts and believes that it is equally important to remove the provision from CAP M&I subcontracts that would penalize a subcontractor for entering into a direct effluent exchange with an Indian Community for CAP water.

Response 1-1: Over the last 10 years, circumstances have changed in central Arizona and the Department now believes that the requirement for a mandatory substitute water provision in the CAP water service contracts with the Indian tribes is no longer critical to management of water supplies in central Arizona. The Department acknowledges the city of Phoenix's concurrence with deletion of the mandatory substitute water provision from the Indian water service contracts.

The Department also acknowledges the city of Phoenix's concerns that the provisions of the effluent exchange article in the CAP M&I water service subcontracts may no longer be critical to management of water supplies in central Arizona. During the process of reallocating uncontracted M&I allocations and after consultation with ADWR, the Department will re-evaluate condition 4 of the 1983 Decision, which conditions a CAP M&I water allocation upon adoption of a pooling concept whereby all M&I allottees share in the benefits of effluent exchanges.

(2) Sparks & Siler, P.C. (San Carlos Apache Tribe; Tonto Apache Tribe; and Yavapai Apache Indian Community, Camp Verde Reservation), July 26, 1991.

Comment 2-1: The proposed modifications are unacceptable and will adversely impact vested contractual

rights of the San Carlos, Tonto, and Camp Verde Tribes as well as other CAP tribes and CAP M&I contractors and subcontractors.

Response 2-1: The Department disagrees. See response 1-1 and the Bases for Decision.

Comment 2-2: It is inappropriate to presume that substitute water would necessarily be treated sewage water. The water is required to be of comparable quality, quantity, and suitability for the intended beneficial use, which is irrigation.

Response 2-2: The Department acknowledges that substitute water includes treated municipal effluent or other water suitable for irrigation.

Comment 2-3: It is inappropriate to conclude that because no substitute water has been proposed to GRIC in 10 years that none will be in the future.

Response 2-3: See response 1-1, and Bases of Decision (5).

Comment 2-4: Deleting the requirement of the 1980 Decision for crediting the CAP allocation against the Tribes' Winters rights will adversely affect vested rights of tribes with executed CAP contracts; tribes which have settled or are near settlement of their rights; and cause a strategic imbalance in the litigation positions of tribes (and other parties) who have developed legal positions since 1980 encompassing the crediting requirements of the 1980 Decision.

Response 2-4: The requirement for a Winters rights provision set forth in the 1980 Decision is retained and the provision is now included in the contract form approved for execution with the GRIC and will remain in all of the existing CAP water service contracts with Indian tribes. See the Summary and Bases for Decision.

(3) Ryley, Carlock, and Applewhite (Roosevelt Water Conservation District) (RWCD), July 23, 1991.

Comment 3-1: In the event the Winters right credit provision is deleted from the GRIC contract prior to the conclusion of a settlement with that community, RWCD is concerned that the GRIC will view its CAP contract as having no bearing upon the overall water budget for the settlement and that the GRIC will use the deletion of the credit provision as a basis for arguing for a water budget that does not account for the right to receive CAP water. The justifications for deletion of the provision are not persuasive.

Response 3-1: That requirement is retained. See the Summary, Response 2-4, and Bases for Decision.

Comment 3-2: RWCD urges reconsideration of the proposal to delete

the mandatory substitute water provision. At the minimum, public hearings should be held on the possible effects of the proposal.

Response 3-2: The Department disagrees. See Response 1-1 and the Bases for Decision. With respect to the need for public hearings, the Department is not convinced that any new or more persuasive information would be forthcoming from the public hearing forum. The written comments received on the June 28, 1991, notice of proposed modifications to the CAP water allocation decisions were comprehensive and thorough.

Comment 3-3: The deletion of the effluent exchange provisions in the Indian contracts may have fundamental impacts on both the non-Indian M&I pool and on the agricultural pool of the CAP.

Response 3-3: The Department disagrees. See Response 1-1 and the Bases for Decision.

(4) Jennings, Strauss & Salmon (Salt River Project), August 13, 1991.

Comment 4-1: The Salt River Project has played a significant role in resolving the water rights claim of the Salt River Pima-Maricopa Indian Community, the Fort McDowell Indian Community, and the San Carlos Apache Indian Tribe. In addition, the Salt River Project has been involved during the past two years in continuing negotiations to resolve the water rights claims of GRIC. The usage of CAP water, both the Community's present allocation and additional allocations of non-Indian agricultural and M&I supplies, continues to be a primary focus of attention in these negotiations. The Salt River Project urges the Department to proceed cautiously in proposing amendments to contracts that are the subjects of ongoing negotiations and to conduct public hearings on the proposed action before reaching a final decision.

Response 4-1: The Department acknowledges this concern. See Summary, Response 1-1, 2-4, 3-2, and Bases for Decision.

(5) CAWCD, July 29, 1991.

Comments 5-1: CAWCD opposes the Department's proposal to modify existing CAP water allocation decisions, the existing CAP water service contracts with Indian tribes, and the proposed water service contract with the GRIC. Neither (1) the requirements of the 1983 Allocation Decision and the CAP Indian contracts regarding the mandatory substitution of effluent for CAP water nor (2) the requirements of the 1980 Allocation Decision and Indian CAP contracts for the crediting of an Indian Community's CAP water allocation against its Winters rights should be

modified or deleted without a comprehensive water rights settlement with the tribe or the Indian community concerned.

Responses 5-1(1): See Response 1-1 and the Bases for Decision. The Department believes that modification of the CAP water allocation decisions with respect to the requirement for the substitute water provision in Indian water service contracts is unrelated to Indian water rights settlement negotiations; the contract requirements set forth in the allocation decisions are the same for all tribes contracting for CAP water service; the well-established authorities and procedures under Reclamation law for contracting with the tribes for the delivery of CAP water are independent of the water rights settlement process; and there is nothing to indicate that the substitute water provision is of such significance to the water rights settlement negotiations as to warrant further delay of the contracting process with the GRIC.

Responses 5-1(2): The Department agrees that the requirement for the Winters water rights provision should be retained. Accordingly, whether or not to modify or delete that requirement in the absence of a comprehensive water rights settlement is a moot question. See the Summary, Response 2-4, and Bases for Decision.

Comment 5-2: Several M&I entities have raised concerns regarding the impact of the proposed modifications on non-Indian M&I and agricultural water supplies. One concern is that if modification is made to the provisions of the CAP contracts with Indian tribes regarding mandatory effluent exchanges, similar modifications should be made to CAP M&I subcontracts with non-Indian entities to remove provisions which would cause the CAP M&I entitlements of such entities to be reduced by the amount of CAP water received in an effluent exchange.

Response 5-2: The Department acknowledges that concern. See Response 1-1 and Bases for Decision. (6) ADWR, July 26, 1991.

Comment 6-1: The effluent exchange provision is now proposed for deletion from the Indians' CAP contracts was inserted in the contracts initially at the urging of ADWR. While there has been some discussion in the past few years of the efficacy of the provision, there has been no consensus among the Arizona water community on whether the clause should be deleted. Many different parties could be impacted by removal of the clause, and the effects on these parties could range from beneficial to deleterious. Before the provision is removed, more thorough consideration

should be given to the effects of that action. We believe any change would more appropriately be made in the context of comprehensive water rights settlement with the affected Indian community.

Response 6-1: The Department disagrees. See Responses 1-1, 5-1, and the Bases for Decision.

Comment 6-2: The proposal to drop the provision crediting CAP water against an Indian tribe's Winters rights is troubling. There seems little reason to give Indian nations two allocations of water, without crediting one against the other.

Response 6-2: The requirement is retained. See the Summary, Response 2-4, and Bases for Decision.

(7) Robert S. Lynch, Attorney at Law (Central Arizona Irrigation and Drainage District and Maricopa-Stanfield Irrigation and Drainage District), July 29, 1991.

Comment 7-1: The basic fallacy of the proposals is the failure to recognize the finite nature of water supplies in Arizona.

Response 7-1: The Department now believes that the requirement for a substitute water provision in the CAP water service contracts with the Indian tribes is no longer critical to management of water supplies in Arizona. See Response 1.1 and Bases for Decision.

Comment 7-2: One of the central reasons for the allocation to Indian communities of priority water for agriculture included an action-forcing provision for exchange of potable CAP water for effluent to conserve scarce CAP resources. Estimates at that time were that 100,000 acre-feet of CAP water would be exchanged for treated effluent for Indian agricultural use. If that eventually does not come to pass, then non-Indian agriculture will lose 100,000 acre-feet of water delivery in good years and M&I contractors could suffer the same fate in years of severe CAP water shortages. That is clearly not good planning.

Response 7-2: The Department believes conditions have changed. See Response 1-1 and Bases for Decision.

Comment 7-3: The proposals are even more deficient in terms of their lack of sensitivity to the water policy and water conservation policy of the State of Arizona. There are many reasons why effluent exchanges have not been consummated to date. Now that the situation is clarified and other water management tools have been created by the [State's] Legislature, opportunities for effluent exchanges and other strategies are improved. It is too soon to

throw the whole process away because it has not yet worked.

Response 7-3: See Response 1-1 and Bases for Decision.

Comment 7-4: The Winters credit has not been an issue in negotiations because it was an item already decided. Putting it on the table now may complicate current negotiations and cause prior decisions to be reexamined.

Response 7-4: The Department agrees. See the Summary, Response 2-4, and Bases for Decision.

Comment 7-5: The Department should hold a series of meetings in Arizona on the proposed modifications and explore the ramifications of these proposals in much more detail before making any decisions.

Response 7-5: The Department disagrees. See Response 3-2.

Comment 7-6: Any action on these subjects will have such serious potential consequences as to clearly be major Federal actions significantly affecting the quality of the human environment.

Response 7-6: See NEPA Compliance. The Department has concluded that there are no significant new circumstances or information relative to environmental concerns that require supplemental NEPA review for the proposed modification of the CAP allocation decisions.

(8) Ellis, Baker, & Porter, P.C. (Central Arizona Irrigation and Drainage District, Maricopa-Stanfield Irrigation and Drainage District, and New Magma Irrigation and Drainage District), July 29, 1991.

Comment 8-1: The Districts object to the deletion of both the substitute water and Winters rights crediting provisions from the proposed contract with GRIC. A requirement for Indians to use effluent makes good water management sense, particularly since Indians do not have to comply with the State of Arizona's Ground Water Management Act. Changing the allocation decision may upset the basis upon which the Districts entered into CAP contracts and incurred millions of dollars of debt. The Department should hold public hearings on the proposed changes before adopting a final position.

Response 8-1: See Responses 1-1, 2-4, and 3-2, and Bases for Decision. The Department is not convinced that elimination of the substitute water provision will adversely impact the ability of the Districts to meet their financial and contractual obligations. The requirement for the Winters rights crediting provision in Indian contracts is retained.

Bases for Decision

The reasons for retaining the requirement for the Winters rights crediting provision in Indian contracts include:

(1) The concept of crediting the CAP allotment against a tribe's Winters rights was instituted by the 1980 Decision and put into the Indian contracts to accomplish following objectives—(1) to ensure that the tribes' adjudicated Winters water rights included the CAP allotment, (2) to assure all tribes that project water delivered to tribes will be credited against adjudicated Winters rights on such terms and conditions as may be agreed upon between the Secretary and the tribe at that time, (3) to assure all tribes that to the extent that a CAP allotment is credited, it could be used in any manner and for any uses permitted by a tribe's adjudicated Winters rights, and (4) to preclude negotiation of the same or similar issues with the various tribes during the adjudication and settlement processes with the possibility of arriving at different results. The Department believes that those objectives are still valid.

(2) Strong and persuasive opposition to deleting the requirement was expressed by commenters.

(3) The GIRC agreed to accept the original Winters rights crediting provision in its CAP water service contract in the interest of comity with other tribes and affected parties.

The reasons for deleting the requirement for the substitute water provision include:

(1) The Department is not aware of any substitute water that has been or is being proposed for exchanges with Indian tribes.

(2) Under the 1983 Decision and the existing CAP M&I water service subcontracts, there is apparently no incentive for a municipality to exchange substitute water with an Indian tribe. The 1983 Decision included a "pooling concept" whereby all non-Indian M&I entities would benefit on a pro rata basis from CAP water made available because of substitute water exchanges. Under the pooling concept, a municipality would make its effluent water available to CAWCD. CAWCD, through its water users, would finance the capital cost of facilities to transport the substitute water to a point of use on the reservation, and pay for the cost of operation, maintenance, and replacement (OM&R) associated with delivery of the substitute water. To encourage the municipalities to participate in the effluent exchange pool and to deter independent effluent

exchanges with tribes, the M&I water service subcontracts included a penalty clause stating, in effect, that the municipality must incur all of the capital and OM&R costs to convey the effluent to a point of use on the reservation and the municipality's entitlement to CAP water under the subcontract must be reduced by the amount of CAP water received under the exchange, if its effluent is exchanged directly with an Indian tribe. Based on the lack of action or expressed interest in effluent exchanges, the Department has concluded that the municipalities do not consider the potential benefits of effluent exchanges with Indian tribes or communities adequate to justify entering into effluent exchange arrangements under the terms of the M&I subcontracts.

(3) Since the 1983 Decision, Arizona law has been enacted which requires that effluent be used on golf courses and in artificial lakes in lieu of potable water. The effect of this law is to create a new demand for effluent within the municipalities' service areas.

(4) Since the 1983 Decision, the municipalities have taken steps to augment their water supplies by other means. Several of the municipalities have purchased water ranches to obtain ground water or surface supplies. Further, the municipalities are considering introducing such non-Project water into the CAP aqueduct for conveyance to their service areas. They are also considering augmenting their water supplies by recharging CAP water into the ground in the early years of CAP operations for subsequent recovery and use during future shortage years or for future demands.

(5) Deletion of the mandatory substitute water provision from Indian contracts will not preclude the execution of voluntary substitute water agreements between the tribes and municipalities. If there are water shortages in the future, the Department believes that there will be strong pressures for all water users in Arizona, including the tribes, to work together to make the most effective use of all water resources, including effluent.

Final Decision

In consideration of the decisions of previous Secretaries on CAP water allocations; the draft and final environmental impact statements (EIS) prepared on Water Allocations and Water Service Contracting, Central Arizona Project (INT-DES 81-50 and INT-FES 82-7, respectively), and the public comments thereon; the notice of proposed modifications to the CAP water allocation published on June 23,

1991 (56 FR 29704), and the public comments thereon; and this Final Modification Decision notice; I hereby give notice of the Department's decision to modify the existing CAP water allocation decisions as set forth below and direct the Commissioner of Reclamation, through his Regional Director, Lower Colorado Region, Boulder City, Nevada, to proceed in accordance with the terms and conditions of this decision.

The requirement in the 1980 and 1983 CAP water allocation decisions for a substitute water provision in CAP water service contracts with Indian tribes and in the proposed CAP water service contract with the Gila River Indian Community is hereby terminated. The requirement for a Winters right crediting provision in the CAP water service contracts with Indian tribes remains unchanged.

Effective Date and Effect on Previous Decisions

This Final Modification Decision is effective as of the date of this notice and amends and supplements the 1980 and 1983 Decisions. Insofar as the December 10, 1980, and March 24, 1983, decisions are inconsistent with this Final Modification Decision, the affected provisions of the 1980 and 1983 Decisions are hereby rescinded.

NEPA Compliance

Notice of availability of the Final EIS on Water Service Contracting for the CAP (cited above) was published on March 24, 1982 (47 FR 12689). That notice examined a number of allocation alternatives, two of which required effluent exchanges for tribal entities. The Record of Decision published on March 24, 1983 (48 FR 12446) discussed the alternatives to and options for effluent exchanges. It was determined that the relative differences in environmental impacts among the allocation alternatives, with and without the effluent exchange options, would not be significant.

With respect to this modification of the previous CAP water allocation decisions, the Department has revised the earlier NEPA documents and has determined that no changes have occurred which would alter the previous findings on effluent exchanges. Further, no new and significant information relevant to environmental concerns arose during the review and comment period which ended July 29, 1991. Accordingly, no additional NEPA review is required.

Dated: October 18, 1992.

Manuel Lujan, Jr.,

Secretary of the Interior.

[FR Doc. 92-25687 Filed 10-22-92; 8:45 am]

BILLING CODE 4310-C9-M

Bureau of Land Management

[WY-010-4320-04]

Closure of Public Lands; Washakie County, WY

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of emergency closure for all motorized vehicles on public lands north of the Dry Farm Road in T. 44 N., R. 87 W., sections 13, 14, 22, 23, 24, and 25, Washakie County, Wyoming.

SUMMARY: Notice is hereby given that effective immediately all public lands north of Dry Farm Road in T. 44 N., R. 87 W., sections 13, 14, 22, 23, 24, and 25 is closed to all motorized vehicle use. It was determined that immediate action needed to be taken to stop the spread of spotted knapweed.

EFFECTIVE DATES: This closure is effective immediately and will remain in effect until rescinded or modified by the authorized officer.

FOR FURTHER INFORMATION CONTACT: Roger Inman, Area Manager, Washakie Resource Area or Dave Baker, Outdoor Recreation Planner, Washakie Resource Area, 101 South 23rd Street, P.O. Box 119, Worland, Wyoming 82401, (307) 347-9871.

SUPPLEMENTARY INFORMATION: This closure is in response to a request from the grazing permittee and Washakie County Weed and Pest District to control the spread of spotted knapweed, a designated noxious weed. Spotted knapweed is highly competitive and readily establishes on any disturbed soil. Once established, knapweed releases chemical substances which inhibit growth of surrounding vegetation. Knapweed is easily caught up in the undercarriage of motorized vehicles, allowing seed to be spread for miles.

This emergency closure applies to approximately 1,950 acres of public lands north of Dry Farm Road in T. 44 N., R. 87 W., sections 13, 14, 22, 23, 24 and 25, Sixth Principal Meridian, Washakie County, Wyoming. Off-road use designations apply to all motorized vehicles with the exceptions of: (1) Any fire, military, emergency, or law enforcement vehicle when used for emergency purposes or any combat support vehicle when used for national defense purposes;

(2) Any vehicle whose use is expressly authorized by the Bureau of Land Management under permit, lease, license, or contract; and

(3) Any government vehicle on official business.

Authority for closure order is provided under 43 CFR subpart 8364.1. Violations of this closure are punishable by a fine not to exceed \$1,000 and/or imprisonment not to exceed 12 months.

Dated: October 14, 1992.

George Hollis,

Acting District Manager.

[FR Doc. 92-25692 Filed 10-22-92; 8:45 am]

BILLING CODE 4310-22-M

[NV-060-03-4370-01]

Battle Mountain District Advisory Council Meeting in Battle Mountain, NV

SUMMARY: Notice is hereby given in accordance with Public Law 94-579 and CFR part 1760 that a meeting of the Battle Mountain District Advisory Council will be held on December 2-3, 1992. The meeting will convene at 1 p.m. at the Tonopah Convention Center. The agenda will include discussions on multiple use resource management issues: Oil and gas leases, wetlands, threatened species habitat, Watchable Wildlife and cultural values present in Railroad Valley. There will be a tour of Railroad Valley on Thursday, December 3, 1992. Non-members must provide their own transportation.

The meeting is open to the public. Interested persons may make statements beginning at 3:30 p.m. If you wish to make an oral statement, please contact James D. Currivan by November 20, 1992.

FOR FURTHER INFORMATION CONTACT: James D. Currivan, District Manager, P.O. Box 1420, Battle Mountain, Nevada, 89820 or phone (702) 835-4000.

Dated: October 7, 1992.

James D. Currivan,

District Manager, Battle Mountain District

[FR Doc. 92-25689 Filed 10-22-92; 8:45 am]

BILLING CODE 4310-HC-M

DEPARTMENT OF THE INTERIOR

[OR-050-4410-10:GP3-024]

Prineville Oregon District Grazing Advisory Board; Meeting

There will be a meeting of the Prineville Oregon District Grazing Advisory Board on Tuesday, November