

and mining, for a period of 20 years, and reserves the land for use by the United States Air Force to protect support facilities for the safe and secure operation of national defense activities at the Nevada Test and Training Range.

**DATES:** *Effective Date:* May 6, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Dennis J. Samuelson, BLM Nevada State Office, P.O. Box 12000, Reno, Nevada 89520, 775-861-6532.

**Order**

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (2000), it is ordered as follows:

1. Subject to valid existing rights, the following described public land is hereby withdrawn from settlement, sale, location, or entry under the general land laws, including the United States mining laws (30 U.S.C. Ch. 2 (2000)), but not from leasing under the mineral leasing laws, for a period of 20 years, and reserved for use by the United States Air Force to protect support facilities for the safe and secure operation of national defense activities at the Nevada Test and Training Range.

**Mount Diablo Meridian**

From the northwest corner of section 12, T. 5 N., R. 50 E.,  
 Proceed southeast 1,874.10 feet on a bearing of 155°48'00" to starting point;  
 Thence southeast 5,551.20 feet on a bearing of 122°54'00";  
 Thence northeast 15,530.30 feet on a bearing of 33°18'00";  
 Thence northwest 5,551.20 feet on a bearing of 302°54'00";  
 Thence southwest 15,530.30 feet on a bearing of 213°18'00" to the starting point, excepting Tybo Road.

The area described contains 1,979 acres in Nye County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the land under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (2000), the Secretary determines that the withdrawal shall be extended.

(Authority: 43 U.S.C. 1714(a); 43 CFR 2310.3-3(b)(1))

Dated: April 20, 2005.

**Rebecca W. Watson,**

*Assistant Secretary—Land and Minerals Management.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**[AZ-422-1220-NX; 8364]**

**Limitation of Activities to Daylight Hours on Selected Public Lands Within the San Pedro Riparian National Conservation Area (SPRNCA), and Other Areas, Cochise County, AZ, To Provide for Public Safety**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** All public use, visitation and activity on affected lands in part of the San Pedro Riparian National Conservation Area (SPRNCA), and other land managed by the Bureau of Land Management in the area, are limited to daylight hours. Activity during the hours of darkness, which is described as official sunset to official sunrise, is prohibited year round. Other existing limitations established in the Safford District Resource Management Plan and applicable regulations remain unchanged except as modified by this notice. This notice is issued under the authority of 43 CFR 8364.1. This restriction is necessary for public health and safety, and to facilitate law enforcement efforts.

**DATES:** This notice is effective May 6, 2005, until rescinded or modified by the authorized officer.

**ADDRESSES:** You may direct inquiries or suggestions to the Tucson Field Office, 12661 East Broadway Boulevard, Tucson, Arizona 85748-7208; or the San Pedro River Riparian National Conservation Area, 1763 Paseo San Luis, Sierra Vista, Arizona 85635.

**FOR FURTHER INFORMATION CONTACT:** Steven Cohn, Acting Field Manager, Bureau of Land Management, Tucson Field Office, 12661 East Broadway Boulevard, Tucson, Arizona 85748-7208, telephone (520) 258-7200; or Bill Childress, Manager, San Pedro River Riparian National Conservation Area, 1763 Paseo San Luis, Sierra Vista, Arizona 85635, telephone (520) 439-6400.

**SUPPLEMENTARY INFORMATION:** Current use designations and regulations allow public use at all times in the SPRNCA. Part of the SPRNCA, and other lands,

are affected by illegal immigration from Mexico, including smuggling of undocumented aliens and drug-smuggling that present serious safety concerns for visitors. Because of these illegal activities, intensive border-related law enforcement operations occur in the area. Public use in the affected area is also vulnerable to incidental criminal activity, and can conflict with law enforcement operations and management actions necessary to protect public safety.

The affected Federal lands include approximately 2,740 acres generally located south of State Highway 92, and north of the International United States-Mexico Boundary, including all or portions of Sections 3, 4, 8, 9, 17, 18, 19, and 20, Township 24 South, Range 22 East, Gila and Salt River Base Meridian, Cochise County, Arizona.

The affected area described here will be subject to the following restriction: Unless otherwise authorized, no person shall use, remain on or occupy any land in the affected area during the period of time from 30 minutes after official sunset to 30 minutes before official sunrise. Persons who are exempt from this restriction include:

(1) Any Federal, state, or local officers engaged in official fire, emergency or law enforcement activities;

(2) BLM employees engaged in official duties;

(3) Persons specifically authorized by BLM or by law to use, remain on, or occupy lands in the area affected by this notice. This includes persons with BLM permits or leases or other written authorizations, or occupying valid mining claims under the Mining Law.

Lawful uses and activities during daylight hours are not affected by this notice. The area affected by this notice will be posted with appropriate regulatory signs. Additional information is available in the Tucson Field Office, and at the SPRNCA headquarters at the addresses shown above.

**Closure**

*1.0 Closure of Certain Public Lands to Overnight Activities*

Unless otherwise authorized, no person shall use, remain on or occupy any land in the San Pedro River Riparian National Conservation Area during the period of time from 30 minutes after official sunset to 30 minutes before official sunrise.

*2.0 Exceptions*

This closure does not apply to:  
 a. Any Federal, state, or local officers engaged in official fire, emergency, or law enforcement activities;

b. BLM employees engaged in official duties;

c. Persons specifically authorized by BLM or by law to use, remain on, or occupy lands in the area affected by this notice; or

d. Lawful uses and activities during daylight hours, beginning 30 minutes before official sunrise and ending 30 minutes after official sunset.

### 3.0 Authority

The authority for this closure is found under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733 (a) and 43 CFR 9268.3(d)(1)(i) and 43 CFR 8364.1(a).

### 4.0 Penalties

1. On all public lands, under section 303(a) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1733(a), 43 CFR 8360.0-7 and 43 CFR 9212.4, any person who violates any of these closures or restrictions on public lands within the boundaries established in this notice 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.

2. On public lands within grazing districts (43 U.S.C. 315) and grazing-leased lands (43 U.S.C. 315m), under the Taylor Grazing Act, 43 U.S.C. 315(a), any person who violates these restrictions on public lands within the boundaries established in the rules may be tried before a United States Magistrate and fined no more than \$500.00. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

3. On public lands fitting the criteria in the Sikes Act, 16 U.S.C. 670j(a)(2), any person who violates any of these restrictions on public lands within the boundaries established in the rules may be tried before a United States Magistrate and fined no more than \$500.00 or imprisoned for no more than six months, or both. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

4. On public lands within Wild and Scenic River corridors (16 U.S.C. 1281(c) and 16 U.S.C. 3), any person who violates any of these restrictions on public lands within the boundaries established in the rules may be tried before a United States Magistrate and fined no more than \$500.00 or imprisoned for no more than six months, or both. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

5. On public lands within National Monuments and within the criteria found in 16 U.S.C. 433 and respective enabling legislation, any person who violates applicable restrictions within the boundaries established in the rules may be tried before a United States Magistrate and fined no more than \$500.00 or imprisoned for no more than ninety days, or both. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

Dated: March 11, 2005.

**Steven Cohn,**

*Acting Field Manager.*

[FR Doc. 05-9090 Filed 5-5-05; 8:45 am]

**BILLING CODE 4310-32-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[SDM 94312]

### Notice of Proposed Withdrawal and Opportunity for Public Meeting; Montana

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The Secretary of Agriculture has filed a withdrawal application asking the Secretary of the Interior to withdraw from mining 5,170.20 acres of public land, the surface of which is reserved as part of the Black Hills National Forest, Custer County, South Dakota.

**DATES:** Comments and requests for a public meeting must be received by August 4, 2005.

**ADDRESSES:** Comments and meeting requests should be sent to the Forest Supervisor, Black Hills National Forest, 25041 N. Highway 16, Custer, South Dakota 57730, acting at the request of the BLM State Director, Montana, 5001 Southgate Drive, P.O. Box 36800, Billings, Montana 59107.

**FOR FURTHER INFORMATION CONTACT:** Sandra Ward, BLM Montana State Office, 406-896-5052, or Valerie Hunt, Forest Service, Rocky Mountain Region, 303-275-5071.

**SUPPLEMENTARY INFORMATION:** The United States Department of Agriculture, acting through the Forest Service, has filed an application with the Bureau of Land Management to withdraw the following-described public land, the surface of which is reserved as part of the Black Hills National Forest, from location or entry under the United States mining laws, subject to valid existing rights:

### Black Hills National Forest

#### Black Hills Meridian

T. 4 S., R. 2 E.,

Sec. 12, E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub> and SE<sup>1</sup>/<sub>4</sub>;

Sec. 13, E<sup>1</sup>/<sub>2</sub> and E<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>.

T. 4 S., R. 3 E.,

Sec. 5, lots 3 to 16, inclusive;

Sec. 6, lots 1 to 5, inclusive, S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>,

SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, and E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>;

Sec. 7, lots 3 and 4, E<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, and SE<sup>1</sup>/<sub>4</sub>;

Sec. 8, lots 1 to 16, inclusive;

Sec. 9, lots 4 to 8, inclusive, and lots 11 to 14, inclusive;

Sec. 16, lots 4, 5, 8, and 9, NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> and SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>;

Sec. 17, lots 1 to 14, inclusive;

Sec. 18, lots 1 to 4, inclusive, E<sup>1</sup>/<sub>2</sub>, and E<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>;

Sec. 19, lots 1 and 2, NE<sup>1</sup>/<sub>4</sub>, and E<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>;

Sec. 20, lots 1 to 9, inclusive, S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>,

SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, and N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>;

Sec. 21, lots 1 to 9 inclusive, and NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>;

Sec. 28, lots 1, 2, and 3, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>;

Sec. 29, lot 1, NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, and NW<sup>1</sup>/<sub>4</sub>.

The area described contains 5,170.20 acres in Custer County.

The purpose of the proposed withdrawal is to protect and preserve unique cave resources, including the caverns of great scientific and public interest, located around the Jewel Cave National Monument, one of the largest known cave systems in the world.

The use of a right-of-way or cooperative agreement would not provide adequate protection for this area due to the broad scope and nondiscretionary nature of the general mining laws.

As proposed, the withdrawal would be for a period of 20 years.

No alternative sites are feasible.

No water will be needed to fulfill the purpose of the requested withdrawal.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the Forest Supervisor, Black Hills National Forest.

Comments, including names and street addresses of respondents, will be available for public review at the Forest Supervisor's Office, Black Hills National Forest, 25041 N. Highway 16, Custer, South Dakota 57730, during regular business hours. Individual respondents may request confidentiality. If you wish to withhold your name or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your comments. Such requests will be honored to the extent