

or in the request for the documents discussed herein.

**FOR FURTHER INFORMATION CONTACT:** Pat Mehlhop, Regional Safe Harbor Coordinator (see Denver address above), telephone 303-236-4215, or Larry Crist, Acting Utah Field Supervisor (see West Valley City address above), telephone 801-975-3330.

**SUPPLEMENTARY INFORMATION:** The UPD is the westernmost member of the genus *Cynomys*. The species' range, which is limited to the southwestern quarter of Utah, is the most restricted of all prairie dog species in the United States. Distribution of the UPD has been greatly reduced due to disease (plague), poisoning, drought, and human-related habitat alteration. Protection of this species and enhancement of its habitat on private land will benefit recovery efforts.

The primary objective of this SHA is to encourage voluntary conservation measures to benefit the species and the landowner. Through this agreement, the landowner will receive relief from any additional section 9 liability under the Act beyond that which exists at the time the agreement is signed ("regulatory baseline"). The property is currently used as grazing land and cropland and is bordered on three sides by private lands. At the present time, the property supports several active prairie dog colonies. Foraging habitat and habitat that offers visual surveillance for the prairie dogs will be further enhanced for the UPD by restoring irrigated cropland to perennially-irrigated grazing land, and by implementing a prescribed grazing plan to increase forage quantity and quality. The habitat improvements will be maintained throughout the term of this agreement through managed grazing. The Cooperator will receive an ESP that authorizes implementation of the conservation actions and other provisions of this Agreement and authorizes incidental take of the covered species above the Cooperator's baseline responsibilities, as defined in the SHA. The proposed SHA would become effective upon signature of the SHA and issuance of the permit, and would remain in effect for 15 years. The requested permit would remain in effect for 35 years. We have made the determination that the proposed activities described in the application and SHA will increase available prairie dog habitat and potentially expand several colonies of prairie dogs on private land. The action is categorically excluded under the National Environmental Policy Act (NEPA). This notice is provided pursuant to the NEPA, section 10 of the Act, and the

Service's Safe Harbor Policy (64 FR 32717).

The Service has evaluated the impacts of this action under the NEPA and determined that it warrants categorical exclusion as described in 516 DM 8, 8.5 C.(1). The Service will evaluate whether the issuance of the ESP complies with section 7 of the Act by conducting an intra-Service section 7 consultation on the issuance of the permit. The result of the biological opinion, in combination with the above finding and any public comments, will be used in the final analysis to determine whether or not to issue the requested ESP, pursuant to the regulations that guide issuance of the type of permit.

**Authority:** The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: August 21, 2006.

**James J. Slack,**

*Acting Regional Director, Denver, Colorado.*

[FR Doc. E6-15596 Filed 9-19-06; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[UT-050-06-1220-P-PM]

#### Notice of Off-Highway Vehicle (OHV) Travel Restriction for Factory Butte Area, UT

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

**ACTION:** Notice of Off-Highway Vehicle (OHV) travel restriction for motorized use in the Factory Butte area, Bureau of Land Management, Richfield Field Office, Utah.

**SUMMARY:** Notice is hereby given that effective immediately, the Bureau of Land Management (BLM), Richfield Field Office, is restricting OHV travel to designated routes on 142,023 acres of public lands near Caineville, Utah, known as the Factory Butte area. This restriction does not apply to State or private lands located in the area. Within the Factory Butte area 2,602 acres currently designated as open will remain open and 3,843 acres currently designated as closed will remain closed to OHV travel. The restriction to designated routes affects the remaining 142,023 acres of the area located in portions of T. 27 S., R. 6-10 E.; T. 28 S., R. 7-10 E.; T. 29 S., R. 7 & 8 E.; and T. 30 S., R. 7 & 8 E., Salt Lake Meridian. The purpose of the restriction is to protect threatened and endangered species that have been adversely

impacted or are at risk of being adversely impacted by OHV use. This restriction will remain in effect until the conditions giving rise to the restriction have been sufficiently addressed or the Richfield Field Office Resource Management Plan that is currently being prepared is signed by the authorized officer and becomes final.

**EFFECTIVE DATE:** This notice and the OHV restriction are effective immediately.

**FOR FURTHER INFORMATION CONTACT:** Cornell Christensen, Field Office Manager, BLM Richfield Field Office, 150 East 900 North, Richfield, Utah 84701; Phone 435-896-1500.

**SUPPLEMENTARY INFORMATION:** In 1982, the Henry Mountains Management Framework Plan (MFP) designated the majority of public lands in the Factory Butte area managed by the BLM's Richfield Field Office as "open" to off-road vehicle (*i.e.*, off-highway vehicle) use. An OHV activity area of 640 acres was identified where intensive OHV use was occurring. However, the surrounding areas were also left open to cross-country OHV use. Since 1982, OHV use has significantly increased throughout the Factory Butte area. Surveys conducted have noted mortality to threatened and endangered plant populations from cross-country OHV use. Based on this information, BLM's authorized officer has determined that OHV use in the area is causing or will cause adverse effects to threatened and endangered plant species. Consequently, OHV use on 142,023 acres in the Factory Butte area is being restricted to designated routes, with 2,602 acres remaining open to cross-country OHV use and 3,843 acres remaining closed. A map showing the affected areas is available for public inspection at the BLM's Richfield Field Office at the above address. This map may be revised in the future based on monitoring of resource conditions and trends in the area. OHV use on the remainder of the public lands administered by BLM's Richfield Field Office will be unchanged and managed according to the existing land use plans. This restriction order applies to all motorized vehicle use with the exception of law enforcement and emergency operations, administrative uses, or other uses authorized by regulations.

#### Implementation

A map showing the portions of the Factory Butte area affected by this restriction is available for public review at the BLM's Richfield Field Office. The map shows the OHV designations

within the area and routes open to OHV travel. The map may be revised in the future based on monitoring of resource conditions and trends. Maps and other appropriate educational information will be posted on kiosks at staging areas. Signs will be posted at strategic entry locations along the boundaries and on the routes designated for use by OHVs.

**Authority:** This restriction notice is issued under the authority of 43 CFR 8341.2.

Violations of this restriction are punishable by a fine not to exceed \$1,000 or imprisonment not to exceed 12 months.

Persons who are administratively exempt from the restrictions contained in this notice include: any Federal, State or local officer or employee acting within the scope of their duties, members of any organized rescue or fire-fighting force in the performance of an official duty, and any person holding written authorization from the BLM.

Dated: July 31, 2006.

**Henri R. Bisson,**

*Field Office Manager.*

[FR Doc. 06-7973 Filed 9-19-06; 8:45 am]

**BILLING CODE 4310-84-P**

## DEPARTMENT OF INTERIOR

### Bureau of Land Management

[UT-062-06-1220-PM]

#### Notice of Supplementary Rules Requiring Human Waste Carry-Out for White Wash Sand Dunes Area, Moab Field Office, UT

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** Notice of Interim Final Supplementary Rules Requiring Human Waste Carry-out for White Wash Sand Dunes Area, Moab Field Office, Utah.

**SUMMARY:** These interim final supplementary rules, applicable to specified public lands administered by BLM's Moab Field Office, require the possession, set up for usage, and use of portable toilets for individuals and groups camping on public lands administered by the Moab Field Office in the White Wash Sand Dunes area of Grand County Utah. This action is necessary to protect public health and maintain public land recreation opportunities in the area.

**DATES:** These interim final supplementary rules are effective September 20, 2006 and will remain in effect until modified by the authorized officer or such time as constructed toilets are installed to provide reasonable coverage of the geographic

area. We invite comments until November 20, 2006.

**ADDRESSES:** Deliver all comments concerning the interim final rule by one of the following means:

Mail, personal, or messenger delivery: address your comment to the Bureau of Land Management, Moab Field Office, 82 East Dogwood Avenue, Moab, Utah 84532; Internet: you may access the Federal eRulemaking Portal: <http://www.regulations.gov>; E-mail: you may send comments to [momail@ut.blm.gov](mailto:momail@ut.blm.gov).

**FOR FURTHER INFORMATION CONTACT:** Russell von Koch, Recreation Branch Chief, BLM Moab Field Office, 82 East Dogwood Avenue, Moab, Utah 84532, or telephone 435-259-2100.

#### SUPPLEMENTARY INFORMATION:

##### I. Public Comment Procedures

Written comments on the interim final supplementary rules should be specific, confined to issues pertinent to the interim final supplementary rules, and should explain the reason for any recommended change. Where possible, comments should reference the specific section or paragraph of the rules that the comment is addressing. BLM need not consider or include in the Administrative Record for the final supplementary rules: (a) Comments that BLM receives after the close of the comment period (see **DATES**), unless they are postmarked or electronically dated before the deadline, or (b) comments delivered to an address other than those listed above (See **ADDRESSES**).

You may also access and comment on the interim final supplementary rules at the Federal eRulemaking Portal by following the instructions at that site (see **ADDRESSES**).

Comments, including names, street addresses, and other contact information of respondents, will be available for public review at the Moab Field Office, 82 East Dogwood Avenue, Moab, Utah 84532, during regular business hours (7:45 a.m. to 3:45 p.m.), Monday through Friday, except Federal holidays. Individual respondents may request confidentiality. If you wish to request that BLM consider withholding your name, street address, and other contact information (such as: Internet address, FAX or phone number) from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your comment. BLM will honor requests for confidentiality on a case-by-case basis to the extent allowed by law. BLM will make available for public inspection in their entirety all submissions from organizations, businesses, and government agencies, or

from individuals identifying themselves as representatives or officials of such entities.

##### II. Background and Purpose

Improper disposal of human body waste by recreation visitors to undeveloped public lands in the White Wash Sand Dunes area near Green River, Utah, has produced conditions hazardous to public health. Subsequent to receiving public complaints, the Sanitarian for the Southeastern Utah Health Department has requested BLM to implement corrective action. Problems identified include dumping of recreational vehicle holding tanks on public roads (an illegal activity under both State and Federal law), human waste on the ground at camping areas, and frequent burying of human waste near camping areas. In addition to the public health issue, the presence of solid human waste impacts the quality of recreation opportunities in the White Wash Sand Dunes area. The interim final supplementary rules are necessary to halt ongoing impacts, provide for sanitation and public safety, and maintain the quality of recreation opportunities.

BLM finds good cause to publish these supplementary rules on an interim final basis, effective the date of publication, because of public health and safety concerns within the management area. The Moab Field Office was contacted on June 14, 2006, by the Sanitarian for the Southeastern Utah Health Department regarding human waste at White Wash Sand Dunes. The problems identified by the Sanitarian include frequent dumping of holding tanks from recreational vehicles along the main access road (presumably done as people leave the area), human waste on the ground at camping areas, and the high density of poorly buried human waste near camping areas. The Health Department has received several complaints about this situation. These conditions represent an immediate threat to human health, and cause a continuous nuisance to recreational visitors and users of nearby lands.

##### III. Procedural Matters

###### *Executive Order 12866, Regulatory Planning and Review*

These interim final supplementary rules are not a significant regulatory action and are not subject to review by the Office of Management and Budget under Executive Order 12866. The interim final supplementary rules will not have an annual effect of \$100 million or more on the economy. They are not intended to affect commercial