

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****Notice of Receipt of Applications for Permit**

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, *as amended* (16 U.S.C. 1531, *et seq.*):

PRT-002648

*Applicant:* Michelle Chapman, Sarasota, FL.

The applicant requests a permit to reexport and reimport leopards (*Panthera pardus*), and progeny of the animals currently held by the applicant and any animals acquired in the United States by the applicant to/from worldwide locations to enhance the survival of the species through conservation education. This notification covers activities conducted by the applicant over a three year period.

PRT-001990

*Applicant:* Zoological Society of San Diego, San Diego, CA.

The applicant requests a permit to import one captive-born male Kuhl's deer (*Axis kuhlii*) from Zoo Poznan, Poland for the purpose of enhancement of the species through captive propagation.

PRT-002885

*Applicant:* Emil J. Graham, Jr., Homestead, FL.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorcas*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

PRT-002952

*Applicant:* Thomas E. Cate, Tulsa, OK.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorcas*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication.

The public is invited to comment on the following applications for permits to conduct certain activities with marine mammals. The application was submitted to satisfy requirements of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) and the regulations governing marine mammals (50 CFR 18).

PRT-002869

*Applicant:* Robert B. Ashton, Hanover, NH.

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport-hunted from the Southern Beaufort Sea polar bear population, Northwest Territories, Canada for personal use.

Written data or comments, requests for copies of any of these complete applications, or requests for a public hearing on these applications should be sent to the U.S. Fish and Wildlife Service, Office of Management Authority, 4401 N. Fairfax Drive, Room 700, Arlington, Virginia 22203, telephone 703/358-2104 or fax 703/358-2281 and must be received within 30 days of the date of publication of this notice. Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Director.

Documents and other information submitted with the application are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the above address within 30 days of the date of publication of this notice.

Dated: September 18, 1998.

**Mary Ellen Amtower,**

*Acting Chief, Branch of Permits, Office of Management Authority.*

[FR Doc. 98-25446 Filed 9-22-98; 8:45 am]

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**DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[NV-930-1430-01; N-49782]

**Termination of Recreation and Public Purpose Classification; Nevada**

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

**ACTION:** Notice.

**SUMMARY:** This action terminates Recreation and Public Purpose (R&PP) Classification N-49782 in its entirety. The land will be opened to the public land laws generally, including the mining and mineral leasing laws.

**EFFECTIVE DATE:** October 23, 1998.

**ADDRESSES:** Written comments should be addressed to: Bureau of Land Management, Gene L. Draiss, Assistant Field Manager, Nonrenewable Resources, HC 33, Box 33500, Ely, NV 89301-9408.

**FOR FURTHER INFORMATION CONTACT:** Michael McGinty, Realty Specialist, at the above address or telephone (702) 289-1882.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority delegated by appendix 1 of Bureau of Land Management Manual 1203 dated April 6, 1998, Recreation and Public Purpose Classification N-49782 is hereby terminated in its entirety:

**Mount Diablo Meridian, Nevada**

T. 1 N., R. 68 E.,  
Sec. 16, SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>,  
Sec. 17, E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>,  
Sec. 21, NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>.

The area described contains 640 acres in Lincoln County.

The classification made pursuant to the Act of June 14, 1926, as amended, segregated the public land from all other forms of appropriation under the public land laws, including location under the United States mining laws and the mineral leasing laws. The land was leased to the State of Nevada, Division of State Lands for the construction of a women's prison facility. The women's prison facility was never developed. The lease expired February 14, 1996. The Recreation and Public Purpose classification is, therefore, no longer considered appropriate.

At 10 a.m. on October 23, 1998, the land will be open to the operation of the public land laws and the mineral leasing laws, subject to valid existing rights, existing classifications and withdrawals, and requirements of applicable law. All valid applications received prior to or at 9 a.m. on October 23, 1998, will be considered as simultaneously filed. All other applications received will be considered in order of filing.

At 9 a.m. on October 23, 1998, the lands described above will be opened to location and entry under the United States mining laws, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. Appropriation of lands under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38, shall vest no rights against the United States. Acts required to establish a

location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

Dated: September 10, 1998.

**Gene L. Drais,**

*Assistant Field Manager, Nonrenewable Resources.*

[FR Doc. 98-25371 Filed 9-22-98; 8:45 am]

BILLING CODE 4310-HC-P

## DEPARTMENT OF INTERIOR

### Bureau of Land Management

[UT-930-08-1020-04-WEED]

#### Use of Certified Noxious Weed-Free Hay, Straw or Mulch; Utah

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

**ACTION:** Notice of final supplementary rule to require the use of certified noxious weed-free hay, straw or mulch on Bureau of Land Management (BLM) administered lands in Utah to help prevent the spread of noxious weeds.

**SUMMARY:** Beginning 30 days from the date of publication of this rule in the **Federal Register**, the Utah State Director of the Bureau of Land Management will require all visitors, licensees, and permittees to use certified noxious weed-free hay, straw, or mulch. This requirement will affect all public land users who use hay, straw or mulch on BLM administered lands in Utah. These individuals or groups will be required to use certified noxious weed-free forage products, or use other approved products, such as processed grains and pellets, while on BLM-administered lands in Utah.

**SUPPLEMENTARY INFORMATION:** BLM in Utah published a Notice of Proposed Supplementary Rule on February 9, 1998, in the **Federal Register**. That notice listed a thirty-day comment period. Eight people commented on the proposal. Seven of those comments were from people who supported the proposal and one generally opposed the rule.

Noxious weeds are a serious problem in the western United States and are rapidly spreading at an estimated rate of 14 percent per year. Species like Leafy Spurge, Squarrose Knapweed, Russian Knapweed, Musk Thistle, Dalmatian Toadflax, Purple Loosestrife, and many others are alien to the United States and have no natural enemies to keep

noxious weed populations in balance. Consequently, these undesirable weeds invade healthy ecosystems, displace native vegetation, reduce species diversity, and destroy wildlife habitats. Widespread infestations lead to soil erosion and stream sedimentation. Furthermore, noxious weed invasion impact revegetation efforts, reduce domestic and wild ungulates' grazing capacity, occasionally irritate public land users by aggravating allergies and other ailments, and threaten federally-protected plants and animals.

To help curb the spread of noxious weeds, a number of western states have developed noxious weed-free forage certification standards and have passed weed management laws. Utah's BLM Resource Advisory Council (RAC) developed a guideline requiring certified weed-free forage to be used on BLM lands. This guideline was approved by both the Utah BLM State Director and the Secretary of the Interior in May, 1997. The use of salt, protein, and other supplements are not considered in this rule. Utah State Department of Agriculture has developed a crop field inspection and certification process. Participants may have their hay fields inspected and certified as being noxious weed free. The producers can obtain bale Identification tags from the Utah Department of Agriculture, which verifies that the product is certified. Utah Department of agriculture also maintains a list of growers who produce certified products. Region four, of the United States Forest Service, has implemented a similar policy for National Forest lands in Utah. This rule will provide a standard for all users of BLM lands in Utah, and will provide for coordinated management with National Forest lands across jurisdictional lines.

**RESPONSE TO COMMENTS:** Eight people commented on the proposed rule. Most comments (6) were positive toward the program. One comment suggested that the program should be implemented over two years, while another said implement it immediately. One comment asked if the equestrian public was going to be part of the education process. The education and information plan is to include all special interest groups that use the public lands, regardless of the fact that they do not use or take forage products with them. Two comments were about their own private lands where weeds have increased and control is costing them large sums of money each year. One comment was opposed to the weed free requirement because it was targeted at the livestock interests only. This rule

will apply to recreationists, horse back riders, hunting camps, livestock, erosion control projects, etc., or anyone who has a need to take hay, straw or mulch products onto BLM administered lands. The supplementary rules will not appear in the Code of Federal Regulations.

For the reasons stated above, under the authority of 43 CFR 8365.1-6, the Utah State Office, BLM, has finalized supplementary rules to read as follows: Supplementary Rules to Require the Use of Certified Noxious Weed-Free Forage on Bureau of Land Management-Administered Lands in Utah.

(a)(1) To help prevent the spread of weeds on BLM-administered lands in Utah. Effective 30 calendar days following publication of this rule, all BLM lands within the state of Utah will be closed to those possessing, using or storing hay, straw, or mulch that has not been certified as free of prohibited noxious weed vegetative parts and/or seeds, at all times of the year.

(2) Certification will comply with the Utah Department of Agriculture and with Regional Weed-Free Forage Certification Standards, jointly developed by the States of Utah, Idaho, Montana, Nebraska, Colorado, and Wyoming.

(3) The following persons are exempt from this order: anyone with a permit signed by BLM's authorized officer at the Field Office level, specifically authorizing the prohibited act or omission within that Field Office Area.

(b) Any person who knowingly and willfully violates the provisions of these supplemental rules regarding the use of non-certified noxious weed-free hay, straw or mulch when visiting Bureau of Land Management-administered lands in Utah, without required authorization, may be commanded to appear before a designated United States Magistrate and may be subject to a fine of no more than \$1,000 or imprisonment of not more than 12 months, or both, as defined in 43 United States Code 1733(a).

**FOR FURTHER INFORMATION CONTACT:** Larry Maxfield, Rangeland Management Specialist, Biological Resources, Division of Natural Resources, Bureau of Land Management, Utah State Office, P.O. Box 45155, Salt Lake City, UT 84145-0155, or phone (801-539-4059).

Dated: September 15, 1998.

**G. William Lamb,**

*Utah State Director.*

[FR Doc. 98-25393 Filed 9-22-98; 8:45 am]

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