

### Section 108. Abatement

(a) Any room, house, building, vehicle, structure, or other place where liquor is sold, manufactured, bartered, exchanged, given away, furnished, or otherwise disposed of in violation of the provisions of this ordinance or of any other tribal law relating to the manufacture, importation, transportation, possession, distribution and sale of liquor, and all property kept in and used in maintaining such place, is hereby declared to be a nuisance.

(b) The Osage Nation Tax Commission shall institute and maintain an action in the Tribal Court in the name of the Tribe to abate and perpetually enjoin any nuisance declared under this article. In addition to other remedies at tribal law, the Tribal Court may also order the room, house, building, vehicle, structure, or place closed for a period of 1 year or until the owner, lessee, tenant, or occupant thereof shall give bond of a sufficient sum from \$1,000 to \$15,000, depending upon the severity of past offenses, the risk of offenses in the future and other appropriate criteria, payable to the Tribe and conditions that liquor will not be thereafter manufactured, kept, sold, bartered, exchanged, given away, furnished, or otherwise disposed of in violation of the provisions of this ordinance or of any other violation of this ordinance or other tribal liquor laws. If any conditions of the bond are violated, the bond may be applied to satisfy any amount due to the Tribe under this ordinance.

(c) In all cases where any person has been found in violation of this ordinance relating to the manufacture, importation, transportation, possession, distribution, and sale of liquor, an action may be brought to abate as a nuisance any real estate or other property involved in the violation of the ordinance and violation of this ordinance shall be prima facie evidence that the room, house, building, vehicle, structure, or place against which such action is brought is a public nuisance.

### Section 109. Liability Insurance

Prior to a liquor license being granted to any applicant, and prior to renewal of any liquor license, the applicant must provide proof of liability insurance to the Osage Nation Tax Commission.

### Section 110. Revenue

Revenue received by the Tribe under this ordinance, from whatever source, shall be expended for administrative costs incurred in the enforcement of this ordinance. Excess funds shall be subject to appropriation by the Tribal Council

for essential governmental and social services, including the use of revenues to combat alcohol abuse and its debilitating effects among individuals and family members with the Osage Tribe.

### Certification

I hereby certify that the above and foregoing Liquor Control Ordinance is the Ordinance adopted by the Osage Tribal Council on the 4th day of August 2004, pursuant to Resolution No. 3846.

**Jim Gray,**

*Principal Chief.*

Attested by:

**Jewell Purcell,**

*Secretary.*

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BILLING CODE 4310-4J-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CA-340-1210-PC]

#### **South Cow Mountain Wet Weather Temporary Closure; Temporary Motor Vehicle Use Closure of the South Cow Mountain Recreation Area Due to Wet Weather/Snow Conditions, Mendocino and Lake Counties, CA**

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

**ACTION:** Notice.

**SUMMARY:** In order to facilitate temporary operations and protect resources in the event of severe seasonal storms and/or natural disasters, the Ukiah Field Office is hereby serving notice that it will be adopting a temporary closure policy to be enacted on an as-needed basis when basic criteria are met. The policy will be in place for up to one year, or upon completion of the Ukiah RMP. The closure will be invoked or lifted through notices in news media outlets, information hot lines and on-the-ground postings. The lands covered by this temporary closure include all public lands administered by the Ukiah Field Office within the South Cow Mountain Recreation Area. Public notices listed on information lines will specify which public lands will be temporarily closed, and will reflect local conditions. One of the following criteria shall be met to temporarily close the area:

- (1) State, County or Federal road access to the area is closed or restricted to residents and emergency personnel;
- (2) BLM or emergency response personnel cannot access and/or perform their duties in a given location;

(3) Roads or trails are saturated with moisture to the point where vehicle traffic causes ruts or bogs leading to increased erosion. Moisture criteria are detailed in the **SUPPLEMENTARY INFORMATION** below. The above temporary closure is intended to allow the BLM flexibility in implementing closures while utilizing the most time-effective method of notifying the public. This will also facilitate management to minimize threats to public health and safety, as well as the potential for resource damage. Any time the closure policy is enacted, the following persons will be exempt:

(1) Federal, State, or local law enforcement officers, while engaged in the execution of their official duties.

(2) BLM personnel or their representatives while engaged in execution of their official duties.

(3) Any member of an organized rescue, fire-fighting force, and/or emergency medical services organization while in the performance and execution of an official duty.

(4) Any member of a Federal, State, or local public works department while in the performance of an official duty.

(5) Any person in receipt of a written authorization of exemption obtained from the Ukiah Field Office.

(6) Local landowners, persons with valid existing rights or lease operations, or representatives thereof, who have a responsibility or need to access their property or to continue their operations on public land.

(7) Human use and associated foot traffic into the area during the closure period are exempt from this closure restriction.

**EFFECTIVE DATE:** This policy will become effective October 1, 2004, and shall remain in effect for up to one year, or upon completion of the Ukiah RMP.

**FOR FURTHER INFORMATION CONTACT:** Rich Burns, field manager, BLM Ukiah Field Office, 2550 North State St., Ukiah, CA 95482. Telephone: (707) 468-4000.

**SUPPLEMENTARY INFORMATION:** These closures and restrictions are under the authority of 43 CFR 8364.1. Persons violating this closure shall be subject to the penalties provided in 43 CFR 8360.0-7, including a fine not to exceed \$1,000 and/or imprisonment not to exceed 12 months. Parties exempt from the closure action shall be responsible for mitigating any resource damage caused by entering the closed area. Waivers can be granted for emergency circumstances; however, in the event an emergency is caused by a negligent action, the responsible party would then be responsible for the mitigation.

Criteria for weather-related emergency closures at the South Cow Mountain Off-Highway-Vehicle Recreation area are as follows: No action would be taken until the annual total precipitation exceeds 6 inches. The rain year would be the same as that used by the National Weather Service and rainfall data would be acquired from the California Water Resources Board, nearest available rain gauge. Once 6 inches of precipitation has been exceeded, the following would apply: Additional rainfall exceeding  $\frac{1}{2}$  inch within a 24 hour period, or 1 inch within a 72 hour period will result in a temporary closure to all motorized vehicles. Once the closure has been implemented, a 3-day drying period will begin after no measurable precipitation is recorded. Once the area has been closed, a field inspection will be completed prior to reopening, and daily thereafter to determine suitability of road and trail conditions. When recorded field observations show that road and trail surfaces have not dried sufficiently to allow traffic without damage to the surface, the area shall remain closed. Closure criteria may be amended or refined as results of area closures are evaluated. Specific criteria may be developed for other areas as needed.

Dated: November 3, 2005.

**J. Anthony Danna,**

*Deputy State Director, Natural Resources, California State Office.*

[FR Doc. 05-1018 Filed 1-18-05; 8:45 am]

**BILLING CODE 4320-40-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### Emergency Closure of Public Lands; Natrona County, WY

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

**ACTION:** Notice of emergency closure.

**SUMMARY:** Notice is hereby given that certain lands are temporarily closed to motor vehicle use, discharge of firearms, and livestock grazing.

The closed area is locally known as the Poison Spider Shooting Area. The public lands affected by this closure are lands administered by the BLM and described as: part of the North  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  and part of the North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 14 in Township 33 North, Range 82 West, Sixth Principal Meridian, containing approximately 43 acres. This tract of land is bound on the east by the west bank of the Casper Canal, on the north by the old Poison Spider Road, on the

west by the common section line between Sections 14 and 15, and on the south by Poison Spider Road (Natrona County Road 201). The area will be fenced and closure signs will be posted around the perimeter. Maps of the closure area and information on the rehabilitation plans may be obtained from the Casper Field Office.

The Poison Spider Shooting Area has been subject to various uses that cumulatively present a hazard to the general public and has resulted in the destruction of public resources. Unrestricted shooting endangers persons traveling on Poison Spider Road (Natrona County Road 201), Natrona County employees working at a gravel pit to the northwest of the site, employees of the Casper-Alcova Irrigation District performing maintenance on the Casper Canal, and threatens livestock authorized to graze on the public lands.

Various items of refuse such as refrigerators and propane tanks have been dumped at the site and used as targets for firearms. This may lead to the release of toxic substances into the air and/or soil and may result in explosive situations. The shooting of illegally dumped materials poses a potentially dangerous health hazard to individuals who live and work in this area.

Uncontrolled vehicle use has resulted in the destruction of public resources, including vegetation loss, soil compaction, intensive rutting and soil erosion.

The Natrona County Road and Bridge Department has agreed to assist the BLM in cleaning up the site. Upon completion of the clean-up, fencing the perimeter and posting signs, acts prohibited by this notice will be enforced.

**DATES:** The closure will be effective when published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Don Whyde, Casper Field Office, 2987 Prospector Drive, Casper, Wyoming, 82604, telephone (307) 261-7600.

*Discussion of the Rules:* Under the authority of 43 CFR 9268.3(d)(i-iv) and 43 CFR 8364.1(a), the Bureau of land management will enforce the following rule on public lands within the closed area:

1. Motor vehicle use is prohibited in the closed area.
2. Discharging of firearms is prohibited in the closed area.
3. Livestock grazing is prohibited in the closed area.

*Exemptions:* Persons who are exempt from these rules include any Federal, State, or local officer or employee in the scope of their duties, members of any

organized rescue or fire fighting force in performance of their duties, persons employed to conduct maintenance on the Casper Canal, and any person authorized in writing by the Bureau of Land Management, Casper Field Office.

*Penalties:* 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 8360.0-7. Any person who violates this closure may be tried before a United States Magistrate Judge 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.

Dated: November 30, 2004.

**Jim Murkin,**

*Field Manager, Casper Field Office.*

[FR Doc. 05-1016 Filed 1-18-05; 8:45 am]

**BILLING CODE 4310-40-P**

## DEPARTMENT OF THE INTERIOR

### Meeting of the California Desert District Advisory Council

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

**ACTION:** Notice of public meeting.

**SUMMARY:** Notice is hereby given, in accordance with Pub. L. 92-463 and 94-579, that the California Desert District Advisory Council to the Bureau of Land Management, U.S. Department of the Interior, will meet in formal session on Friday, April 1, 2005, from 8 a.m. to 5 p.m. and Saturday, April 2 from 8 a.m. to 4 p.m. The meeting will be held in the conference room in the Ramada Inn, located at 1511 East Main Street in Barstow, California.

Tentative agenda items include the following:

- Reports by Council members, the District Manager and five field office managers.
- Presentation by BLM's Ridgecrest Field Office staff regarding its Adopt-A-Cabin Program.
- Update on the West Mojave Plan.
- Status report on the Surprise Canyon administrative environmental impact statement.
- Briefing by the U.S. Fish and Wildlife Service regarding its Desert Tortoise Assessment Report and the new Desert Tortoise Recovery Office.
- Update on the Dumont Dunes Recreation Fee Demo Program.
- Council discussion to develop grazing consultation policy/procedure for the California Desert District.

All Desert District Advisory Council meetings are open to the public. Time