

passengers if the vehicle is not equipped with a trunk.

3. For purposes of this paragraph, a utility compartment or glove compartment is considered within the area occupied by the driver and passengers.

4. This paragraph does not apply to the living quarters of a camper or a motor home.

The offense described in regulations (g) and (h) above does not apply to a motor vehicle operated by a publicly owned transit system or a motor vehicle operated by a common carrier and used primarily to carry passengers for hire.

(I) Operating or being in actual physical control of a motor vehicle is prohibited while:

1. Under the influence of alcohol, or a drug, or drugs, or any combination thereof, to a degree that renders the operator incapable of safe operation; or

2. The alcohol concentration in the operator's blood or breath is 0.10 grams or more of alcohol per 100 milliliters of blood or 0.10 grams or more of alcohol per 210 liters of breath. Provided, however, that if State law that applies to operating a motor vehicle while under the influence of alcohol establishes more restrictive limits of alcohol concentration in the operator's blood or breath, those limits supersede the limits specified in this paragraph.

(j) The provisions of paragraph (I) above also apply to an operator who is or has been legally entitled to use alcohol or another drug.

(k) Tests.

1. At the request or direction of an authorized person who has probable cause to believe that an operator of a motor vehicle upon public lands has violated a provision of paragraph (I) of this section, the operator shall submit to one or more tests of the blood, breath, saliva, or urine for the purpose of determining blood alcohol and drug content.

2. Refusal by an operator to submit to at test is prohibited and proof of refusal may be admissible in any related judicial proceeding.

3. Any test or tests for the presence of alcohol and drugs shall be determined by and administered at the direction of an authorized person.

4. Any test shall be conducted by using accepted scientific methods and equipment of proven accuracy and reliability operated by personnel certified in its use.

(l) Presumptive levels:

1. The results of chemical or other quantitative tests are intended to supplement the elements of probable cause used as the basis for the arrest of an operator charged with a violation of

paragraph (i1) of this section. If the alcohol concentration in the operator's blood or breath at the time of testing is less than alcohol concentrations specified in paragraph (i2) of this section, this fact does not give rise to any presumption that the operator is or is not under the influence of alcohol.

2. The provisions of paragraph (11) of this section are not intended to limit the introduction of any other competent evidence bearing upon the question of whether the operator, at the time of the alleged violation, was under the influence of alcohol, or a drug, or drugs, or any combination therefore.

(m) Within the Sandy Beach Recreation Site, consuming alcoholic beverages or possessing any bottle, can or other receptacle containing any liquor, which has been opened, or a seal broken, or the contents of which have been partially removed. This paragraph does not apply if the bottle, can or other receptacle has been stored out of view and is not readily accessible.

Dated: June 12, 1997.

**James G. Kenna,**

*Acting District Manager.*

[FR Doc. 97-16151 Filed 6-19-97; 8:45 am]

BILLING CODE 4310-33-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AZA-28350]

#### **Notice of Intent To Prepare a Plan Amendment to the Phoenix and Safford District Resource Management Plans Combined With an Environmental Impact Statement Analyzing the Impacts of the Proposed Exchange of Approximately 10,336 Acres of Public Land Near Kearny, Arizona and 640 Acres of Federal Mineral Estate Near Casa Grande, Arizona for Private Lands of Equal Appraised Value in Central and Western Arizona**

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

**ACTION:** Notice of intent.

**SUMMARY:** The Bureau of Land Management (BLM) will be directing the preparation of a combined plan amendment and an environmental impact statement (EIS) for the exchange of public lands near Kearny and Casa Grande, Arizona for private lands of equal value (approximately 8,994 acres) in central and western Arizona. The plan amendment/EIS will consider amending the Phoenix and Safford District Resource Management Plans

under BLM planning regulations (43 CFR part 1600) for the purpose of exchanging public lands pursuant to Section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1617) as amended. The exchange has been proposed by ASARCO Incorporated to support mining operations and mineral development.

1. Description of the proposed planning action: In response to an exchange proposal, the plan amendment will consider amending the Phoenix and Safford District Resource Management Plans, specifically considering whether to change the land tenure decision for 10,336 acres from retention and management as public lands to disposal by exchange.

2. Identification of the geographic areas involved: The plan amendment involves 10,336 acres near Kearny, Arizona, most situated within the White Canyon Resource Conservation Area currently managed by the BLM Phoenix Field Office. The proposed land exchange involves these same acres plus 640 acres near Casa Grande for a total of 10,976 acres.

3. Alternatives to be analyzed: At a minimum, the no action alternative and an alternative that considers the proposed action will be analyzed.

4. General types of issues anticipated: The planning area and proposed land exchange involves issues related to the natural and cultural values and uses of the public lands in question. Issues to be fully analyzed involve impacts on water resources, native vegetation, wilderness, riparian areas, wildlife, recreation, socioeconomics, public access, grazing allotments, county tax base, minerals, and cultural resources.

5. Disciplines to be represented and used to prepare the environmental impact statement: Hydrology, biology, botany, wildlife, recreation, realty, range, socioeconomics, geology, and archaeology.

6. The kind and extent of public participation: Public open houses scoping meetings will be held at: Kearny Open House, July 21, 1997 4 to 8 p.m., Constitution Hall (Senior Citizen Center), 912 East Tilbury Drive, Kearny, Arizona (520-363-5547); Mesa Open House, July 22, 1997 4 to 8 p.m., Mesa Community Center, Rendezvous Center, 201 North Center Street, Mesa, Arizona (602-644-2178); Kingman Open House, July 23, 1997 4 to 8 p.m., Council Chambers, City of Kingman Council Building, 310 North 4th Street, Kingman, Arizona (520-753-8102).

**DATES:** Public comments may be submitted during the public meeting or in writing to the address below. Public

comments will be accepted if postmarked by August 4, 1997.

**ADDRESSES:** Written comments concerning the plan amendment/EIS should be submitted to Bureau of Land Management, Attn: Shela McFarlin, Project Manager, Arizona State Office (AZ-917), 222 N. Central, Phoenix, Arizona 85004.

**FOR FURTHER INFORMATION CONTACT:** Shela McFarlin, at the above address, phone (602) 417-9568.

**SUPPLEMENTARY INFORMATION:** Federal (public) lands (in Pinal and Gila counties) being analyzed for exchange include federal mineral estate (2,780 acres) and federal surface and mineral estate (8,196 acres). Most of these parcels surround the Ray Mine and Hayden Complex operated by ASARCO Incorporated; or, these consist of future prospects for mineral development, including 640 acres near Casa Grande. The non-federal lands to be offered to the BLM include high resource values such as: wilderness inholdings or areas adjacent to the Mt. Tipton and New Water Wilderness, hydriprarian zone along the Gila River, desert tortoise category I and II habitat, and checkerboard inholdings within the McCracken Area of Critical Environmental concern. These parcels are located within Mohave (mainly), Gila and LaPaz counties.

The plan amendment/EIS will be developed by a third party contractor approved by the BLM. The contractor will use an interdisciplinary team to develop the document. The BLM will have the responsibility for the review of the plan amendment/EIS.

Complete records of all phases of the environmental documentation process will be available for public review at the BLM, Phoenix field Office, 2015 W. Deer Valley Road, Phoenix, Arizona 85027, and at the BLM, Arizona State Office, 222 N. Central, Phoenix, Arizona 85004.

Dated: June 17, 1997.

**Ken R. Drew,**

*Program Manager, Phoenix Field Office.*

[FR Doc. 97-16282 Filed 6-19-97; 8:45 am]

BILLING CODE 4310-32-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CO-930-4214-010; COC-60653]

#### Proposed Withdrawal: Opportunity for Public Meeting; Colorado

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of Agriculture, Forest Service, proposes to withdraw approximately 22,000 acres of National Forest System lands for 10 years to allow management alternatives for Forest Service management of the Spanish Peaks Planning Area. This notice closes these lands to location and entry under the mining laws for up to two years. The lands remain open to mineral leasing.

**DATES:** Comments on this proposed withdrawal or requests for public meeting must be received on or before September 18, 1997.

**ADDRESSES:** Comments and requests for a meeting should be sent to the Colorado State Director, BLM, 2850 Youngfield Street, Lakewood, Colorado 80215-7076.

**FOR FURTHER INFORMATION CONTACT:** Doris E. Chelius, 303-239-3706.

**SUPPLEMENTARY INFORMATION:** On June 9, 1997, the Department of Agriculture, Forest Service, filed an application to withdraw the following described National Forest System lands from location and entry under the United States mining laws (30 U.S.C. Ch 2):

#### San Isabel National Forest

Sixth Principal Meridian

T. 30 S., R. 67 W.,

Secs. 19, 28 to 32, inclusive,

Sec. 20, S $\frac{1}{2}$ ;

Sec. 33, N $\frac{1}{2}$ .

T. 30 S., R. 68 W.,

Secs. 24, 25, 33, 34, 35, and 36, inclusive;

Sec. 26, S $\frac{1}{2}$ ;

Sec. 31, S $\frac{1}{2}$ ;

Sec. 32, E $\frac{1}{2}$ NE $\frac{1}{4}$  and S $\frac{1}{2}$ .

T. 31 S., R. 67 W.,

Secs. 5 and 6, inclusive;

Sec. 7, N $\frac{1}{2}$ ;

Sec. 8, N $\frac{1}{2}$ .

T. 31 S., R. 68 W.,

Secs. 1 to 5, inclusive; 7 to 10, inclusive;

Sec. 6, All, excluding lot 4;

Sec. 11, N $\frac{1}{2}$ ;

Sec. 12, N $\frac{1}{2}$ ;

Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

Sec. 17, N $\frac{1}{2}$ ;

Sec. 18, N $\frac{1}{2}$ .

T. 31 S., R. 69 W.,

Secs. 2 and 12, inclusive;

Sec. 1, lots 7 to 12, inclusive;

Sec. 1, S $\frac{1}{2}$ ;

Sec. 11, N $\frac{1}{2}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;

Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

The area described contains approximately 22,000 acres of National Forest System lands in Huerfano and Las Animas Counties. The acreage includes approximately 500 acres of non-Federal lands which are not subject to the withdrawal.

The purpose of this withdrawal is to protect wilderness values within the Spanish Peaks Planning Area.

For a period of 90 days from the date of publication of this notice, all parties who wish to submit comments, suggestions, or objections in connection with this proposed withdrawal, may present their views in writing to the Colorado State Director. A public meeting will be scheduled and conducted in accordance with 43 CFR 2310.3-1(c)(2). Notice of the meeting will be published in the **Federal Register**.

This application will be processed in accordance with the regulations set forth in 43 CFR Part 2310.

For a period of two years from the date of publication in the **Federal Register**, this land will be segregated from the mining laws as specified above unless the application is denied or cancelled or the withdrawal is approved prior to that date. During this period the Forest Service will continue to manage these lands.

**Jenny L. Saunders,**

*Realty Officer.*

[FR Doc. 97-16153 Filed 6-19-97; 8:45 am]

BILLING CODE 4310-JB-M

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects from Hawaii in the Control of Fort Kamehameha and Hickam Field, United States Army, U.S. Army Garrison, HI

**AGENCY:** National Park Service

**ACTION:** Notice

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003 (d), of the completion of an inventory of human remains and associated funerary objects in the control of Fort Kamehameha and Hickam Field, United States Army, U.S. Army Garrison, HI.

A detailed assessment of the human remains was made by U.S. Army installation staff and U.S. Army Corps of Engineers St. Louis District professional staff in consultation with representatives of Hui Malama I Na Kupuna 'O Hawai'i Nei, the Oahu Burial Council, and the Office of Hawaiian Affairs.

In 1940, human remains representing one individual were recovered from a shallow sand burial approximately 100-150 yards from the edge of the Pearl Harbor channel during a legally authorized construction project on Hickam Field, Oahu, HI. No known