

of the provisions of this section shall be guilty of a Class 5 offense as described at Section 13–51113 of the Law and Order Code of the Tribe. Violations of this Section by persons or entities which are not subject to the criminal jurisdiction of the Tribe may, following notice and a hearing, be subject to a civil penalty in accordance with the Regulations promulgated hereunder. The levy of a civil penalty by the Director under this Section is in addition to the power to suspend or revoke any license and to report such violation to the appropriate State authorities.

Sec. 21–5103. Evidence of Legal Age Demanded.

Upon attempt to purchase any Alcoholic Beverage at a site licensed under this Title by any person who appears to the seller to be under legal age, such seller shall demand, and the prospective purchaser upon such demand, shall present satisfactory evidence that he or she is of legal age. Any person under legal age who presents to any seller falsified evidence as to his or her age shall be guilty of a Class 5 Offense under Sec. 13–51113 of the Law and Order Code of the Tribe.

CHAPTER 6. JURISDICTION, PENALTIES AND ENFORCEMENT.

Sec. 21–6101. Jurisdiction

All licensees and others who voluntarily enter onto Tribal Lands and transact business or otherwise engage in activity governed by this Title voluntarily submit to the jurisdiction of the Tribe and the personal jurisdiction of the Tribal Court System for purposes of enforcement of this Title and the Regulations.

Sec. 21–6102. Civil Penalties.

The Director shall recommend to the Tribal Council a schedule of civil penalties and administrative fines as he/she deems necessary for the effective enforcement of this Title. Such schedule shall be considered and adopted by the Tribal Council in the form of a Regulation in accordance with Section 21–2103 of this Title. The imposition of any civil penalty or administrative fine shall not limit the ability of the Tribal Council, upon recommendation of the Director, to suspend or revoke any license issued hereunder for the violation of any of the provisions of this Title or the Regulations. The Director shall also propose regulations relating to the process for administrative hearings before the Tribal Council. [All final administrative orders may be appealed to the Tribal Court.]

Sec. 21–6103. Criminal Violations.

All criminal violations hereunder shall be prosecuted in accordance with laws of the Tribe, and applicable federal law. In the event a criminal act is committed by a person over whom the Tribe does not exercise criminal jurisdiction, then the matter may be referred to appropriate State authorities for prosecution under State law.

CHAPTER 7. USE OF PROCEEDS AND INTERPRETATION.

Sec. 21–7101. Application of Proceeds.

The gross proceeds collected by the Director from all licensing activities under this Title and from fines imposed as a result of violations of this Title, shall be applied as follows:

a) First, for the payment of all necessary personnel, administrative costs, and legal fees incurred in the enforcement of this Title; and

b) Second, the remainder shall be deposited in the operating fund of the Tribe and expended by the Tribal Council for governmental services and programs on Tribal Lands.

Sec. 21–7102. Consistency With State Law.

All provisions and transactions under this Title shall be in conformity with State law regarding alcohol to the extent required by 18 U.S.C. Section 1161 and with all federal laws regarding alcohol in Indian Country, as defined at 18 U.S.C. Section 1151.

Sec. 21–7103. No Impact on Tribal Sovereignty.

Nothing in this Title shall be applied or interpreted to in any manner limit the immunity of the Tribe from uncontested suit or to otherwise limit the sovereign status of the Tribe.

Sec. 21–7104. Prior Enactments Repealed.

All prior Tribal enactments, laws, ordinances, resolutions or provisions thereof that are repugnant or inconsistent to any provision of this Title are hereby repealed.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[UTU 80808]

Notice of Proposed Withdrawal and Transfer of Jurisdiction; Utah

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Department of Energy (DOE) has filed an application requesting the Secretary of the Interior to withdraw approximately 936 acres of land from the United States mining and mineral leasing laws and transfer jurisdiction to the DOE. The land would be used for ancillary facilities at the DOE's Crescent Junction Uranium Mill Tailings Repository in connection with moving the Moab Mill Site uranium mill tailings to the Repository. Except for existing claims, rights, and interests, including oil and gas leases that would be retained by the Secretary of the Interior, full management, jurisdiction, authority, responsibility, and liability for all activities conducted on the land would be vested in the DOE.

DATES: Comments must be received on or before December 22, 2008.

ADDRESSES: Comments should be sent to the Moab Field Office Manager, Bureau of Land Management, 82 East Dogwood Avenue, Moab, Utah 84532.

FOR FURTHER INFORMATION CONTACT: Mary von Koch, Realty Specialist, Moab Field Office at the above address, 435–259–2128.

SUPPLEMENTARY INFORMATION: The DOE has filed an application with the Bureau of Land Management (BLM) requesting the Secretary of the Interior withdraw the following described land from mining and mineral leasing and transfer jurisdiction to the DOE, subject to valid existing claims, rights, and interests:

Salt Lake Meridian

T. 21 S., R. 19 E.,

Sec. 22, S $\frac{1}{2}$, excluding SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 23, S $\frac{1}{2}$, excluding S $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 26, the land lying North of the railroad right-of-way, excluding W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 27, the land lying North of the railroad right-of-way, excluding N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains approximately 936 acres in Grand County.

The purpose is to transfer jurisdiction of the 936 acres to the DOE and to protect DOE's ancillary facilities at the DOE's Crescent Junction Uranium Mill Tailings Repository in connection with moving the Moab Mill Site uranium mill tailings to the Repository.

The land proposed for transfer is located within a temporary DOE withdrawal created by Public Land Order No. 7649, and is therefore already

segregated from mining and mineral leasing.

Except for existing claims, rights, and interests, including oil and gas leases that would be retained by the Secretary of the Interior, full management, jurisdiction, authority, responsibility, and liability for all activities conducted on the land would be vested in the DOE.

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 action may present their views in writing to the BLM Moab Field Office Manager, at the address noted above.

Comments, including names and street addresses of respondents, and records relating to the proposed action will be available for public review during regular business hours at the BLM Moab Field Office at the address specified above. Individual respondents may request confidentiality. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the proposed withdrawal and transfer of jurisdiction. All interested persons who desire a public meeting for the purpose of being heard on the proposal must submit a written request to the BLM Moab Field Office at the address indicated above within 90 days from the date of publication of this notice. If the authorized officer determines that a public meeting will be held, a notice of the time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

There are no suitable alternatives. Rights-of-way or interagency agreements are not considered desirable or acceptable alternatives. They would not protect the BLM from the associated liability risks and they would not adequately constrain nondiscretionary uses that could adversely affect public health and safety.

All potential sites within a reasonable vicinity of the Repository were evaluated. The preferred site is strategically located adjacent to the Repository as identified by DOE as the

optimal location for the ancillary facilities.

This application will be processed in accordance with the regulations set forth in 43 CFR 2300.

Authority: 43 CFR 2310.3-1.

Dated: September 12, 2008.

Jeff Rawson,

State Director.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY-920-1430-FR; WYW-137524]

Notice of Realty Action: Recreation and Public Purposes Act Lease/Patent of Public Lands in Converse County, WY

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Land Management (BLM) has examined and found suitable for lease and conveyance under the provisions of the Recreation and Public Purposes (R&PP) Act, as amended, approximately 15.29 acres of public land in Converse County, Wyoming. Converse County proposes to use the land for a primitive park.

DATES: Interested parties may submit comments regarding the proposed lease/conveyance of the lands until November 6, 2008.

ADDRESSES: Send written comments to the Field Manager, Casper Field Office, 2987 Prospector Drive, Casper, Wyoming 82604.

FOR FURTHER INFORMATION CONTACT: Joe Meyer, Field Manager, Bureau of Land Management, Casper Field Office, at (307) 261-7600.

SUPPLEMENTARY INFORMATION: The following described public land in Converse County, Wyoming, has been examined and found suitable for lease and conveyance under the provisions of the R&PP Act, as amended (43 U.S.C. 869 *et seq.*):

Sixth Principal Meridian, Wyoming

T. 28 N., R. 71 W.,

Sec. 9, Esterbrook Townsite, block 1, lots 6-10; block 2, lots 6-9, 11-15; block 3, lots 6-15; block 4, lots 3-5, 12-18; block 5, lots 1-13; block 6, lots 1-19; block 7, lots 1-4, 21, 23-30.

The land described contains 15.29 acres, more or less.

In accordance with the R&PP Act, Converse County filed an application to lease with eventual purchase the above-

described 15.29 acres of public land which was classified for R&PP use in 1965. Converse County proposes to use the land for a primitive park. Additional detailed information pertaining to this application, plan of development, and site plan is in case file W-137524, located in the BLM Casper Field Office at the above address.

The land is not needed for any Federal purpose. The lease/conveyance is consistent with the Casper Resource Management Plan dated December 7, 2007, and would be in the public interest. The patent, when issued, will be subject to the provisions of the R&PP Act and applicable regulations of the Secretary of the Interior, and will contain the following reservations to the United States:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945); and

2. All minerals, together with the right to prospect for, mine, and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe.

The patent will be subject to all valid existing rights documented on the official public land records at the time of patent issuance.

Comments: Interested parties may submit comments regarding the use of the land for a primitive park as proposed in the application and plan of development, whether the BLM followed proper administrative procedures in reaching the decision to lease/convey under the R&PP Act, or any other factor not directly related to the suitability of the land for R&PP use.

Confidentiality of Comments: Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Only written comments submitted by postal service or overnight mail to the Field Manager—BLM Casper Field Office will be considered properly filed. Electronic mail, facsimile or telephone comments will not be considered properly filed.

Any adverse comments will be reviewed by the State Director. In the absence of any adverse comments, the decision to lease/convey the land as described in this notice will become effective November 21, 2008.