

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## NORTHEAST DAIRY COMPACT COMMISSION

### 7 CFR Chapter XIII

#### Notice of Meeting

**AGENCY:** Northeast Dairy Compact Commission.

**ACTION:** Notice of meeting.

**SUMMARY:** The Compact Commission will hold its regular monthly meeting to consider whether to initiate the notice and comment procedure for rulemaking related to re-establishment of a Compact Over-Order Price Regulation. The current price regulation expires on December 31, 1997. The Commission will also consider certain matters relating to office administration and implementation of its current over-order price regulation.

**DATES:** The meeting is scheduled for August 28, 1997 commencing at 10:00 a.m. to adjournment.

**ADDRESSES:** The meeting will be held in Room 301-303 at the New Hampshire Legislative Office Building located on 33 North State Street in Concord, NH (exit 14 off Interstate 93).

**FOR FURTHER INFORMATION CONTACT:** Daniel Smith, Executive Director, Northeast Dairy Compact Commission, 43 State Street, PO Box 1058, Montpelier, VT 05601. Telephone (802) 229-1941.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Northeast Dairy Compact Commission will hold its regularly scheduled monthly meeting. The Commission will consider whether to initiate the notice and comment procedure under Section 11 of the Compact, including the conduct of a public hearing, for rulemaking related to re-establishment of a Compact Over-Order Price regulation. The current price regulation expires December 31, 1997. The Commission will also consider certain administrative matters, a technical change to the bylaws, and issues relating to administration and

enforcement of the present Compact Over-Order Price regulation.

(Authority: (a) Article V, Section 11 of the Northeast Interstate Dairy Compact, and all other applicable Articles and Sections, as approved by 7 U.S.C. 7256, and as thereby set forth in S.J. Res. 28(1)(b) of the 104th Congress; Finding of Compelling Public Interest by United States Department of Agriculture Secretary Dan Glickman, August 8, 1996 and March 20, 1997. (b) Bylaws of the Northeast Dairy Compact Commission, adopted November 21, 1996.)

**Daniel Smith,**

*Executive Director.*

[FR Doc. 97-22173 Filed 8-20-97; 8:45 am]

**BILLING CODE** 1650-01-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 922

[Docket No. 970626156-7156-01]

**RIN** 0648-AK01

#### Operation of Motorized Personal Watercraft in the Gulf of the Farallones National Marine Sanctuary

**AGENCY:** Sanctuaries and Reserves Division (SRD), Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of inquiry; request for information.

**SUMMARY:** The National Oceanic and Atmospheric Administration's (NOAA) Sanctuaries and Reserves Division (SRD) is soliciting any information from interested parties that would assist in evaluating the operation of motorized personal watercraft (e.g., jet skis, wet bikes, surf jets, etc.), also referred to as "thrill craft," in the area of the Gulf of the Farallones National Marine Sanctuary (GFNMS or Sanctuary). This information will be used by NOAA in assessing the present and potential use and impacts of motorized personal watercraft in the Sanctuary and the need, if any, for appropriate regulation to protect Sanctuary resources or reduce user conflict in the Sanctuary.

**DATES:** Comments must be received by October 6, 1997.

**ADDRESSES:** Comments should be sent to Ed Ueber, Gulf of the Farallones National Marine Sanctuary, Fort Mason, Building #201, San Francisco, California, 94123, or Elizabeth Moore, Sanctuaries and Reserves Division, National Oceanic and Atmospheric Administration, 1305 East West Highway, SSMC4, N/ORM2, Silver Spring, Maryland, 20910. Comments will be available for public inspection at the same addresses.

**FOR FURTHER INFORMATION CONTACT:** Ed Ueber at (415) 561-6622 or Elizabeth Moore at (301) 713-3141 ext. 170.

**SUPPLEMENTARY INFORMATION:** In recognition of the national significance of the unique marine environment centered around the Farallon Islands, California, the Gulf of the Farallones National Marine Sanctuary (GFNMS or Sanctuary) was designated in January 1981. Final regulations to implement that designation (15 CFR Part 922 Subpart H) were issued on January 26, 1981. The GFNMS regulations at 15 CFR 922.82 prohibit a relatively narrow range of activities and thus makes it unlawful for any person to conduct them or cause them to be conducted. Operation of motorized personal watercraft (e.g., jet skis, wet bikes, surf jets, etc.), also referred to as "thrill craft," in the Sanctuary is currently neither directly regulated nor prohibited by Sanctuary regulations, although it is within NOAA's purview to do so.

SRD received a petition on April 18, 1996, from the Environmental Action Committee of West Marin, California (EAC) to ban the use of motorized personal watercraft in the GFNMS. EAC believes that "the use of motorized personal watercraft . . . is completely incompatible with the existence of a marine sanctuary," and gives such reasons as the danger of such craft to biological resources, and users of the Sanctuary. SRD has also received 195 letters from members of the public in response to media publicity about the petition. Sixty-four percent are against any regulation of motorized personal watercraft, with the majority of these letters from owners of motorized personal watercraft. Thirty-three percent of the letters support a ban; of these, nine were from environmental organizations, two were from civic groups, and two were from kayaking groups. Three percent of the letters expressed no clear position.

SRD has been reviewing the petition and obtaining information from various sources in order to determine the present and potential use and impacts of motorized personal watercraft in the Sanctuary. In order to facilitate the review of the petition, SRD is seeking the following information: (1) The number of motorized personal watercraft being operated in the Sanctuary; (2) possible future trends in such numbers; (3) the customary launching areas for motorized personal watercraft in or near the Sanctuary; (4) the areas of use of motorized personal watercraft activity in the Sanctuary, including areas of concentrated use; (5) the periods (e.g., time of year) of use of motorized personal watercraft in the Sanctuary, including periods of high incidence of use; (6) studies or technical articles concerning the impacts of motorized personal watercraft on marine resources and other users; (7) first person or documented accounts of impacts of motorized personal watercraft on marine resources and other users; and (8) any other information or other comments that may be pertinent to this issue.

#### List of Subjects in 15 CFR Part 922

Administrative practice and procedure, Coastal zone, Education, Environmental protection, Marine resources, Natural resources, Penalties, Recreation and recreation areas, Reporting and recordkeeping requirements, Research.

Federal Domestic Assistance Catalog Number 11.429. Marine Sanctuary Program.

Dated: August 14, 1997.

**Nancy Foster,**

*Assistant Administrator for Ocean Services and Coastal Zone Management.*

[FR Doc. 97-22172 Filed 8-20-97; 8:45 am]

BILLING CODE 3510-08-M

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 167

[CGD 97-044]

#### **Port Access Routes; Approaches to the Mississippi River via Southwest Pass, South Pass, Tiger Pass Including the Mississippi River Gulf Outlet**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of study.

**SUMMARY:** The Coast Guard is conducting a port access route study to evaluate the need for vessel routing or

other traffic management measures in the approaches to the Mississippi River. Concerns for the safety of navigation in these areas have been expressed by the Associated Branch Pilots and the Coast Guard Marine Safety Office in New Orleans, LA. This port access route study will determine what, if any, vessel routing or other traffic management measures are needed in the approaches to the Mississippi River and the Mississippi River Gulf Outlet. As a result of the study, vessel routing measures or other vessel operating requirements may be proposed in the **Federal Register**.

**DATES:** Comments must be received on or before November 19, 1997.

**ADDRESSES:** Comments should be mailed to Commander (mov-1), Eighth Coast Guard District, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, LA 70130-3396. The comments and other materials related to this notice will be available for inspection and copying at 501 Magazine Street, New Orleans, LA, room 1341. Normal office hours are 7 a.m. to 3:30 p.m., Monday through Friday, except holidays. Comments may also be hand delivered to this address.

**FOR FURTHER INFORMATION CONTACT:** Captain M.M. Ledet (504) 589-4686 or M.Ledet/D8m@mailgatehq.comdt.uscg.mil (Internet), or Margie Hegy (202) 267-0415 or MHEgy@comdt.uscg.mil (Internet).

#### **SUPPLEMENTARY INFORMATION:**

##### **Request for Comments**

The Coast Guard is interested in receiving information and opinions from persons who have an interest in safe routing of ships in the study area. Vessel owners and operators are specifically invited to comment on any safety concerns they may have when operating in the study area. Negative impacts that may result from the establishment of a routing measure, such as a traffic separation scheme (TSS), or a regulated navigation area (RNA) with vessel operating requirements should be identified and supported with documentation of any costs or benefits.

Commenters should include their names and addresses, identify this notice (CGD 97-044), and give reasons for each comment. Receipt of comments will be acknowledged if a stamped, self-addressed post card or envelope is enclosed. In addition to the specific questions asked herein, comments from the maritime community, offshore development concerns, environmental groups and any other interested parties

are invited. All comments received during the comment period will be considered in the study and in development of any regulatory proposals.

The Coast Guard intends to hold at least one public meeting to listen to the users, both commercial and recreational, of the waters in the study area. We are particularly interested in the source of delays that slow down commercial vessels and the source of upsets that interfere with the recreational boaters enjoyment of the waterway. Details of the meeting will be announced in a separate notice as well as locally.

The Eighth Coast Guard District will conduct the study and develop recommendations. Captain M.M. Ledet, Vessel Traffic Management Section, Marine Safety Branch, Eighth Coast Guard District (504) 589-4686 is the project officer responsible for the study.

#### **Background and Purpose**

The 1978 amendments to the Ports and Waterways Safety Act (PWSA), 33 U.S.C. 1223(c), require that a port access route study be conducted prior to establishing or adjusting fairways or TSS's. The Coast Guard is undertaking a port access route study to determine if a vessel routing system is needed in the study area.

An internationally recognized vessel routing system is one or more routes or routing measures aimed at reducing the risk of casualties. A system may include TSS's, two-way routes, recommended tracks, areas to be avoided, inshore traffic zones, roundabouts, precautionary areas, and deep-water routes.

A TSS is a routing measure which minimizes the risk of collision by separating vessels into opposing streams of traffic through the establishment of traffic lanes.

A two-way route is a route within defined limits inside which two-way traffic is established, aimed at providing safe passage of ships through waters where navigation is difficult or dangerous.

A recommended track is a route which has been specially examined to ensure so far as possible that it is free of dangers and along which ships are advised to navigate.

An area to be avoided is a routing measure comprising an area within defined limits in which either navigation is particularly hazardous or it is exceptionally important to avoid casualties and which should be avoided by all ships, or certain classes of ships.

An inshore traffic zone comprises a designated area between the landward boundary of a TSS and the adjacent