

paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Fair Play' is a term of viticultural significance."

§ 9.169 [Amended]

153. Section 9.169 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Red Hills of Lake County' and 'Red Hills Lake County' are terms of viticultural significance."

§ 9.170 [Amended]

154. Section 9.170 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Long Island' is a term of viticultural significance."

§ 9.171 [Amended]

155. Section 9.171 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'San Bernabe' is a term of viticultural significance."

§ 9.172 [Amended]

156. Section 9.172 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'West Elks' is a term of viticultural significance."

§ 9.173 [Amended]

157. Section 9.173 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Rockpile' is a term of viticultural significance."

§ 9.174 [Amended]

158. Section 9.174 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Yadkin' and 'Yadkin Valley' are terms of viticultural significance."

§ 9.176 [Amended]

159. Section 9.176 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Capay' and 'Capay Valley' are terms of viticultural significance."

§ 9.177 [Amended]

160. Section 9.177 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Alexandria Lakes' is a term of viticultural significance."

§ 9.178 [Amended]

161. Section 9.178 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Columbia Gorge' is a term of viticultural significance."

§ 9.179 [Amended]

162. Section 9.179 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Southern Oregon' is a term of viticultural significance."

§ 9.180 [Amended]

163. Section 9.180 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Dundee' and 'Dundee Hills' are terms of viticultural significance."

§ 9.181 [Amended]

164. Section 9.181 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'McMinnville' is a term of viticultural significance."

§ 9.182 [Amended]

165. Section 9.182 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Ribbon Ridge' is a term of viticultural significance."

§ 9.183 [Amended]

166. Section 9.183 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Yamhill-Carlton District' is a term of viticultural significance."

§ 9.184 [Amended]

167. Section 9.184 is amended by adding a sentence at the end of paragraph (a) to read as follows: "For purposes of part 4 of this chapter, 'Trinity Lakes' is a term of viticultural significance."

PART 70—PROCEDURE AND ADMINISTRATION

168. The authority citation for part 70 continues to read as follows:

Authority: 5 U.S.C. 301 and 552; 26 U.S.C. 4181, 4182, 5146, 5203, 5207, 5275, 5367, 5415, 5504, 5555, 5684(a), 5741, 5761(b), 5802, 6020, 6021, 6064, 6102, 6155, 6159, 6201, 6203, 6204, 6301, 6303, 6311, 6313, 6314, 6321, 6323, 6325, 6326, 6331–6343, 6401–6404, 6407, 6416, 6423, 6501–6503, 6511, 6513, 6514, 6532, 6601, 6602, 6611, 6621, 6622, 6651, 6653, 6656–6658, 6665, 6671, 6672, 6701, 6723, 6801, 6862, 6863,

6901, 7011, 7101, 7102, 7121, 7122, 7207, 7209, 7214, 7304, 7401, 7403, 7406, 7423, 7424, 7425, 7426, 7429, 7430, 7432, 7502, 7503, 7505, 7506, 7513, 7601–7606, 7608–7610, 7622, 7623, 7653, 7805.

§ 70.701 [Amended]

169. Section 70.701 is amended by adding a sentence at the end of paragraph (c) to read as follows: "A petition to establish a new American viticultural area or to modify an existing American viticultural area is subject to the rules in part 9 of this chapter."

Signed: October 18, 2007.

John J. Manfreda,
Administrator.

Approved: November 7, 2007.

Timothy E. Skud,
Deputy Assistant Secretary (Tax, Trade, and Tariff Policy).

[FR Doc. E7–22717 Filed 11–19–07; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2007–0064]

RIN 1625–AA00

Safety Zone: City of West Haven Fireworks, Bradley Point, West Haven, CT

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend the permanent safety zone for the City of West Haven Fireworks by establishing the zone around a fireworks launch site at the approximate position 41°15'7" N, 72°57'26" W. This change to the zone would allow the zone to be established around the launch site, whether it is on a barge or on shore. Establishment of this safety zone is necessary to protect recreational vessel traffic, spectators, and those operating the fireworks display.

DATES: Comments and related material must reach the Coast Guard on or before January 22, 2008.

ADDRESSES: You may submit comments identified by Coast Guard docket number USCG–2007–0064 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods:

(1) Online: <http://www.regulations.gov>.

(2) Mail: Docket Management Facility (M–30), U.S. Department of

Transportation, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001.

(3) Hand delivery: Room W12-140 on the Ground Floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(4) Fax: 202-493-2251.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call Lieutenant Douglas Miller, Chief, Waterways Management Division, Coast Guard Sector Long Island Sound at (203) 468-4596. If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. All comments received will be posted, without change, to <http://www.regulations.gov> and will include any personal information you have provided. We have an agreement with the Department of Transportation (DOT) to use the Docket Management Facility. Please see DOT's "Privacy Act" paragraph below.

Submitting Comments

If you submit a comment, please include the docket number for this rulemaking (USCG-2007-0064), indicate the specific section of this document to which each comment applies, and give the reason for each comment. We recommend that you include your name and a mailing address, an e-mail address, or a phone number in the body of your document so that we can contact you if we have questions regarding your submission. You may submit your comments and material by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or delivery, please submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov> at any time, click on "Search for Dockets," and enter the docket number for this rulemaking (USCG-2007-0064) in the Docket ID box, and click enter. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or you may visit <http://DocketsInfo.dot.gov>.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one to Coast Guard Sector Long Island Sound at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The City of West Haven, Connecticut, holds an annual fireworks display off of Bradley Point in New Haven harbor. To protect the maritime public from the hazards associated with the fireworks display, a permanent safety zone was established and the regulation is currently is found at 33 CFR 165.151(a)(5). The regulation states that all the waters of New Haven Harbor within a 1200-foot radius of the fireworks barge, at the approximate position 41°15'7" N, 72°57'26" W, be included in the regulated area. The event organizers have determined that at times the fireworks may need to be launched from a site on land rather than only from a barge. The new regulation would include all the waters of New Haven Harbor within a 1200-foot radius of the fireworks launch site, at the approximate position 41°15'7" N, 72°57'26" W. This change to the permanent safety zone would cover those instances when the fireworks are launched from land or a barge as

opposed to only being launched from a barge.

Discussion of Proposed Rule

The Coast Guard proposes to amend the regulation at 33 CFR 165.151(a)(5) to replace the word "barge" with the word "site". This change would allow the safety zone to be established upon the navigable waters in a 1200-foot radius of the fireworks launch site, whether it is from a barge or from land. The establishment of this safety zone around either launch site is necessary to protect the maritime public, spectators and fireworks technicians from the hazards associated with the fireworks display by keeping all vessels and persons outside of the safety zone unless they have authorization from the Captain of the Port, Long Island Sound.

Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation is unnecessary. This regulation may have some impact on the public, but the potential impact will be minimized for the following reasons: The zone would only be enforced for a temporary period on the day of the event and vessels may transit in all areas around the zone at all times.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. This proposed rule would affect the following entities, some of which may be small entities: The owner or operators of vessels intending to transit or anchor in the vicinity of Bradley Point on the day of the event.

For the reasons outlined in the Regulatory Evaluation section above,

this rule will not have a significant impact on a substantial number of small entities.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Lieutenant Douglas Miller, Chief, Waterways Management Division, Coast Guard Sector Long Island Sound at (203) 468–4596. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these

standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D and Department of Homeland Security Management Directive 5100.1, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is not likely to have a significant effect on the human environment. A preliminary “Environmental Analysis Check List” supporting this preliminary determination is available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1226 and 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191 and 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

2. Amend § 165.151 by revising paragraph (a)(5) to read as follows:

§ 165.151 Safety Zones; Long Island Sound annual fireworks displays.

(a) * * *

(5) City of West Haven Fireworks Safety Zone. All waters of New Haven Harbor on Long Island Sound off Bradley Point within a 1200-foot radius of the fireworks launch site in

approximate position 41°15'7" N,
72°57'26" W.

* * * * *

Dated: October 25, 2007.

D.A. Ronan,

*Captain, U.S. Coast Guard Captain of the Port,
Long Island Sound.*

[FR Doc. E7-22613 Filed 11-19-07; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

RIN 1024-AD53

Special Regulations; Areas of the National Park System

AGENCY: National Park Service, Interior

ACTION: Proposed rule.

SUMMARY: The National Park Service is proposing this rule to provide for the protection of the Western Snowy Plover (*Charadrius alexandrinus nivosus*), a species listed as threatened under the Endangered Species Act. Western Snowy Plovers overwinter within Golden Gate National Recreation Area (GGNRA) at both Crissy Field and Ocean Beach. This rulemaking will provide temporary protection for two areas until a permanent determination is made through the planning process for the entire park. The park is developing a Dog Management Plan/Environmental Impact Statement (EIS) and special regulations for dog management at GGNRA is expected to be completed by winter 2009.

DATES: Comments must be received by January 22, 2008.

ADDRESSES: You may submit comments, identified by the number RIN 1024-AD53, by any of the following methods:

- Federal rulemaking portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Mail or hand delivery to Superintendent, Golden Gate National Recreation Area, Fort Mason, Building 201, San Francisco, CA 94123. Attention: Snowy Plover Protection Rule.

FOR FURTHER INFORMATION CONTACT:

Brian O'Neill, General Superintendent, Golden Gate National Recreation Area, Fort Mason, Building 201, San Francisco, CA 94123. (415) 561-4728.

SUPPLEMENTARY INFORMATION:

Background

In November 2006 and July 2007, Golden Gate National Recreation Area

(GGNRA) adopted emergency regulatory provisions under 36 CFR 1.5, requiring all dogs to be on-leash on a portion of Crissy Field designated as the Wildlife Protection Area (WPA) and on a portion of Ocean Beach designated as the Snowy Plover Protection Area (SPPA). The emergency restrictions in these two areas were established for the protection of the federally listed Western Snowy Plover. These emergency restrictions are temporary and necessary until the completion of this rulemaking.

The Western Snowy Plover was listed as a threatened species under the Endangered Species Act ("Act") in 1993. The plover's listing was due, in part, to significant declines in population numbers and distribution attributed to habitat loss and increased predation resulting from human disturbance and development. Among other things, the plover's threatened status affords it protection from harassment. The regulations that implement the Act define "harass" as "an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering."

Snowy Plovers weigh less than two ounces and because of their small size, cryptic habits, and coloration, are hard to see with the untrained eye. Plovers feed on invertebrates found in the wet sand, amongst surf-cast kelp and debris within the intertidal zone, and in dry sandy areas or amidst low foredune vegetation above the high tide line. When resting, Snowy Plovers usually take shelter in footprints, vehicle tracks, or the lee of kelp, driftwood or sparsely vegetated low foredunes on the widest areas of beaches. Snowy Plovers are particular in their habitat choices; they need to rest and feed on wide, flat, open beaches where they can see potential predators approaching. These conditions are found at Crissy Field and Ocean Beach. Snowy plovers do not nest in the park; they overwinter in the park from approximately July through April. During the overwintering period, Snowy Plovers rest and feed to gather reserves necessary to successfully breed at other more suitable nesting locations up and down the Pacific coast.

Snowy Plovers continue to be threatened by degradation and loss of breeding and wintering habitat caused by expanding beach-front development, encroachment of introduced European beachgrass (*Ammophila arenaria*), and intense recreational use of beaches. Poor reproductive success is frequently the result of human disturbance, predation,

or inclement weather. These factors, combined with habitat loss, led to the overall decline in active nesting colonies and breeding and wintering populations along the Pacific coast, and prompted its federal listing as a threatened species in 1993.

Snowy Plover monitoring data from the 2006–2007 overwintering season was analyzed by the NPS and compiled in an addendum to the November 2006 report, ("Addendum: 2006 Plover Monitoring", dated June 29, 2007). Data from 2006–2007 overwintering season confirmed that even though the emergency restrictions reduced the numbers of off leash dogs, there were still high numbers of off leash dogs and dogs chasing shorebirds during the 2006–2007 overwintering season constituting an ongoing threat to Western Snowy Plovers. Increased enforcement of the restrictions during the 2007–2008 season would help to reduce this threat.

Description of the Golden Gate National Recreation Area

GGNRA was established in 1972. The lands that constitute GGNRA extend north of the Golden Gate Bridge (the entrance to the San Francisco and San Pablo Bays) to Tomales Bay in Marin County, and south to the San Francisco watersheds and beyond in San Mateo County. The park's legislated boundary encompasses nearly 80,000 acres of land and water, including 59 miles of bay and ocean shoreline. The GGNRA directly manages approximately 16,000 acres in Marin, San Francisco and San Mateo counties. These lands represent one of the nation's largest coastal preserves and attract 16 million visitors each year, making GGNRA one of the most heavily visited units in the National Park System.

The lands encompassing GGNRA provide important habitat for many federally threatened or endangered species, as well as many other State listed and rare species. The central coast, including the San Francisco Bay Area and GGNRA, is considered one of North America's biodiversity hot spots (*Precious Heritage: the Status of Biodiversity in the United States, Nature Conservancy*). The California Floristic Province, which includes all of GGNRA, is identified as one of the top 25 global biodiversity hotspots in the world (*Nature's Place: Population and the Future of Diversity, 2000 Report by Population Action International*). GGNRA is part of the Golden Gate Biosphere Reserve, designated in 1989 in recognition of the importance of this coastal and marine ecosystem to the