

*Action Taken or Planned*—When the payor remits royalties on behalf of the lessee, FOGRSFA requires that the lessee designate the paying party as their designee for each lease. The interim final rule published on August 5, 1997, implements the requirements of FOGRSFA. We have worked with BLM to set up a process to identify operating rights owners and changes to operating rights ownership.

*Timetable*—Ongoing.

#### 14. Other MMS/Royalty Management Program Regulatory Actions

*Comments Received*—(a) “In order to craft a reasonable, fair, and proper (oil valuation) rule, it is imperative that MMS publicly address all critical issues prior to the issuance of any final rule so that affected persons can participate meaningfully in the rulemaking process.”

(b) “Congress pushed for delegation of royalty management functions to states as a means of streamlining and simplifying the process of collection and payment of federal royalties. Despite Congress’ clear intent however, the final regulations published on August 12, 1997 and the standards for delegation published on September 8, 1997 in no way attempt to achieve that purpose.”

*Action Taken or Planned*—The regulations for the Delegation of Royalty Management Functions to States were developed in consultation with State government representatives and industry. The final rule was published on August 12, 1997 (62 FR 43076), and included responses to comments we received on the proposed rule. On February 10, 1999 (64 FR 6586), we published a proposed rule that would allow States which choose to assume duties to do so for less than all of the Federal mineral leases within the State or leases offshore of the State, subject to section 8(g), of the Outer Continental Shelf Lands Act. We plan to issue a final rule in 1999.

On January 24, 1997, we published a proposed rule on Valuation of Oil From Federal Leases (62 FR 3742), and on February 12, 1998, we published a proposed rule on Valuation of Oil From Indian Leases (63 FR 7089). We’ve held numerous public meetings regarding the proposed oil valuation rules, and in response to the many comments received in the meetings and through the mail, we published the following in the **Federal Register** on the proposed rule, Valuation of Oil on Federal Leases:

- Supplementary Proposed Rule (July 3, 1997–62 FR 36030);

- Reopened Public Comment Period and Offered Alternatives (September 22, 1997–62 FR 49460);

- Supplementary Proposed Rule (February 6, 1998–63 FR 6113);

- Supplementary Proposed Rule (July 16, 1998–63 FR 38355); and

- Reopened Comment Period and Offered Three Workshops in Houston, TX; Albuquerque, NM; and Washington, DC (March 12, 1999–64 FR 12267).

We are also preparing a Supplementary Proposed Rule for the Valuation of Oil From Indian Leases, and plan to publish it in 1999.

#### Conclusion

We invite you to comment on our existing regulations and also the actions we have taken in response to comments and enacted legislation. And, we invite you to stay further informed on many of the topics discussed in this status report by visiting the MMS Internet Website at [www.mms.gov](http://www.mms.gov).

Dated: May 28, 1999.

**Lucy Querques Denett,**

*Director, Minerals Management Service.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 100

[CGD07–99–019]

RIN 2115–AE46

#### Special Local Regulations; Charleston Harbor Grand Prix, Charleston, SC

**AGENCY:** Coast Guard, DOT.

**ACTION:** Supplemental notice of proposed rulemaking.

**SUMMARY:** The Coast Guard amends its earlier notice that proposed to establish temporary special local regulations in the coastal waters off Isle of Palms, SC, for the Charleston Harbor Grand Prix. The Coast Guard recently received an amended permit application that moves the regulated area an additional mile offshore. The two day race will occur on August 14 and 15, 1999, between the hours of 12 p.m. and 3 p.m. each day, Eastern Daylight Time (EDT), in an offshore area northeast of Breach Inlet. The regulations are necessary to provide for the safety of life on navigable waters during the event.

**DATES:** Comments must be received on or before July 9, 1999.

**ADDRESSES:** Comments may be mailed to Commander, U.S. Coast Guard Group

Charleston, 196 Tradd Street, Charleston, SC 29401, or may be delivered to the Operations Office at the same address between 7:30 a.m. and 3:30 p.m. Monday through Friday, except federal holidays. The telephone number is (843) 724–7628.

**FOR FURTHER INFORMATION CONTACT:** LTJG S. S. Brisco, (843) 734–7628, Project Manager, Coast Guard Group Charleston, SC.

#### SUPPLEMENTARY INFORMATION:

#### Regulatory History

On May 10, 1999, the Coast Guard published a Notice of Proposed Rulemaking (64 FR 24980) to establish temporary special local regulations for the Charleston Harbor Grand Prix to be held on August 14 and 15, 1999. This NPRM had a 60-day comment period. As of May 26, 1999, the Coast Guard received eight (08) comments on the NPRM. The Coast Guard also forwarded several letters it received from the public about the notice of proposed rulemaking to the sponsor. In response to these letters and comments, the event sponsor amended the marine permit application to move the event further offshore.

#### Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their name and address, identify this rulemaking (CGD07–99–019) and the specific section of this proposal to which each comment applies, and give a reason for each comment.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in the view of the comments. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the address under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If the Coast Guard determines that the opportunity for oral presentations will aid this rulemaking, it will hold a public hearing at the time and place announced by a notice in the **Federal Register**.

#### Background and Purpose

As a result of comments received on the initial NPRM, the sponsor of the race amended the marine event permit application to move the race course, and therefore this regulated area, one mile further offshore. The proposed amended regulations are needed to provide for the safety of life during the Charleston Harbor Grand Prix by promoting safe

navigation in the offshore area northeast of Breach Inlet immediately before, during, and after the races by controlling the traffic entering, exiting, and transiting within the regulated area. The anticipated concentration of spectator vessels and participating vessels associated with the race poses a safety concern, which is addressed in these proposed special local regulations.

The amended regulations will encompass an area to the northeast of Breach Inlet with four (4) conspicuous markers indicating the corners of the regulated area. These proposed regulations would prohibit the entry or movement of spectator vessels and other non-participating vessel traffic within the regulated area on August 14 and 15, 1999, between 11 a.m. and 4 p.m. each day or at the discretion of the Coast Guard Patrol Commander.

### Discussion of Comments and Changes

The Coast Guard received eight comments in response to the initial NPRM. Four comments objected to the temporary regulations because of the potential traffic congestion, noise pollution, possible disturbance of habitat nestings and the endangerment of marine life in the area. Three comments identified potential environmental concerns in the initial race area. One comment supported the race. In response to these comments, the sponsor moved the race area an additional mile offshore to alleviate any negative impacts.

### Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of the order. The Office of Management and Budget has exempted it from review under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The proposed regulation will only be in effect for four hours each day in a limited area off Charleston Harbor.

### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "Small Entities" include small

business, not-for-profit organizations that are independently owned and operated and are not dominant in their field, and governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule, if adopted, will not have a significant effect upon a substantial number of small entities because this regulation will only be in effect in a limited area off Charleston Harbor for five (5) hours on two separate days.

If, however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact on your business or organization, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and to what degree this proposed rule will economically affect it.

### Collection of Information

This proposal contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

### Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612 and it has been determined that the rulemaking does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment.

### Environmental Assessment

The Coast Guard is considering the environmental impact of this proposed rule and has determined that these regulations may be exempted from further environmental documentation under Figure 2-1, paragraph 34(h) of COMDTINST M16475.1C. An Environmental Analysis Checklist and Categorical Exclusion Determination will be completed during the comment period.

### List of Subjects in 33 CFR Part 100

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

Proposed Regulations: In consideration of the foregoing, the Coast Guard proposes to amend part 100 of Title 33, Code of Federal Regulations, as follows:

### PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233, 49 CFR 1.46 and 33 CFR 100.35.

2. A new section 100.35T-07-019 is added to read as follows:

### § 100.35T-07-019 Charleston Harbor Grand Prix; Charleston, SC.

(a) *Regulated area.* The regulated area includes all waters in the Atlantic Ocean north of Charleston Harbor entrance lighted buoy 7 (LLNR 2405) bounded by the following 4 points:

- (1) 32-46.129N, 079-48.282W;
- (2) 32-44.972N, 079-47.335W;
- (3) 32-46.886N, 079-41.991W;
- (4) 32-48.003N, 079-42.994W;

All coordinates reference Datum NAD: 83. Four (4) conspicuous markers will indicate the corners of the regulated area.

(b) *Coast Guard Patrol Commander.* The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by Commander, Coast Guard Group Charleston, South Carolina.

(c) *Special local regulations:* (1) No person or vessel may enter, transit, or remain in the regulated area unless participating in the event or authorized by the Coast Guard Patrol Commander.

(2) The Coast Guard Patrol Commander may delay, modify, or cancel the race as conditions or circumstances require.

(3) Spectator and other non-participating vessels may watch the participants on the seaward side of the racecourse maintaining a minimum distance of 500 yards behind the markers. Upon the completion of the last race all vessels may resume normal operations.

(d) *Dates.* These regulations become effective at 11 a.m. and terminate at 3 p.m. EDT each day on August 14 and 15, 1999.

Dated: May 28, 1999.

**Norman T. Saunders,**

*Rear Admiral, U.S. Coast Guard Commander, Seventh Coast Guard District.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

### 33 CFR Part 165

[CGD01-99-060]

RIN 2115-AA97

### Safety Zone: Perth Amboy Fireworks, Raritan River, NJ

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish a temporary safety zone in the