

been extended, and to notify the contract market under paragraph (d) of this section that the fast-track procedures of this section are being terminated.

(2) The Director of the Division of Economic Analysis may submit to the Commission for its consideration any matter which has been delegated in paragraph (e)(1) of this section.

(3) Nothing in this paragraph prohibits the Commission, at its election, from exercising the authority delegated in paragraph (e)(1).

Appendix D—Internal Procedure Regarding Period for Public Comment

* * * Generally, the Commission will provide for a public comment period of thirty days on such applications for designation; *provided, however*, that the public comment period will be fifteen days for those applications submitted for review under the fast-track procedures of § 5.1(b) of this part.

Issued in Washington, D.C. this 18th day of November, 1996, by the Commodity Futures Trading Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 96-29835 Filed 11-21-96; 8:45 am]

BILLING CODE 6351-01-P

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

RIN 1024-AC54

Big Cypress National Preserve, Recreational Frogging

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The National Park Service (NPS) is proposing to amend the special regulations for Big Cypress National Preserve (Preserve) by adding a section to regulate frogging. The proposed rule will allow the recreational taking of the pig frog (*Rana grylio*) throughout the Preserve. The rule will allow the designation of seasons, times, locations, methods and means of taking, and establishment of harvest limits and permit requirements. The rule is designed to allow a level of public use and enjoyment of Preserve resources and to assure the preservation of natural and recreational values consistent with the Big Cypress National Preserve Act and the Big Cypress National Preserve General Management Plan/Final Environmental Impact Statement. The rule will allow the Superintendent to limit or control the taking of pig frogs

based on, but not limited to, population dynamics, water conditions or other factors influencing this and other species.

DATES: Written comments will be accepted through January 21, 1997.

ADDRESSES: All comments should be addressed to: Superintendent, Big Cypress National Preserve, HCR 61 Box 110, Ochopee, Florida 34141.

FOR FURTHER INFORMATION CONTACT: William J. Carroll, Chief Ranger, Big Cypress National Preserve, HCR 61 Box 110, Ochopee, Florida 34141. Telephone: 941-695-2000, extension 17.

SUPPLEMENTARY INFORMATION:

Background

Big Cypress National Preserve is a 716,000 acre unit of the National Park System that was established in 1974 (570,000 acres) and expanded by 146,000 acres in 1988. Prior to 1974, this vast area of more than 45,000 privately owned tracts of land was open to the general public and traditionally used by hunters, anglers, back-country campers, off-road vehicle enthusiasts and froggers. In the late 1960's and early 1970's, these traditional recreationist and mainstream environmental groups, fearful of the development consequences associated with the construction of a major airport (Jetport) in the heart of the Everglades, successfully lobbied for Federal protection. Consequently, on October 11, 1974, Big Cypress National Preserve (16 U.S.C. 698f), one of the largest nonwilderness, multiple-use units in the National Park System, was established with the following purpose:

"In order to assure the preservation, conservation, and protection of the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress Watershed in the State of Florida and to provide for the enhancement and public enjoyment thereof, the Big Cypress National Preserve is hereby established" (Pub. L. 93-440; 16 U.S.C. 698f(a)).

Immediately upon establishment of the Preserve, the NPS was required to deal with complex land use, policy and political issues. In 1985, the NPS began the development of a General Management Plan (GMP). During the seven-year (1985-1992) GMP process, the NPS recognized that frogging was an activity that needed to be managed. Consequently, the final Big Cypress National Preserve General Management Plan, Volume 1, page 44 (1992) addressed the issue of frogging as follows:

Currently, the noncommercial taking of frogs is legal under state law, but is not

consistent with NPS regulations. Frogging, like hunting and fishing, was a traditional recreational activity before the national preserve was established, and it may be consistent with the purposes of the Preserve. So that noncommercial frogging conforms to NPS policy, the NPS would promulgate special regulations in the future.

Furthermore, 16 U.S.C. 698i(b) states that:

In administering the Preserve, the Secretary shall develop and publish in the Federal Register, such rules and regulations as he deems necessary and appropriate to limit or control the use of Federal lands and waters with respect to: * * * (8) such other uses as the Secretary determines must be limited or controlled in order to carry out the purposes of sections 698f to 698m of this title * * *

In 1988 Public Law 93-440 was amended by Public Law 100-301 (16 U.S.C. 698m-1(a)) which is commonly referred to as the Big Cypress National Preserve Addition Act. In Section 698m-2, the Secretary is directed to:

Cooperate with the State of Florida to establish recreational access points and roads, rest and recreation areas, wildlife protection, hunting, fishing, frogging, and other traditional recreational opportunities in conjunction with the creation of the Addition Act and in the construction of Interstate Highway 75.

While this amendment clearly identifies frogging as a recognized traditional recreational use, the NPS is required to promulgate a rule to manage the activity. Since the traditional public use of the Preserve has included the taking of pig frogs, and as this activity is legal under the regulations of the State of Florida (Title 39-26.002 F.A.C.), this proposed rule is being published.

Public Participation

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments regarding this proposed rule to the address noted at the beginning of this rulemaking. The NPS will review all comments and consider making changes to the rule based upon an analysis of the comments.

Drafting Information: The process used to develop this rule included numerous reviews by Preserve staff, consultation and cooperation with the Florida Game and Freshwater Fish Commission as required by 16 U.S.C. 698m-2, and informal consultation with the U.S. Fish and Wildlife Service. The primary author of this rulemaking is William J. Carroll, Chief Ranger, Big Cypress National Preserve.

Paperwork Reduction Act

This rule does not contain collections of information requiring approval by the Office of Management and Budget under the Paperwork Reduction Act of 1995.

Compliance With Other Laws

This rule was not subject to Office of Management and Budget review under Executive Order 12866. The Department of the Interior determined that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The economic effects of this rulemaking are local in nature and negligible in scope.

The NPS has determined and certifies pursuant to the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*), that this rule will not impose a cost of \$100 million or more in any given year on local, State or tribal governments or private entities.

The Draft General Management Plan/Draft Environmental Impact Statement was available for public review for 180 days from August 8, 1989, to March 1, 1990. In January 1992, the record of decision was signed, and the Big Cypress National Preserve General Management Plan/Final Environmental Impact Statement (Vols. 1 & 2) proposed action was approved. The Big Cypress National Preserve GMP, Vol. 1, page 44, recommends that the NPS promulgate special regulations to allow noncommercial recreational frogging in the Preserve.

Informal consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act has resulted in a determination of no effect for this rulemaking process.

The NPS has determined that this rule will not have a significant effect on the quality of the human environment, health and safety because it is not expected to:

(a) Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it;

(b) Introduce non-compatible uses which compromise the nature and characteristics of the area, or cause physical damage to it;

(c) Conflict with adjacent ownerships or lands uses; or

(d) Cause a nuisance to adjacent owners or occupants.

Based upon this determination, this rule is categorically excluded from the procedural requirements of the National Environmental Policy Act (NEPA) by Departmental regulations in 516 DM 6 (49 FR 21438). As such, neither an

Environmental Assessment (EA) nor an Environmental Impact Statement (EIS), specific to recreational frogging, has not been prepared.

List of Subjects in 36 CFR Part 7

District of Columbia, National parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, the NPS proposes to amend 36 CFR Ch. I as follows:

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

1. The authority citation for Part 7 continues to read as follows:

Authority: 16 U.S.C. 1, 3, 9a, 460(q), 462(k); Section 7.96 also issued under D.C. Code 8-137 (1981) and D.C. Code 40-721 (1981).

2. Section 7.86 is amended by adding new paragraph (d) to read as follows:

§ 7.86 Big Cypress National Preserve.

* * * * *

(d) *Frogs.* (1) The taking of the pig frog (*Rana grylio*) is allowed within the Preserve subject to public-use limits, times, locations, methods and means of taking, bag limits and permit requirements as established by the Superintendent.

(2) The Superintendent may impose closures and establish conditions or restrictions in accordance with the criteria and procedures of sections 1.5 and 1.7 of this chapter.

(3) Violation of the conditions established by the Superintendent is prohibited.

* * * * *

Dated: November 1, 1996.

George T. Frampton, Jr.,
Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96-29943 Filed 11-21-96; 8:45 am]

BILLING CODE 4310-70-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD13-96-011]

Drawbridge Operation Regulations; Youngs Bay and Lewis and Clark River, OR

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing a change to the regulations governing the operation of the drawspans of the

U.S. 101 (New Youngs Bay) highway bridge, mile 0.7, at Smith Point, the Oregon State (Old Youngs Bay) highway bridge, mile 2.4, across Youngs Bay, and the Oregon State (Lewis and Clark River) highway bridge, mile 1.0, across the Lewis and Clark River, Oregon.

The proposed rule would change the existing regulations for these bridges in three ways: The period during which shorter notice is allowed for requesting an opening of the bridges would be reduced from the existing 5 a.m. to 9 p.m. period to a shorter 7 a.m. to 5:30 p.m. period; the notice required for requesting an opening during the proposed 7 a.m. to 5:30 p.m. period would be increased from 30 minutes to 45 minutes; and the opening signal for the New Youngs Bay Bridge would be changed.

DATES: Comments must be received on or before January 21, 1997.

ADDRESSES: Comments should be mailed to Commander (oan), Thirteenth Coast Guard District, 915 Second Avenue, Seattle, Washington 98174-1067. The comments and other materials referenced in this notice will be available for inspection and copying at 915 Second Avenue, Room 3410, Seattle, Washington. Normal office hours are between 7:45 a.m. and 4:15 p.m., Monday through Friday, except Federal holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: John E. Mikesell, Chief, Plans and Programs Section, Aids to Navigation and Waterways Management Branch, (Telephone: (206) 220-7270).

SUPPLEMENTARY INFORMATION:

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 names and addresses, identify this rulemaking (CGD13-95-011) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander,