

**PART 399—COMMODITY CONTROL  
AND RELATED MATTERS****§ 399.1 [Amended]**

5. Section 399.1 is amended by removing entries 4994F and 6794F and accompanying footnotes.

**§ 399.2 [Amended]**

6. Section 399.2 is amended by removing footnote No. 2 to Interpretation 24 and by removing and reserving Interpretation 27.

(Secs. 5, 6, 7, 13, and 15, Pub. L. 96-72, U.S.C. app. 2401 *et seq.*; Executive Order No. 12214 (45 FR 29783, May 6, 1980); Department Organization Order 10-3 (45 FR 6141, January 25, 1980); International Trade Administration Organization and Function Orders 41-1 (45 FR 11862, January 30, 1980) and 41-4 (45 FR 65003, October 1, 1980))

Dated: April 24, 1981.

Joseph R. Wright, Jr.,  
*Acting Secretary of Commerce.*

[FR Doc. 81-12894 Filed 4-27-81; 8:45 am]

BILLING CODE 3510-24-M

**National Oceanic and Atmospheric  
Administration****15 CFR Parts 935 and 936****Channel Islands and Point Reyes-  
Farallon Islands National Marine  
Sanctuaries; Partial Suspension of  
Regulations**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Continued suspension of final rules.

**SUMMARY:** The Office of Coastal Zone Management within NOAA is suspending until September 30, 1981, those provisions of the regulations issued pursuant to the designations of the Channel Islands and Point Reyes-Farallon Islands National Marine Sanctuaries which would directly prohibit or have the effect of prohibiting hydrocarbon development within each Sanctuary (but only insofar as these regulations affect hydrocarbon activities). During this period, NOAA will reconsider the regulations in accordance with Executive Order 12291. This reconsideration will involve an analysis of the costs and benefits to the Nation which would result from imposing additional prohibitions on hydrocarbon activities to the controls imposed under the Outer Continental Shelf Lands Act and other Federal statutes.

**DATES:** The provisions in §§ 935.6, 935.7 and 936.6 which would directly prohibit or have the effect of prohibiting

hydrocarbon development are suspended until September 30, 1981. Comments will be accepted until June 30, 1981.

**ADDRESS:** Send Comments to: Dallas Miner, Director, Sanctuary Programs Office, Office of Coastal Zone Management, 3300 Whitehaven Street NW., Washington, D.C. 20235.

**FOR FURTHER INFORMATION CONTACT:** Dallas Miner, telephone (202) 634-4236.

**SUPPLEMENTARY INFORMATION:** The majority of the regulations issued pursuant to the designation of the Channel Islands and Point Reyes-Farallon Islands National Marine Sanctuaries became effective on March 30, 1981, and April 5, 1981, respectively.

On March 30, 1981, (46 FR 19227) NOAA suspended those portions of the regulations which would directly prohibit or have the effect of prohibiting hydrocarbon development within each Sanctuary for a period of 30 days during which it considered whether to suspend them for an additional period of up to 6 months while it reconsidered their substantive impact in accordance with Executive Order 12291. A 15-day comment period on this initial decision was provided.

The comments received were divided fairly evenly on the issue. Generally those that favored the regulations on substantive grounds during previous review processes, e.g., the State of California, the County of Santa Barbara and various environmental groups, favored making them effective on an interim basis. Those that opposed the regulations, e.g., the oil industry and the Department of the Interior favored continued suspension.

No lease sales involving the Channel Islands Sanctuary will be held during the period in question. While certain tracts in the Point Reyes-Farallon Islands Sanctuary could be leased in June, no activities which would impact the Sanctuary substantively are anticipated prior to the completion of reconsideration. NOAA has determined to continue suspension of §§ 935.6 and 936.6(a)(1) prohibiting hydrocarbon development as well as §§ 935.7(a)(2) and 936.6(a)(2), (3) which might indirectly have such effect but only insofar as these sections relate to hydrocarbon activities. As to other activities the regulations are effective. This suspension action will not result in any practical effect on either Sanctuary; therefore, NOAA finds no advantage to changing the current status of the regulations to interim final status.

Executive Order 12291 directs Federal agencies to reconsider pending "major" regulations in accordance with the

objectives of the Executive Order and prepare a Regulatory Impact Analysis. A major regulation is defined as one likely to result in:

1. An annual effect on the economy of \$100 million or more;
2. A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
3. Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

In response to the President's Executive Order, NOAA will be reviewing in depth these proposed hydrocarbon development prohibitions in the two Sanctuaries. NOAA has examined the issues in considerable detail already to satisfy Executive Order 12044, the predecessor to Executive Order 12291. However, NOAA will be reexamining them in light of Executive Order 12291 (46 FR 13193, February 19, 1981) and determining whether the prohibitions meet the criteria for "major" regulations and, in any event, whether they are consistent with the general requirement of Section 2 of this Executive Order including the requirement that the potential benefits to the Nation outweigh the potential costs. Comments on these issues are invited until June 30, 1981.

Dated: April 28, 1981.

William Matuszeski,  
*Acting Assistant Administrator, Office of  
Coastal Zone Management.*

[FR Doc. 81-12924 Filed 4-28-81; 8:45 am]

BILLING CODE 3510-08-M

**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation  
and Enforcement****30 CFR Parts 700, 716, and 785****Surface Coal Mining and Reclamation  
Operations; Initial and Permanent  
Regulatory Program; Deferral of  
Effective Dates and Reopening of  
Public Comment Period**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Deferral of effective dates and reopening of public comment period.

**SUMMARY:** The effective dates of four final rules, which were deferred at 46 FR 20211 (April 3, 1981) are further

46 FR 23924

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

15 CFR Parts 935 and 936

**Channel Islands** and Point Reyes-Farallon Islands **National Marine Sanctuaries**; Partial Suspension of Regulations

46 FR 23924

April 29, 1981

ACTION: Continued suspension of final rules.

SUMMARY: The Office of Coastal Zone Management within NOAA is suspending until September 30, 1981, those provisions of the regulations issued pursuant to the designations of the **Channel Islands** and Point Reyes-Farallon Islands **National Marine Sanctuaries** which would directly prohibit or have the effect of prohibiting hydrocarbon development within each Sanctuary (but only insofar as these regulations affect hydrocarbon activities). During this period, NOAA will reconsider the regulations in accordance with Executive Order 12291. This reconsideration will involve an analysis of the costs and benefits to the Nation which would result from imposing additional prohibitions on hydrocarbon activities to the controls imposed under the Outer Continental Shelf Lands Act and other Federal statutes.

DATES: The provisions in §§ 935.6, 935.7 and 936.6 which would directly prohibit or have the effect of prohibiting hydrocarbon development are suspended until September 30, 1981. Comments will be accepted until June 30, 1981.

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FOR FURTHER INFORMATION CONTACT:

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**TEXT:**

SUPPLEMENTARY INFORMATION: The majority of the regulations issued pursuant to the designation of the **Channel Islands** and Point Reyes-Farallon Islands **National Marine Sanctuaries** became effective on March 30, 1981, and April 5, 1981, respectively.

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such effect but only insofar as these sections relate to hydrocarbon activities. As to other activities the regulations are effective. This suspension action will not result in any practical effect on either Sanctuary; therefore, NOAA finds no advantage to changing the current status of the regulations to interim final status.

Executive Order 12291 directs Federal agencies to reconsider pending "major" regulations in accordance with the objectives of the Executive Order and prepare a Regulatory Impact Analysis. A major regulation is defined as one "likely to result in:

"1. An annual effect on the economy of \$100 million or more;

"2. A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

"3. Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets."

In response to the President's Executive Order, NOAA will be reviewing in depth these proposed hydrocarbon development prohibitions in the two Sanctuaries. NOAA has examined the issues in considerable detail already to satisfy Executive Order 12044, the predecessor to Executive Order 12291. However, NOAA will be reexamining them in light of Executive Order 12291 (46 FR 13193, February 19, 1981) and determining whether the prohibitions meet the criteria for "major" regulations and, in any event, whether they are consistent with the general requirement of Section 2 of this Executive Order including the requirement that the potential benefits to the Nation outweigh the potential costs. Comments on these issues are invited until June 30, 1981.

Dated: April 28, 1981.

William Matuszeski,

*Acting Assistant Administrator, Office of Coastal Zone Management.*  
[FR Doc. 81-12924 Filed 4-28-81; 8:45 am]

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Source: [All Sources](#) : Federal Legal - U.S. : **Federal Register** 

Terms: **(channel islands) w/15 (national marine sanctuar!) and date bef 1987** ([Edit Search](#))

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