

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.ID and Department of Homeland Security Management Directive 5100.1, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under that section.

Under figure 2–1, paragraph (34)(h), of the Instruction, an “Environmental Analysis Check List” and a “Categorical Exclusion Determination” are not required for this rule. Comments on this section will be considered before we make the final decision on whether to categorically exclude this rule from further environmental review.

#### List of Subjects in 33 CFR Part 100

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

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 100 as follows:

#### PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

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

**Authority:** 33 U.S.C. 1233; Department of Homeland Security Delegation No. 0170.1.

2. Add temporary § 100.35–T05–068 to read as follows:

#### § 100.35–T05–068 John H. Kerr Reservoir, Clarksville, VA.

(a) *Regulated area.* The regulated area is established for the waters of the John H. Kerr Reservoir, adjacent to the State Route 15 Highway Bridge and Occoneechee State Park, Clarksville, Virginia, from shoreline to shoreline, bounded on the south by a line running northeasterly from a point along the shoreline at latitude 36°37′14″ N, longitude 078°32′46.5″ W, thence to

latitude 36°37′39.2″ N, longitude 078°32′08.8″ W, and bounded on the north by the State Route 15 Highway Bridge. All coordinates reference Datum NAD 1983.

(b) *Definitions.* The following definitions apply to this section: (1) *Coast Guard Patrol Commander* means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Sector Hampton Roads.

(2) *Official Patrol* means any vessel assigned or approved by Commander, Coast Guard Sector Hampton Roads with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(3) *Participant* includes all vessels participating in the Clarksville Hydroplane Challenge under the auspices of the Marine Event Permit issued to the event sponsor and approved by Commander, Coast Guard Sector Hampton Roads.

(c) *Special local regulations.* (1) Except for event participants and persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area must: (i) Stop the vessel immediately when directed to do so by any Official Patrol and then proceed only as directed.

(ii) All persons and vessels shall comply with the instructions of the Official Patrol.

(iii) When authorized to transit the regulated area, all vessels shall proceed at the minimum speed necessary to maintain a safe course that minimizes wake near the race course.

(d) *Enforcement period.* This section will be enforced from 7:30 a.m. on October 7 to 6:30 p.m. on October 8, 2006.

Dated: July 12, 2006.

**Steven Ratti,**

*Captain, U.S. Coast Guard, Commander, Fifth Coast Guard District, Acting.*

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 50

[FRL–8199–7; Docket ID No. EPA–HQ–OAR–2001–0017]

#### Availability of Additional Information Related to the Review of the National Ambient Air Quality Standards for Particulate Matter

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of data availability.

**SUMMARY:** The EPA is providing notice that it has placed in the docket for the review of the national ambient air quality standards (NAAQS) for particulate matter (PM) (Docket No. EPA–HQ–OAR–2001–0017) additional information relevant to the rulemaking. See 71 FR 2620 (Jan. 17, 2006) (proposing revisions to those standards). Specifically, this notice announces the availability of an EPA report, “Provisional Assessment of Recent Studies on Health Effects of Particulate Matter Exposure” (provisional assessment) (EPA/600/R–06/063), which presents EPA’s survey and provisional assessment of studies relevant to assessing the health effects of PM that were published too recently to be included in the 2004 PM Air Quality Criteria Document.

**DATES:** The provisional assessment document will be placed in the PM NAAQS docket on or about July 21, 2006.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary Ross, National Center for Environmental Assessment (B243–01), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone: 919–541–5170; e-mail: [ross.mary@epa.gov](mailto:ross.mary@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

On January 17, 2006, EPA published a proposed rule to make revisions to the primary and secondary NAAQS for PM to provide requisite protection of public health and welfare (71 FR 2620). The proposed decisions separately addressed fine and coarse particles. These proposed decisions were based on: a thorough review of the scientific information on known and potential human health and welfare effects associated with exposure to these subclasses of PM at levels typically found in the ambient air as presented in the Air Quality Criteria Document (henceforth, the “Criteria Document”) (two volumes, EPA/600/P–99/002aF and

EPA/600/P-99/002bF, October 2004); staff assessments presented in the Review of the National Ambient Air Quality Standards for Particulate Matter: Assessment of Scientific and Technical Information (henceforth, the "Staff Paper") (EPA-452/R-05-005a, December 2005); Clean Air Scientific Advisory Committee (CASAC) advice and recommendations, as reflected in the CASAC's letters to the Administrator, discussions of the drafts of the Criteria Document and Staff Paper at public meetings, and separate written comments prepared by individual members of the CASAC PM Review Panel; and public comments received during the development of these documents, either in connection with CASAC meetings or separately.

In the preamble to the proposed rule, EPA acknowledged that a number of new scientific studies on the health effects on PM had been published recently that were not included in the Criteria Document. See 71 FR at 2625. In order to ensure that the Administrator is fully aware of the new science that has developed since the cutoff date before making a final decision on whether to revise the current PM NAAQS, EPA conducted a provisional assessment of relevant new studies. EPA screened and surveyed the recent literature, including studies submitted during the public comment period on the proposed rule, and conducted a provisional assessment that places the results of those studies of potentially greatest policy relevance in the context of the findings of the 2004 Criteria Document. The focus of the provisional assessment was on: (a) epidemiological studies conducted in the U.S. or Canada that assessed exposures to PM<sub>2.5</sub> and/or PM<sub>10-2.5</sub> and (b) toxicology or epidemiology studies that compared the effects of PM from different sources, PM components, or size fractions.

The provisional assessment of the new PM science is presented in a document prepared by the National Center for Environmental Assessment (NCEA) within EPA's Office of Research and Development, entitled "Provisional Assessment of Recent Studies on Health Effects of Particulate Matter Exposure" (EPA/600/R-06/063, June 2006). The following section of this notice describes how to obtain copies of this document.

#### **B. How Can I Get a Copy of This Document?**

1. *Docket.* EPA has established a docket for the current review of the PM NAAQS under Docket ID No. EPA-HQ-OAR-2001-0017. The document

entitled "Provisional Assessment of Recent Studies on Health Effects of Particulate Matter Exposure" (EPA/600/R-06/063) will be placed in this docket. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the Air and Radiation Docket and Information Center, EPA/DC, Room B102 EPA West, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is 202-566-1744 and the telephone number for the Air and Radiation docket and Information Center is 202-566-1742.

2. *Electronic Access.* You may access this document at <http://www.epa.gov/air/particlepollution/actions.html> or on the NCEA home page under the "Recent Additions" and "Data and Publications" menus at <http://www.epa.gov/ncea>.

#### **List of Subjects in 40 CFR Part 50**

Environmental protection, Air pollution control, Carbon monoxide, Lead, Nitrogen dioxide, Ozone, Particulate matter, Sulfur oxides.

Dated: July 7, 2006.

**Peter W. Preuss,**

*Director, National Center for Environmental Assessment.*

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## **DEPARTMENT OF THE INTERIOR**

### **Fish and Wildlife Service**

#### **50 CFR Part 17**

#### **RIN 1018-AU51**

#### **Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Astragalus brauntonii* and *Pentachaeta lyonii***

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; reopening of comment period and notice of availability of draft economic analyses.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, announce the reopening of the comment period on the proposed designation of critical habitat for *Astragalus brauntonii* (Braunton's milk-vetch) and *Pentachaeta lyonii* (Lyon's pentachaeta) and the availability of the draft economic analyses of the proposed designation of critical habitat. The draft economic analysis for *Astragalus brauntonii* identifies a total

surplus (sum of producer and consumer surplus) of approximately \$91.87 million over a 20-year period (approximately \$8.11 million annually at a 7 percent discount rate, or approximately \$5.99 million annually at a 3 percent discount rate) from housing development forecasted to be built within the area of *Astragalus brauntonii* proposed critical habitat. The draft economic analysis for *Pentachaeta lyonii* identifies a total surplus (sum of producer and consumer surplus) of approximately \$121.21 million over a 20-year period (approximately \$10.69 million annually at a 7 percent discount rate, or \$7.91 million annually at a 3 percent discount rate) from housing development forecasted to be built within the area of *Pentachaeta lyonii* proposed critical habitat. We are reopening the comment period to allow all interested parties an opportunity to comment simultaneously on the proposed rule and the associated draft economic analyses. Comments previously submitted need not be resubmitted as they will be incorporated into the public record as part of this comment period, and will be fully considered in preparation of the final rule.

**DATES:** We will accept public comments until August 21, 2006.

**ADDRESSES:** Written comments and materials may be submitted to us by any one of the following methods:

1. You may submit written comments and information to the Field Supervisor, U.S. Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, CA 93003.

2. You may hand-deliver written comments and information to our Ventura Fish and Wildlife Office, at the above address.

3. You may fax your comments to 805/644-3958.

4. You may send comments by electronic mail (e-mail) to: [fw82plantsch@fws.gov](mailto:fw82plantsch@fws.gov), or to the Federal eRulemaking Portal at <http://www.regulations.gov>. For directions on how to file comments electronically, see the "Public Comments Solicited" section. In the event that our Internet connection is not functional, please submit your comments by one of the alternate methods mentioned above.

Copies of the draft economic analyses and the proposed rule for critical habitat designation are available on the Internet at <http://www.fws.gov/ventura> or from the Ventura Fish and Wildlife Office at the address and contact numbers above.

**FOR FURTHER INFORMATION CONTACT:** Diane Noda, Ventura Fish and Wildlife Office, at the address listed in