

hour intervals instead of the quarter-hour intervals proposed and that the regulation be effective seven days a week instead of just weekends and holidays. In addition, another 101 commenters sent in preprinted postcards favoring daily, half-hour openings.

Restricting drawbridge openings on weekdays is beyond the scope of the proposed regulation. Weekday regulations were considered in formulating the proposed rule but were rejected because of infrequent weekday openings (less than one per hour).

Weekend openings averaged 3.5 per hour with peak activity (4.2 openings) occurring between 1 p.m. and 2 p.m. The Coast Guard believes that limiting weekend openings to one every 30 minutes would create unsafe vessel congestion near the bridge and increase vehicular traffic delays as the draw remained open until all accumulated vessels passed through the span. Authorizing an opening every 15 minutes would reduce unsafe vessel delays and virtually eliminate vehicular delays that result from "back-to-back" draw openings permitted by the existing regulations. Some commenters mistakenly believed that the proposed rules would require the bridge to open every 15 minutes, even if no vessels were waiting. Actually, these rules should reduce the weekend rate of 3.5 openings per hour as vessels would share scheduled openings and would no longer require individual openings. Thirty minute intervals between openings, as requested by most commenters, would occur whenever a scheduled opening is avoided by this forced sharing of bridge openings.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and non-significant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact of these regulations is expected to be so minimal that a full regulatory evaluation is unnecessary. We conclude this because the regulations exempt tugs with tows. Since the economic impact of these regulations is expected to be minimal, the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46 and 33 CFR 1.05-1(g).

2. Section 117.287 is revised by adding a new paragraph (b-1) to read as follows:

§ 117.287 Gulf Intracoastal Waterway, Caloosahatchee River to Perdido River.

(b-1) The draw of the Siesta Key bridge, mile 71.6 at Sarasota, shall open on signal, except that from 11 a.m. to 6 p.m. on Saturdays, Sundays, and federal holidays, the draw need open only on the hour, quarter-hour, half-hour, and three-quarter hour.

Dated: July 10, 1985.

A.R. Larzelere,

Captain, U.S. Coast Guard, Commander, Seventh Coast Guard District, Acting.

[FR Doc. 85-17351 Filed 7-19-85; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGD7-85-15]

Drawbridge Operation Regulations; Oklawaha River, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the Marion County Commission the Coast Guard is changing the regulations governing the State Road 464 drawbridge at Moss Bluff to provide that the draw need not open. This change is being made because no requests have been made to open the draw in the past six years. This action will relieve the bridge owner of the burden of maintaining the machinery and of having a person available to open the draw yet still provide for the reasonable needs of navigation.

EFFECTIVE DATE: These regulations become effective on August 21, 1985.

FOR FURTHER INFORMATION CONTACT: Mr. Walt Paskowsky, (305) 350-4103.

SUPPLEMENTARY INFORMATION: On May 13 and May 21, 1985 the Coast Guard published (50 FR 19955 and 50 FR 20918) a proposal to revise these regulations. The proposed regulations were also published in a public notice issued by Commander, Seventh Coast Guard

District on May 21, 1985. In each notice interested persons were given until June 27, 1985 to submit comments.

Drafting Information

The drafters of these regulations are Mr. Walt Paskowsky, Bridge Administration Specialist, project officer, and Lieutenant Commander Ken Gray, project attorney.

Discussion of Comments

The only comment received was from the Florida Department of Transportation advising that the bridge was on State Road 464 rather than State Road 46 as indicated in the existing rule and proposed revision. The final rule incorporates this correction.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and non-significant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact of these regulations is expected to be so minimal that a full regulatory evaluation is unnecessary. We conclude this because of the lack of navigation upon the waterway requiring the opening of the bridge. Since the economic impact of these regulations is expected to be minimal, the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46 and 33 CFR 1.05-1(g).

2. Section 117.319 is revised to read as follows:

§ 117.319 Oklawaha River.

(a) The draws of the Sharpes Ferry (SR 40) bridge, mile 55.1, Muclan Farms bridge, mile 63.9, and the Starkes Ferry (SR 42) bridge, mile 73.0, shall open on signal if at least three hours notice is given.

(b) The draw of the Moss Bluff (SR 464) bridge, mile 66.0, need not open for the passage of vessels.

Dated: July 9, 1985.

A.R. Larzelere,

Captain, U.S. Coast Guard Commander,
Seventh Coast Guard District, Acting.

[FR Doc. 85-17353 Filed 7-19-85; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 254

National Forest Townsites

AGENCY: Forest Service, USDA.

ACTION: Final rule.

SUMMARY: These revised regulations establish standards to expedite processing of sales of certain National Forest System lands to governmental entities pursuant to the National Forest Townsite Act of July 31, 1958 (72 Stat. 438; 16 U.S.C. 478a) as amended by the Federal Land Policy and Management Act of 1976 (90 Stat. 2743; 43 U.S.C. 1722). The revision of these regulations clarifies the existing process, provides for prior designation of potential townsites by the Secretary of Agriculture or the Secretary's designee, expedites case processing by reducing the number of decision levels, and reduces regulatory impact on nonfederal entities.

EFFECTIVE DATE: July 22, 1985.

FOR FURTHER INFORMATION CONTACT:

Paul Haarala, Lands Staff, Forest Service, (703) 235-2161.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking to expedite processing of sales under the National Forest Townsite Act was published on September 17, 1984, at 49 FR 36405. Individual responses were received from 4 sources: 2 business and 2 Federal Government. A summary of the comments and actions taken in response to the comments follow along with other minor changes in the text resulting from further agency consideration of the proposed rule. The comments and changes are keyed to section headings of the proposed rule.

Response to Public Comments

Section 254.20 Purpose and scope.

The comments on this section dealt with whether the existing 5-acre minimum on lands to be sold had been deleted. Reviewers also felt there was a need to clarify the intent of the terms "intensive" and "seasonal or outside" as

used in paragraph (b)(1) and (b)(2) to define acceptable and unacceptable indigenous community objectives. In response we confirm that the minimum acreage requirements were deleted from the proposed rule. Experience has shown that individual tracts of less than an acre are required by some local governmental entities. We also agree that use of the terms "intensive" and "seasonal or outside" in the text tends to confuse rather than clarify the meaning of acceptable indigenous community objectives. The text has been revised to exclude these terms from the final rule. We believe the revised text retains the Congressional intent of the Townsite Act which is to limit conveyances for essential community needs resulting from internal growth and from the need to improve and modernize the facilities and services of an established community.

Section 254.22 Designation and public notice.

The reference to § 254.20 has been deleted from paragraph (2)(1) since it is not relevant to the application procedure.

Section 254.25 Survey.

The comments on this section questioned Forest Service authority to survey designated townsite lands, the standards to be followed in conducting such surveys, and the recording of survey documents.

In response, the Forest Service authority to designate, subdivide or survey, and dispose of National Forest System lands designated for townsite purposes remains unchanged from the previous regulations. Also since extensive standards and direction covering surveying and the other functions for the conveyance of National Forest System lands already exists in other regulations and directives, the duplicate standards were deleted from the revised text of the final rule. In addition to the changes made in response to public comment, several other provisions (254.20(b), 254.22(b), 254.23 (a)(1) and (b)) were rewritten to be clearer and more precise. These revisions do not change the intent or effect of these provisions as they appeared in the proposed rule.

Regulatory Impact

This rule has been reviewed under USDA procedures and Executive Order 12291 and has been determined not to be a major rule. Little or no effect on the economy will result from this regulation. Since the rule provides streamlined procedures for processing townsite applications, time and costs to the

Federal Government and to other units of government in handling these cases should be significantly reduced.

The Assistant Secretary of Agriculture for Natural Resources and the Environment has determined that this action will not have a significant economic impact on a substantial number of small entities. Furthermore, it would result in reducing procedures and associated paperwork.

The regulation does not significantly affect the environment; therefore, an environmental impact statement is not required under the National Environmental Policy Act of 1969.

List of Subjects in 36 CFR Part 254

National forests, Public lands—acquisition and exchanges, Permits, Sales.

Therefore, for the reasons set forth in the preamble, Part 254 of Title 36 of the Code of Federal Regulations is revised to read as follows:

PART 254—LAND OWNERSHIP ADJUSTMENTS

Subpart B—National Forest Townsites

Sec.

254.20 Purpose and scope.

254.21 Applications.

254.22 Designation and public notice.

254.23 Studies, assessments, and approval.

254.24 Conveyance.

254.25 Survey.

254.26 Appraisal.

Authority: Pub. L. 85-569; 72 Stat. 438; 16 U.S.C. 478a, as amended by Sec. 213, Pub. L. 94-579; 90 Stat. 27431.

Subpart B—National Forest Townsites

§ 254.20 Purpose and scope.

(a) A Forest Service official may, upon application, set aside and designate for townsite purposes up to 640 acres of National Forest System lands adjacent to or contiguous to an established community in Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

(b) National Forest System lands, needed by a community, may be sold under the Townsite Act, for fair market value if those lands would serve indigenous community objectives that outweigh the public objectives and values of retaining the lands in Federal ownership. Indigenous community objectives may include space for housing and for service industries, expansion of existing economic enterprises, new industries utilizing local resources and skills, public schools, public health facilities, community parks, and other recreation

areas for local citizens, but would exclude such uses as commercial enterprises or new industries and housing projects that would change the character of the local community.

§ 254.21 Applications.

(a) An application to purchase National Forest System lands—

(1) Must be made by designated officials authorized to do business in the name of a county, city, or local governmental subdivision;

(2) May be in the form of a letter, ordinance, or resolution;

(3) Must be furnished to the District Ranger or the Forest Supervisor for the National Forest area in which the lands are situated; and

(4) Must be limited to 640 acres or less adjacent to an established community.

(b) An application must be accompanied by—

(1) A description of the land desired; and

(2) A development plan, consisting of a narrative statement and map, which gives a detailed description of the intended use of the site and how essential community needs will be met by the purchase.

§ 254.22 Designation and public notice.

(a) A Forest Service official must—

(1) Ensure the application meets the requirements of § 254.21;

(2) Process an order to set aside and designate the lands for townsite purposes; and

(3) Transmit, where applicable, a copy of the designation order to the State Director, Bureau of Land Management.

(b) The designation order will segregate the lands from other forms of entry as long as the application remains in force.

(c) The designation order does not preclude compatible land adjustments under the Secretary's authority within the area set aside.

(d) A Forest Service official must prepare a public notice of the proposed townsite sale to be inserted once a week for 4 consecutive weeks in a local newspaper:

(1) The notice shall include descriptive information on the proposed townsite sale and identify the applicant and responsible Forest Service official; and

(2) A period of 45 days, from first date of publication, must be provided for accepting public comments.

§ 254.23 Studies, assessments, and approval.

(a) After initial public notice has been published, a Forest Service official must conduct the necessary studies and assessments to—

(1) Determine if the applicant has made a satisfactory showing that the land will meet essential community needs resulting from internal growth;

(2) Determine if lands applied for would serve indigenous community objectives that outweigh other public objectives and values which would be served by maintaining such a tract in Federal ownership;

(3) Determine if the sale would substantially affect or impair important scenic, wildlife, environmental, historical, archeological, or cultural values;

(4) Evaluate the applicability of public comments;

(5) Identify the extent of valid existing rights and uses; and

(6) Determine if zoning ordinances, covenants, or standards are needed to protect adjacent National Forest land and to protect or mitigate valid existing rights and uses.

(b) Upon approval, the authorized Forest Service official shall take appropriate steps to have an assessment made of the fair market value of the land and process the conveyance pursuant to §§ 254.24, 254.25, and 254.26.

(c) Upon disapproval, a Forest Service official shall—

(1) Notify the applicant in writing of the reasons the proposal is not acceptable;

(2) Inform the applicant of alternate proposals under other authorities and/or appeal rights.

§ 254.24 Conveyance.

(a) Conveyance of the approved tract(s) may be made by a single transaction or by multiple transactions spread over a period of time in accordance with a prearranged schedule.

(b) The authorized Forest Service official shall—

(1) Execute and convey title to the townsite tract(s) by quitclaim deed;

(2) Ensure deeds are free of terms and covenants, except those deemed necessary to ensure protection of adjacent National Forest System land and/or valid existing rights and uses; and

(3) Deliver executed deeds to the governmental body upon—

(i) Adoption of zoning ordinance and development plan if found necessary; and

(ii) Notice from the authorized Forest Service Fiscal Agent that payment has been received.

§ 254.25 Survey.

The authorized Forest Service official shall conduct or provide for the

necessary tract survey and boundary posting of National Forest System land.

§ 254.26 Appraisal.

Fair market value of townsite tracts shall be determined following Forest Service appraisal procedures and the Uniform Standards for Federal Acquisitions.

Dated: April 26, 1985.

[FR Doc. 85-17385 Filed 7-19-85; 8:45 am]

BILLING CODE 3410-11-M

VETERANS ADMINISTRATION

38 CFR Part 21

Veterans' Education; Reports of Unsatisfactory Progress

AGENCY: Veterans' Administration.

ACTION: Final regulations.

SUMMARY: The VA (Veterans' Administration) is amending the regulation dealing with reports of a veteran's or eligible person's unsatisfactory progress in training under the GI Bill. This is a technical amendment which eliminates a reference to a subparagraph which no longer exists. This change should eliminate any confusion which may have been caused by this obsolete reference.

EFFECTIVE DATE: July 8, 1985.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer (225), Assistant Director for Policy and Program Administration, Education Service, Department of Veterans Benefits, Veterans' Administration, 810 Vermont Avenue NW., Washington, D.C. 20420, (202) 389-2092.

SUPPLEMENTARY INFORMATION: On pages 1549 and 1550 of the Federal Register of January 11, there was published a notice of a proposal to amend 38 CFR Part 21 in order to clarify how the VA will determine whether a veteran's or eligible person's progress is satisfactory.

Interested people were given 30 days to submit comments, suggestions, or objections. The VA received four letters containing comments and one telephone call. Two of the letters were from school officials, and two were from officials of educational organizations. The telephone call was from an official of a State approving agency.

The letter writers were generally pleased with the amended regulation. They thought that this marked the end of the VA's setting standards for educational institutions.