

information collection approvals are accurately reflected in the codified regulations for 24 CFR part 941.

EFFECTIVE DATE: April 19, 1999.

FOR FURTHER INFORMATION CONTACT: Mildred Hamman, Reports Liaison Officer, Office of Public and Indian Housing, Department of Housing and Urban Development, Room 4238, 451 Seventh Street, SW, Washington, DC 20410, telephone (202) 708-3642, ext. 4128. (This is not a toll-free number.) For persons with hearing or speech impairments, this number may be accessed by TTY through the Federal Information Relay Service, (800) 877-8339.

SUPPLEMENTARY INFORMATION:

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended), HUD published two notices on October 26, 1998, announcing the effective dates of information collection approvals contained in the public housing development regulations, 24 CFR part 941 (63 FR 57134, 57135). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number.

The notices published in October 1998 announced the effectiveness of approval numbers for §§ 941.101, 941.205, 941.303, 941.606, and 941.610. These sections were listed in the chart contained in § 941.101(c) of OMB approval numbers for the entire part. The chart also listed approval numbers for other sections, §§ 941.301, 941.304, 941.402, and 941.404, for which no notice of effectiveness of the information collections has been published. This document serves as the notice that OMB has approved information collections contained in these provisions and to imbed the correct information concerning the actual approval numbers for the provisions throughout part 941 in § 941.101(c). In addition, this document removes the information collection approval statement from the one individual section in part 941 where it remained—§ 941.207.

There are three approval numbers assigned to the various information collections contained in part 941. The numbers and their respective expiration dates are as follows: 2577-0033 expiring on December 31, 2000; 2577-0036 expiring on July 31, 2000, and 2577-0039 expiring on April 30, 2000.

Justification for Final Rule

In general, the Department publishes a rule for public comment before issuing

a rule for effect, in accordance with its own regulations on rulemaking at 24 CFR part 10. However, part 10 does provide for exceptions from that general rule where the agency finds good cause to omit advance notice and public participation. The good cause requirement is satisfied when prior public procedure is "impracticable, unnecessary, or contrary to the public interest." (24 CFR 10.1)

In this case, the changes being made to the rule are technical in nature, conforming the rule to the OMB approval actions that have already taken place. Therefore, prior public procedure is unnecessary.

Catalog

The Catalog of Federal Domestic Assistance number for the program affected by this rule is 14.850.

List of Subjects in 24 CFR Part 941

Grant programs—housing and community development, Loan programs—housing and community development, Public housing, Reporting and recordkeeping requirements.

Accordingly, part 941 of title 24 of the Code of Federal Regulations is amended as follows:

PART 941—PUBLIC HOUSING DEVELOPMENT

1. The authority citation for part 941 continues to read as follows:

Authority: 42 U.S.C. 1437b, 1437c, 1437g, and 3535(d).

2. Paragraph (c) of § 941.101 is amended by revising the chart at the end of the paragraph to read as follows:

§ 941.101 Purpose and scope.

(c) * * *

Approval No.	Sections
2577-0033	941.207, 941.301, 941.303, 941.304, 941.606, 941.610
2577-0036	941.205, 941.404
2577-0039	941.402

§ 941.207 [Amended]

3. Section 941.207 is amended by removing the parenthetical phrase at the end of the section.

Dated: March 15, 1999.

Harold Lucas,

Assistant Secretary for Public and Indian Housing.

[FR Doc. 99-6794 Filed 3-18-99; 8:45 am]

BILLING CODE 4210-33-P

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[TD ATF-410; RE: Notice No. 864]

RIN 1512-AA07

Yountville Viticultural Area (98R-28P)

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

ACTION: Treasury decision, final rule.

SUMMARY: This Treasury decision will establish a viticultural area in Napa County, California, to be known as "Yountville." This viticultural area is the result of a petition submitted by the Yountville Appellation Committee.

DATES: This rule is effective May 18, 1999.

FOR FURTHER INFORMATION CONTACT: Thomas B. Busey, Specialist, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, D.C. 20226, (202) 927-8230.

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury decision ATF-53 (43 FR 37672, 54624) revising regulations in 27 CFR part 4.

These regulations allow the establishment of definitive viticultural areas. The regulations allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements. On October 2, 1979, ATF published Treasury decision ATF-60 (44 FR 56692) which added a new part 9 to 27 CFR, providing for the listing of approved American viticultural areas, the names of which may be used as appellations of origin.

Section 4.25a(e)(1), Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographic features, the boundaries of which have been delineated in subpart C of part 9.

Section 4.25(e)(2), Title 27, CFR, outlines the procedure for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area. The petition should include:

(a) Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the area specified in the petition;

(b) Historical or current evidence that the boundaries of the viticultural area are as specified in the petition;

(c) Evidence relating to the geographical characteristics (climate, soil, elevation, physical features, etc.) which distinguish the viticultural features of the proposed area from surrounding areas;

(d) A description of the specific boundaries of the viticultural area, based on features which can be found on United States Geological Survey (U.S.G.S.) maps of the largest applicable scale, and;

(e) A copy (or copies) of the appropriate U.S.G.S. map(s) with the proposed boundaries prominently marked.

Petition

ATF received a petition from Mr. Richard Mendelson, submitted on behalf of a number of wineries and grape growers in the Yountville area, proposing to establish a new viticultural area in Napa County, California to be known as "Yountville." The viticultural area is located entirely within the Napa Valley. It contains approximately 8260 acres, of which 3500 are planted to vineyards. The viticultural area was determined by extending the wine growing area from around the town of Yountville until it abuts the already established viticultural areas of Oakville on the north, Stags Leap District on the east, and Mt. Veeder on the west. On the south is an area called Oak Knoll which has petitioned to be considered a viticultural area.

Comments

On August 26, 1998, ATF published a notice of proposed rulemaking, Notice 864, in the *Federal Register*, soliciting comments on the proposed viticultural area. No comments were received.

Evidence That The Name of the Area is Locally or Nationally Known

An historical survey written by Charles Sullivan spells out the historical use of the name Yountville and vineyard plantings dating back to the late 1800's. Numerous references exist indicating the general use of the name "Yountville" to refer to the petitioned area. The petitioner included copies of title pages of various publications, guide and tour book references, public and private phone book listings and Federal and State agency maps, to illustrate the use of the name. For example, an ad for wine in the 1880's stresses the source of the grapes for the wine as "Yountville." Yountville is also prominently mentioned in James Halliday's *Wine Atlas of California*.

Historical or Current Evidence That the Boundaries of the Viticultural Area are as Specified in the Petition

The boundaries establish a grape growing area with an identifiable character, based on climate, topography, and historical tradition. The Yountville area boundaries were determined by extending the grape growing area from around the town itself until it abuts the already established viticultural areas of Oakville on the north, Stags Leap District on the east and Mt. Veeder on the west and an area called Oak Knoll on the south, which is currently under consideration to be recognized as a viticultural area. The boundaries of the area were determined by already existing AVA's and by the distinguishing physical features of the area. The boundary lines are accurately described using the features on the submitted U.S.G.S. maps. In sum, the proposed boundaries encompass an area of remarkable uniformity with respect to soils, climate and existing AVA's.

The history of viticulture in the Napa Valley begins with George C. Yount. Yount first visited the Napa Valley in 1831. He was granted his Rancho Caymus on March 3, 1836. It amounted to approximately 11,000 acres and covered the valley and foothills from the Bale Slough in the north to a line which runs through the town of Yountville today. By the 1840's he had established a small vineyard. In 1855, he commissioned a surveyor to lay out the city. The new community was christened Sebastopol. In 1887, two years after Yount's death, the town was renamed in honor of its founder.

Evidence Relating To the Geographical Features (Climate, Soil, Elevation, Physical Features, Etc.) Which Distinguish Viticultural Features of the Area From Surrounding Areas

The geographical features of the viticultural area set it apart from the surrounding area in the Napa Valley and produce a unique microclimate. The distinguishing features of the viticultural area are the Napa River, the Napa Valley floor, the alluvial soils, the hills north of Yountville called the Yountville Mounts and the hills west of Yountville which form the western boundary of the Napa Valley.

The weather is specific to the Yountville area with cool marine air currents reaching the Yountville Mounts (northern border of the proposed area) and which form a weather barrier to further expansion of the fogs and winds. Also the soils which form the alluvial fan just across the southern boundary of the Yountville area can be seen to come

from the Dry Creek watershed (see U.S.G.S. maps). The soils just north of the Yountville border come from the hills that form the western side of the area. The line along Ragatz Lane was selected to delineate the two areas. The soils between Yountville and Stags Leap District can be seen to differ north of the Yountville crossroad with the Rector canyon being the parent and the area between the Napa River and the Silverado Trail belonging to the hills immediately to the east.

The Yountville area, and specifically the area near and west of the town of Yountville, is one of the coolest vineyard regions of the Napa Valley viticultural area with long, cool growing season for grapevines. The Amerine and Winkler (1944) climate scheme rates this area as a Region II climate in a typical year, with a growing season degree-day totals of 2600 to 2900. This makes the area around the town of Yountville warmer than most of the Carneros viticultural area, but cooler than parts of Mt. Veeder and Oakville.

The Yountville area is unusual as a Napa Valley floor viticultural region in that it is not dominated geomorphically by large alluvial fans. It is most similar geologically to the Stags Leap District, which also is dominated by an old Napa River channel. However, the Yountville area is also geologically and geomorphologically distinct from the Stags Leap District, as Yountville was an area of intense coastal deposition along what must have been a nearshore current set up on the western side of the valley. The only similar coastal deposits found in the Napa Valley are in the Hagen Road area east of the City of Napa off Olive Hill Lane. Geomorphic deposits strongly influence soil types in the regions. Pronounced differences in soils are seen between Yountville, Oakville, the Stags Leap District, Mt. Veeder, and the proposed Oak Knoll viticultural area.

Boundaries

The boundaries of the Yountville viticultural area may be found on four U.S.G.S. Quadrangle (7.5 Minute Series) maps titled: Napa, CA (1951); Rutherford, CA (1951); Sonoma, CA (1951); and Yountville, CA (1951).

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, (44 U.S.C. 3507) and its implementing regulations, 5 CFR part 1320, do not apply to this notice of proposed rulemaking because no requirement to collect information is proposed.

Regulatory Flexibility Act

It is hereby certified that this proposed regulation will not have a significant impact on a substantial number of small entities. The establishment of a viticultural area is neither an endorsement nor approval by ATF of the quality of wine produced in the area, but rather an identification of an area that is distinct from surrounding areas. ATF believes that the establishment of viticultural areas merely allows wineries to more accurately describe the origin of their wines to consumers, and helps consumers identify the wines they purchase. Thus, any benefit derived from the use of a viticultural area name is the result of the proprietor's own efforts and consumer acceptance of wines from the region.

Accordingly, a regulatory flexibility analysis is not required because the proposal, if promulgated as a final rule, is not expected (1) to have significant secondary, or incidental effects on a substantial number of small entities; or (2) to impose, or otherwise cause a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Executive Order 12866

It has been determined that this proposed regulation is not a significant regulatory action as defined by Executive Order 12866. Accordingly, this proposal is not subject to the analysis required by this executive order.

Drafting information

The principal author of this document is Thomas B. Busey, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9

Administrative practices and procedures, Consumer protection, Viticultural areas, and Wine.

Authority and Issuance

Title 27 Code of Federal Regulations, Part 9, American Viticultural Areas, is proposed to be amended as follows:

PART 9—AMERICAN VITICULTURAL AREAS

Paragraph 1. The authority citation for part 9 continues to read as follows:

Authority: 27 U.S.C. 205.

Par. 2. Subpart C is amended by adding § 9.160 to read as follows:

Subpart C—Approved American Viticultural Areas

§ 9.160 Yountville

(a) *Name.* The name of the viticultural area described in this section is "Yountville."

(b) *Approved maps.* The appropriate maps for determining the boundary of the Yountville viticultural area are four 1:24,000 Scale U.S.G.S. topography maps. They are titled:

(1) Napa, CA 1951 photorevised 1980

(2) Rutherford, CA 1951 photorevised 1968

(3) Sonoma, CA 1951 photorevised 1980

(4) Yountville, CA 1951 photorevised 1968

(c) *Boundary.* The Yountville viticultural area is located in the State of California, entirely within the Napa Valley viticultural area. The boundaries of the Yountville viticultural area, using landmarks and points of reference found on appropriate U.S.G.S. maps are as follows:

(1) Beginning on the Rutherford quadrangle map at the intersection of the 500 foot contour line with an unnamed stream known locally as Hopper Creek north of the center of Section 3, T6N, R5W, Mount Diablo Meridan (MDM);

(2) Then along the unnamed stream (Hopper Creek) southeasterly, and at the fork in Section 3, northeasterly along the stream to the point where the stream intersects with an unnamed dirt road in the northwest corner of Section 2, T6N, R5W, MDM;

(3) Then in a straight line to the light duty road to the immediate northeast in Section 2, then along the light duty road in a northeasterly direction to the point at which the road turns 90 degrees to the left;

(4) Then northerly along the light duty road 625 feet, then northeasterly (N 40° by 43') in a straight line 1,350 feet, along the northern property line of Assessor's Parcel Number 27-380-08, to State Highway 29, then continuing in a straight line approximately 500 feet to the peak of the 320 plus foot hill along the western edge of the Yountville hills;

(5) Then east to the second 300 foot contour line, then along said contour line around the Yountville hills to the north to the point at which the 300 foot line exits the Rutherford quadrangle for the second time;

(6) Then, on the Yountville quadrangle map, in a straight line in a northeasterly direction approximately N34° by 30' E approximately 1,000 feet to the 90 degree bend in the unimproved dirt road shown on the map, then along that road, which

coincides with a fence line to the intersection of Conn Creek and Rector Creek;

(7) Then along Rector Creek to the northeast past Silverado Trail to the Rector Reservoir spillway entrance, then south approximately 100 feet to the 400 foot contour line, then southerly along the 400 foot contour line approximately 4200 feet to the intersection with a gully in section 30, T7N, R4W, MDM;

(8) Then southwesterly down the center of the gully approximately 800 feet to the medium duty road known as Silverado Trail, then southeasterly along the Silverado Trail approximately 590 feet to the medium duty road known locally Yountville Cross Road;

(9) Then southwesterly along the Yountville Cross Road (denoted as GRANT BDY on the map) approximately 4,700 feet to the main branch of the Napa River, then following the western boundary of the Stags Leap District viticultural area, first southerly down the center of the Napa River approximately 21,000 feet, then leaving the Napa River northeasterly in a straight line approximately 900 feet to the intersection of the Silverado Trail with an intermittent stream at the 60 foot contour line in T6N, R4W, MDM;

(10) Then along the Silverado Trail southerly approximately 3,200 feet, passing into the Napa quadrangle, to a point which is east of the confluence of Dry Creek with the Napa River; then west approximately 600 feet to said confluence; then northwesterly along Dry Creek approximately 3,500 feet, passing into the Yountville quadrangle to a fork in the creek; then northwesterly along the north fork of Dry Creek approximately 5,700 feet to the easterly end of the light duty road labeled Ragatz Lane;

(11) Then southwesterly along Ragatz Lane to the west side of State Highway 29, then southerly along Highway 29 by 982 feet to the easterly extension of the north line boundary of Napa County Assessor's parcel number 034-170-015, then along the north line of APN 034-170-015 and its extension westerly 3,550 feet to the dividing line between R4W and R5W on the Napa quadrangle, then southwesterly approximately 1000 feet to the peak denoted as 564 (which is about 5,500 feet easterly of the northwest corner of the Napa quadrangle); then southwesterly approximately 4,000 feet to the peak northeast of the reservoir gauging station denoted as 835;

(12) Then southwesterly approximately 1,500 feet to the reservoir gauging station, then west to the 400 foot contour line on the west side of Dry Creek, then northwesterly along the 400

foot contour line to the point where the contour intersects the north line of Section 10. T6N, R5W, MDM, immediately adjacent to Dry Creek on the Rutherford, CA map;

(13) Then northwesterly along Dry Creek approximately 6,500 feet to BM503, then northeasterly approximately 3,000 feet to the peak denoted as 1478, then southeasterly approximately 2,300 feet to the beginning of the creek known locally as Hopper Creek, then southeasterly along Hopper Creek approximately 2,300 feet to the point of beginning.

Signed: February 2, 1999.

John W. Magaw,
Director.

Approved: February 16, 1999.

Dennis M. O'Connell,
Acting Deputy Assistant Secretary
(Regulatory, Tariff and Trade Enforcement).
[FR Doc. 99-6735 Filed 3-18-99; 8:45 am]
BILLING CODE 4810-31-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD11-99-001]

Drawbridge Operation Regulations; Mokelumne River, CA-12 Highway Bridge at Mile 3.0 at East Isleton, Sacramento County, CA

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: Notice is hereby given that the U.S. Coast Guard has issued a temporary deviation to regulations governing opening of the California Department of Transportation (Caltrans) swing bridge over the Mokelumne River at East Isleton, CA (the Mokelumne River Bridge). The deviation has two parts. The first part specified the bridge need not open for the passage of vessels from 8 a.m. March 22, 1999 to 5 p.m. March 24, 1999. The purpose of this part of the deviation is to allow Caltrans to repair the east-end bridge jack turnbuckle. The bridge cannot be opened during that work. The second part specified the bridge would open upon the following advance notice during the period from 5 p.m. March 24, 1999, through 5 p.m. April 2, 1999: During the hours between 9 a.m. and 5 p.m. daily, upon 30 minutes advance notice; at all other times upon at least 4 hours advance notice given to the drawtender at the Rio Vista Bridge over the Sacramento River, mile 12.8. The

purpose of this part of the deviation is to enable Caltrans to test and make final adjustments and conduct other maintenance that does not require taking the bridge out of service. However, during that period, workers and equipment will be on the movable span, and advance notice is needed to clear the span for openings.

DATES: The deviation is effective from 8 a.m. March 22, 1999, through 5 p.m. April 2, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. Jerry Olmes, Bridge Administrator, Eleventh Coast Guard District, Building 50-6, Coast Guard Island, Alameda, CA 94501-5100, telephone (510) 437-3515.

SUPPLEMENTARY INFORMATION: On February 24, 1999, Caltrans requested to close the bridge from 8 a.m. March 22, 1999 through 5 p.m. March 24, 1999, and to operate the bridge on 30 minute advance notice from 5 p.m. March 24, 1999 through 5 p.m. April 2, 1999. When the bridge is closed to navigation, the vertical clearance is 7.0 ft. (2.1 m) above Mean High Water, and is 10.5 ft. (3.2m) above Mean Lower Low Water, and the clearances may be further reduced due to high seasonal flows from winter rains. Alternate routes are available, and waterway traffic is minimal during the winter months. The Coast Guard has contacted the marinas immediately upstream and downstream of the bridge and commercial waterway operators, none of whom have any objection to the proposal. Delaying repairs until later in the year would impact a greater number of waterway users.

This deviation from the normal operating regulations in 33 CFR 117.175 is authorized in accordance with the provisions of 33 CFR 117.35.

Dated: March 12, 1999.

C.D. Wurster,

Captain, U.S. Coast Guard, Acting
Commander, Eleventh Coast Guard District.
[FR Doc. 99-6759 Filed 3-18-99; 8:45 am]

BILLING CODE 4910-15-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 207-0136a FRL-6239-8]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Sacramento Metropolitan and South Coast Air Quality Management Districts and San Joaquin Valley Unified Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve revisions to the California State Implementation Plan (SIP). This action is an administrative change which revises the definitions in Sacramento Metropolitan Air Quality Management (SMAQMD) Rule 101, San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) Rule 1020, and South Coast Air Quality Management District (SCAQMD) Rule 1302. The intended effect of approving this action is to incorporate changes to the definitions for clarity and consistency and to update the Exempt Compound list in SMAQMD, SJVUAPCD, and SCAQMD rules to be consistent with the revised federal and state VOC definitions.

DATES: This rule is effective on May 18, 1999 without further notice, unless EPA receives adverse comments by April 19, 1999. If EPA receives such comment, it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Written comments must be submitted to Andrew Steckel at the Region IX office listed below. Copies of the rule revisions and EPA's evaluation report for each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, S.W., Washington, D.C. 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95812

Sacramento Metropolitan Air Quality Management District, 8411 Jackson Rd., Sacramento, CA 95826-3904