provided such dispositions are less than three million pounds in the current month and such producer-handler had total Class I route dispositions and/or transfers of packaged fluid milk products from own farm production of three million pounds or more the previous month. If the producer-handler has Class I route dispositions and/or transfers of packaged fluid milk products into the marketing area described in § 1131.2 of this chapter of three million pounds or more during the current month, such producer-handler shall be subject to the provisions described in § 1131.7 of this chapter or § 1000.76(a).

## PART 1131—MILK IN THE ARIZONA–LAS VEGAS MARKETING AREA

■ 23. Revise § 1131.2 to read as follows:

### § 1131.2 Arizona-Las Vegas marketing areas.

The marketing area means all territory within the bounds of the following states and political subdivisions, including all piers, docks and wharves connected therewith and all craft moored thereat, and all territory occupied by government (municipal, State or Federal) reservations, installations, institutions, or other similar establishments if any part thereof is within any of the listed states or political subdivisions:

Arizona

All of the State of Arizona.

■ 24. In § 1131.7 revise paragraphs (d) introductory text and (d)(1) and add paragraph (h) to read as follows:

* * * * *

### § 1131.7 Pool plant.

* * * * *

(d) A plant located within the marketing area and operated by a cooperative association if, during the month, or the immediately preceding 12-month period ending with the current month, 35 percent or more of the producer milk of members of the association (and any producer milk of nonmembers and members of another cooperative association which may be marketed by the cooperative association) is physically received in the form of bulk fluid milk products (excluding concentrated milk transferred to a distributing plant for an agreed-upon use other that Class I) at plants specified in paragraph (a), (b), or (h) of this section either directly from farms or by transfer from supply plants operated by the cooperative association and from plants of the cooperative association for which pool plant status has been requested under this paragraph subject to the following conditions:

(1) The plant does not qualify as a pool plant under paragraph (a), (b), (c), or (h) of this section or under comparable provisions of another Federal order; and

* * * * *

(h) Any distributing plant, located within the marketing area as described on April 11, 2006, in § 1131.2;

(1) From which there is route disposition and/or transfers of packaged fluid milk products in any non-Federally regulated marketing area(s) located within one or more States that require handlers to pay minimum prices for raw milk provided that 25 percent or more of the total quantity of fluid milk products physically received at such plant (excluding concentrated milk received from another plant by agreement for other than Class I use) is disposed of as route disposition and/or is transferred in the form of packaged fluid milk products to other plants. At least 25 percent of such route disposition and/or transfers, in aggregate, are in any non-Federally regulated marketing area(s) located within one or more States that require handlers to pay minimum prices for raw milk. Subject to the following exclusions:

(i) The plant is described in § 1131.7(a), (b), or (e);

(ii) The plant is subject to the pricing provisions of a State-operated milk pricing plan which provides for the payment of minimum class prices for raw milk;

(iii) The plant is described in § 1000.8(a) or (e); or

(iv) A producer-handler described in § 1131.10 with less than three million pounds during the month of route dispositions and/or transfers of packaged fluid milk products to other plants.

(2) [Reserved].

* * * * *

■ 25. Add § 1131.10(f) to read as follows:

### § 1131.10 Producer-handler.

* * * * *

(f) Any producer-handler with Class I route dispositions and/or transfers of packaged fluid milk products in the marketing area described in § 1131.2 shall be subject to payments into the Order 1131 producer settlement fund on such dispositions pursuant to § 1000.76(a) and payments into the Order 1131 administrative fund provided such dispositions are less than three million pounds in the current month and such producer-handler had total Class I route dispositions and/or transfers of packaged fluid milk products from own farm production of three million pounds or more the previous month. If the producer-handler has Class I route dispositions and/or transfers of packaged fluid milk products into the marketing area described in § 1131.2 of three million pounds or more during the current month, such producer-handler shall be subject to the provisions described in § 1131.7 or § 1000.76(a).

Dated: April 25, 2006.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 06–4040 Filed 4–27–06; 8:45 am]

BILLING CODE 3410–02–P

## DEPARTMENT OF DEFENSE

## Corps of Engineers, Department of the Army

## 33 CFR Part 207

**RIN 0710–AA63**

## Navigation Regulations

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Corps is amending the regulations for lockage operations at Bonneville Lock and Dam and amending the regulations which establish the restricted areas at Little Goose Lock and Dam. The Corps is making corrections and adjustments to the lockage control, signals, and permissible dimensions of vessels for Bonneville Lock and Dam. These changes correct language for the new replacement lock. For the Little Goose Lock and Dam the Corps is making adjustments in the upstream channel restricted area boundary to provide a recreational craft corridor along the north shoreline. This will provide better boat ramp access in support of the small craft portage route and reduce interference between fishermen and the boat ramp.

**DATES:** The effective date is May 31, 2006.

**ADDRESSES:** U.S. Army Corps of Engineers, ATTN: CECW–NWD, 441 G Street, NW., Washington, DC 20314–1000.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ken Hall, Program Manager, CECW–NWD at (202) 761–4717, or Brian Schmidtke, (503) 808–4333 for Bonneville Lock and Dam or Ms. Ann

Glassley at (509) 527–7115 for Little Goose Lock and Dam.

**SUPPLEMENTARY INFORMATION:** Pursuant to its authorities in Section 4, 7, and 28 of the Rivers and Harbors Act of 1917 (40 Stat. 266; 33 U.S.C. 1) and Chapter XIX of the Army Appropriations Act of 1919 (40 Stat. 892; 33 U.S.C. 3), the Corps amends the regulations in 33 CFR Part 207.718. The proposed rule was published in the October 24, 2005, issue of the **Federal Register** (70 FR 61402), and no comments were received in response to that notice.

The Corps amends the regulations at 33 CFR 207.718 (b), (d)(3), (e), (f)(1), (j) and (w)(7). Paragraph (b) changes the description of the limits of the approach channels at Bonneville Lock and Dam. Paragraph (d)(3) deletes the Bonneville Lock and Dam specific exception referring to vessels entering under an amber light. This provides consistent entering and exiting signals for the entire Columbia/Snake lock and dam system.

Paragraph (e) had several changes. The amended paragraph deletes the Bonneville specific exception on useable chamber size. The modified paragraph adds text detailing the Bonneville Lock and Dam staff gauges, sill elevations, and how to compute depth over the sill, since Bonneville's staff gauges are different from all other Columbia/Snake lock and dams that directly read depth over the sill. The amended paragraph replaces a sentence referring to vessel draft so it refers to depth over the sill and not staff gauge readings. This change makes the sentence correct for all Columbia/Snake locks including Bonneville. The revised paragraph corrects the minimum depth over the sill at Bonneville Lock and Dam at 19 feet. The amended paragraph deletes three sentences concerning rearrangement of tows specifically at Bonneville Lock and Dam, and it deletes one sentence concerning inundation of the downstream guide wall at Bonneville Lock and Dam.

Paragraph (f)(1) corrects grammar by changing the last word from ''sections'' to ''section.'' Paragraph (j) includes grammatical changes and corrects and details the location of the downstream mooring facility at Bonneville Lock and Dam. This new paragraph also deletes reference to vessels being allowed to lay-to against the upstream guide wall at Bonneville Lock and Dam. Paragraph (w)(7) revises the upstream restricted area of Little Goose Lock and Dam to allow less interference between fisherman and the boat ramp on the north river bank as more small craft portaging is expected coinciding with the Lewis and Clark bicentennial.

The regulation governing the navigation locks and approach channels, Columbia and Snake Rivers, Washington and Oregon, 33 CFR 207.718 was adopted on January 23, 1978 (43 FR 3115). The last amendment to 33 CFR 207.718 January 26, 2000 (65 FR 4125).

This rule is not a major rule for the purposes of Executive Order 12866. As required by the Regulatory Flexibility Act, the Corps of Engineers certifies that this rule would not have a significant impact on small business entities.

**List of Subjects in 33 CFR Part 207**

Navigation (water), Vessels, Water Transportation, Danger Zones.

Dated: April 24, 2006.

**Gerald W. Barnes,**

*Chief, Operations, Directorate of Civil Works.*

■ For the reasons stated above, the Corps amends 33 CFR part 207 as follows:

## PART 207—NAVIGATION REGULATIONS

■ 1. The authority citation for part 207 continues to read as follows:

**Authority:** 40 Stat. 266 (33 U.S.C. 1).

■ 2. Amend § 207.718 by revising paragraphs (b), (d)(3), (e), (f)(1), (j) and (w)(7) to read as follows.

### § 207.718 Navigation locks and approach channels, Columbia and Snake Rivers, Oreg. and Wash.

* * * * *

(b) *Lockage control.* The Lock Master shall be charged with immediate control and management of the lock, and of the area set aside as the lock area, including the lock approach channels. Upstream and downstream approach channels extend to the end of the wing or the guide wall, whichever is longer. At Bonneville lock the upstream approach channel extends to the mooring tie offs at Fort Rains and the downstream approach channel extends to the downstream tip of Robins Island. The Lock Master shall demand compliance with all laws, rules and regulations for the use of the lock and lock area and is authorized to issue necessary orders and directions, both to employees of the Government or to other persons within the limits of the lock or lock area, whether navigating the lock or not. Use of lock facilities is contingent upon compliance with regulations, Lock Master instructions and the safety of people and property.

* * * * *

(d) * * *

(3) *Entering and exit signals.* Signal lights are located outside each lock gate. When the green (go) light is on, all vessels will enter in the sequence prescribed by the Lock Master. When the red (stop) light is on, the lock is not ready for entrance and vessels shall stand clear. In addition to the above visual signals, the Lock Master will signal that the lock is ready for entrance by sounding one long blast on the lock air horn. The Lock Master will signal that the lock is ready for exit by lighting the green exit light and sounding one short blast on the air horn.

* * * * *

(e) *Permissible dimensions of vessels.* Nominal overall dimensions of vessels allowed in the lock chamber are 84 feet wide and 650 feet long. Depth of water in the lock depends upon river levels which may vary from day to day. Staff gauges showing the minimum water level depth over gate sills are located inside the lock chamber near each lock gate and outside the lock chamber near the end of both upstream and downstream guide walls, except at Bonneville where the staff gauges show water levels in feet above MSL and are located on the southern guide walls at the upstream and downstream miter gates. Bonneville's upstream sill elevation is 51 feet MSL and the downstream sill elevation is −12 feet MSL. Depth over sill at Bonneville is determined by subtracting the sill elevation from the gauge reading. Vessels shall not enter the navigation lock unless the vessel draft is at least one foot less than the water depth over the sill. Information concerning allowable draft for vessel passage through the locks may be obtained from the Lock Master. Minimum lock chamber water level depth is 15 feet except at Ice Harbor where it is 14 feet and at Bonneville where it is 19 feet. When the river flow at Lower Granite exceeds 330,000 cubic feet per second the normal minimum 15-foot depth may be decreased to as little as eight feet.

* * * * *

(f) * * *

(1) When a recreational vessel lockage schedule is in effect, at the appointed time for lockage of recreation craft, recreation craft shall take precedence; however, commercial vessels may be locked through with recreation craft if safety and space permit. At other than the appointed time, the lockage of commercial and tow vessels shall take precedence and recreational craft may (only) lock through with commercial vessels only as provided in paragraph (h) of this section.

* * * * *

(j) *Waiting for lockage.* Vessels waiting for lockage shall wait in the clear outside of the lock approach channel, or contingent upon permission by the Lock Master, may at their own risk, lie inside the approach channel at a place specified by the Lock Master. At Bonneville, vessels may at their own risk, lay-to at the downstream moorage facility on the north shore downstream from the north guide wall provided a 100-foot-wide open channel is maintained.

* * * * *

(w) * * *

(7) *At Little Goose Lock and Dam.* The waters restricted to all vessels, except Government vessels, are described as all waters commencing at the upstream of the navigation lock guidewall and running in a direction of 60°37′ true for a distance of 676 yards; thence 345°26′ true for a distance of 494 yards; thence 262°37′47″ true to the dam embankment shoreline. The downstream limits commence 512 yards downstream and at right angles to the axis of the dam on the south shore; thence parallel to the axis of the dam to the north shore. Signs designate the restricted areas.

* * * * *

[FR Doc. 06–4064 Filed 4–28–06; 8:45 am]

**BILLING CODE 3710–92–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Chapter I

**[FRL–8163–8]**

## Implementation of the Great Lakes Legacy Act of 2002

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

**ACTION:** Final Rule; Notice of Implementation Policy.

**SUMMARY:** This action is intended to outline EPA's process for identification, evaluation, selection, and implementation of projects for funding under the Great Lakes Legacy Act of 2002 (also referred as GLLA or the Legacy Act). The Legacy Act authorizes the appropriation of $50 million annually for fiscal years 2004–2008 for contaminated sediment remediation projects and provides EPA with a unique approach for addressing contaminated sediment problems in Great Lakes Areas of Concern. The Act also authorizes smaller amounts of funding for other activities; this action pertains only to sediment remediation project selection and implementation. This action provides information to those interested in submitting cost-share, sediment remediation projects to EPA for funding under the Legacy Act.

**DATES:** Effective on May 1, 2006.

**FOR FURTHER INFORMATION CONTACT:** Scott Ireland, Technical Assistance and Analysis Branch, Environmental Protection Agency, Great Lakes National Program Office 77 West Jackson Blvd. G–17J, Chicago, IL 60604–3590, telephone number (312) 886–8121; fax number (312) 353–2018, *http://www.epa.gov/greatlakes*.

**SUPPLEMENTARY INFORMATION:**

### I. General Information

*Affected Entities:* Federal agencies and public and private non-Federal sponsors eligible to have cost-shared projects approved under the Great Lakes Legacy Act of 2002.

### II. Background

Contaminated sediments have been a problem in the Great Lakes for several decades. It has been reported that polluted sediment is the largest major source of contaminants entering the food chain from Great Lakes Rivers and harbors. This includes most of the current 41 Areas of Concern (AOCs) designated by the United States and Canada, the Parties to the Great Lakes Water Quality Agreement. Over the past several years, Great Lakes stakeholders have moved forward in the pursuit of sediment remediation through a variety of mechanisms (enforcement, voluntary partnerships, etc.). From 1997–2004, approximately 3.7 million cubic yards of contaminated sediment were remediated from the U.S. Great Lakes Basin. Roughly 76 million cubic yards of contaminated sediment remain.

Congress passed the Great Lakes Legacy Act of 2002 on November 12, 2002 and President George W. Bush signed the Legacy Act into law on November 27, 2002 (Pub. L. 107–303). The Legacy Act authorizes the appropriation of $50 million annually for fiscal years 2004–2008 for contaminated sediment remediation projects and provides EPA with a unique approach for addressing contaminated sediment problems in Great Lakes AOCs. The Act also authorizes smaller amounts of funding for other activities; this action pertains only to sediment remediation project selection and implementation.

In order to be an eligible project under the Legacy Act, a project must be carried out in an AOC located wholly or partially in the United States and the project must:

1. Monitor or evaluate contaminated sediment;
2. Implement a plan to remediate contaminated sediment; or
3. Prevent further or renewed contamination of sediment.

The Legacy Act program is implemented through Project Agreements, which are binding cost-sharing agreements between the Great Lakes National Program Office (GLNPO) and a cooperating agency or entity. Project selection decisions will be made in consultation with the USEPA Office of Water.

Legacy Act authorizing language places only limited restrictions on the types of entities (non-Federal sponsors) that may potentially enter into a Project Agreement with GLNPO. This provides the potential for entering into agreements with public and private entities, including not-for-profit organizations. It is the ultimate goal of GLNPO to work cooperatively with all qualifying potential non-Federal sponsors that have submitted project proposals under the Legacy Act in order to develop projects that are technically sound, beneficial to the environment, supported by the local community, and able to be completed in an expeditious manner. It is important to maintain the necessary flexibility in evaluating project proposals to achieve this goal.

In situations where other sources of funding are available (e.g., Water Resources Development Act—WRDA) or other mechanisms to complete the project are available (e.g., Superfund or other enforcement or regulatory programs), GLNPO will work with these existing programs, where appropriate, to add value in a way that maximizes the overall benefit to the environment.

In cases where enforcement or regulatory actions are pending, or underway, GLNPO will work and coordinate with the applicable enforcement or regulatory program on a case-by-case basis to determine the proper role, if any, for the Legacy Act to provide a value-added component to the project. In some cases, identifying a role for the Legacy Act may not be possible, if a proposed action is more appropriately accomplished by another program or agency.

### III. Project Selection

The Legacy Act specifically directs the Administrator to give priority to projects that:

1. Constitute remedial action for contaminated sediment;
2. Have been identified in a Remedial Action Plan (RAP) and are ready to be implemented;
3. Use an innovative approach, technology, or technique that may provide greater environmental benefits,