

■ **Par. 6.** In § 602.101, paragraph (b) is amended by adding the following entry in numerical order to the table to read as follows:

**§ 602.101 OMB Control numbers.**

CFR part or section where identified and described	Current OMB control No.
* * * * *	* * * * *
(b) * * *	
54.4980F-1 .....	1545-1780
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**David A. Mader,**  
Assistant Deputy Commissioner of Internal Revenue.

Approved: March 27, 2003.

**Pamela F. Olson,**  
Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 03-8290 Filed 4-8-03; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[COTP Tampa-03-006]

RIN 1625-AA00

**Security Zones; Tampa Bay, Port of Tampa, Port of Saint Petersburg, Port Manatee, Rattlesnake, Old Port Tampa, Big Bend, Weedon Island, and Crystal River, FL; Correction**

**AGENCY:** Coast Guard, DHS.  
**ACTION:** Temporary final rule; correction.

**SUMMARY:** The Coast Guard published a final rule on March 25, 2003 establishing security zones in Tampa Bay, Port of Tampa, Port of Saint Petersburg, Port Manatee, Rattlesnake, Old Port Tampa, Big Bend, Weedon Island, and Crystal River, Florida. The rule erroneously listed the geographic positions, descriptions, and size of security zones located in the waters adjacent to the Big Bend and Weedon Island power facilities. This document corrects the geographic positions, descriptions, and size of those security zones.

**DATES:** This correction is effective on April 9, 2003.

**FOR FURTHER INFORMATION CONTACT:** LCDR Dave McClellan, Coast Guard Marine Safety Office, Tampa at (813)228-2189/91 X 102.

**SUPPLEMENTARY INFORMATION:**

**Background and Purpose**

The Coast Guard published a final rule in the **Federal Register** of March 25, 2003 (68 FR 14328) establishing security zones in Tampa Bay, Port of Tampa, Port of Saint Petersburg, Port Manatee, Rattlesnake, Old Port Tampa, Big Bend, Weedon Island, and Crystal River, Florida. In our discussion of the rule and in paragraph (a)(14) of that rule, the geographic position, description, and size of the security zone for the Big Bend Power Facility were erroneously published as:

(14) Big Bend, Tampa Bay, Florida. All waters of Tampa Bay, from surface to bottom, extending 50 yards from the shore, seawalls and piers around the Big Bend Power Facility, encompassed by a line connecting the following points: 27°47.85' N, 082°25.02' W then east and south along the shore and pile to 27°47.63' N, 082°24.70' W then north along the shore to 27°48.17' N, 082°24.70' W then north and west along a straight line to 27°48.12' N, 082°24.88' W then south along the shore and pile to 27°47.85' N, 082°25.02' W, closing off entrance to the Big Bend Power Facility.

This correction changes the geographic description and positions to:

(14) Big Bend, Tampa Bay, Florida. All waters of Tampa Bay, from surface to bottom, adjacent to the Big Bend Power Facility, and within an area bounded by a line connecting the following points: 27°47.85' N, 082°25.02' W then east and south along the shore and pile to 27°47.63' N, 082°24.70' W then north along the shore to 27°48.02' N, 082°24.70' W then north and east along a straight line to 27°48.12' N, 082°24.88' W then south along the shore and pile to 27°47.85' N, 082°25.02' W, closing off entrance to the Big Bend Power Facility.

In our discussion of the rule and in paragraph (a)(15) of that rule, the geographic positions and description for the Weedon Island Power Facility were erroneously published as:

(15) Weedon Island, Tampa Bay, Florida. All waters of Tampa Bay, from surface to bottom, extending 50 yards from the shore, seawall and piers around the Power Facility at Weedon Island encompassed by a line connecting the following points: 27°51.52' N, 082°35.82' W then north and east along the shore to 27°51.54' N, 082°35.78' W then north to 27°51.68' N, 082°35.78' W then north to 27°51.75' N, 082°35.78' W closing off entrance to the canal then north to 27°51.89' N, 082°35.82' W then east along the shore to 27°51.89' N, 082°36.10' W then east

to 27°51.89' N, 082°36.14' W closing off entrance to the canal.

This correction changes the geographic description and positions to:

(15) Weedon Island, Tampa Bay, Florida. All waters of Tampa Bay, from surface to bottom, extending 50 yards from the shore, seawall and piers around the Power Facility at Weedon Island encompassed by a line connecting the following points: 27°51.52' N, 082°35.82' W then north and east along the shore to 27°51.54' N, 082°35.78' W then north to 27°51.68' N, 082°35.78' W then north to 27°51.75' N, 082°35.78' W closing off entrance to the canal then north to 27°51.89' N, 082°35.82' W then west along the shore to 27°51.89' N, 082°36.10' W then west to 27°51.89' N, 082°36.14' W closing off entrance to the canal.

**Need for Correction**

This correction is needed to correct minor discrepancies in the coordinates and physical description for fixed security zones in waters adjacent to Big Bend and Weedon Island Power facilities in Tampa Bay.

**Correction of Publication**

- In rule FR Doc. 03-6982 published on March 25, 2003 (68 FR 14328), make the following corrections:
    - a. On page 14329, in the third column, on lines 42 through 46, remove the words "The security zone extends 50 yards from the shore or seawall and from all piers around facilities. The security zone is bounded by the following points" and add, in their place, the words "It includes all waters of Tampa Bay, from surface to bottom, adjacent to the Big Bend Power Facility, and within an area bounded by a line connecting the following points".
    - b. On page 14329, in the third column on line 50 remove the latitude "27°48.17' N" and add, in its place, the latitude "27°48.02' N".
    - c. On page 14329, in the third column on line 69 remove the word "east" and add, in its place, the word "west".
    - d. On page 14330, in the first column on line 1 remove the word "east" and add, in its place, the word "west".
- § 165.T07-006 [Corrected]
- e. On page 14332, in paragraph (a)(14), remove the words "extending 50 yards from the shore, seawalls and piers around the Big Bend Power Facility, encompassed by a line connecting the following points" and add, in their place, the words "adjacent to the Big Bend Power Facility, and within an area bounded by a line connecting the following points," and remove the latitude "27°48.17' N" and add, in its place, the latitude "27°48.02' N".

■ f. On page 14332, in paragraph (a)(15) on lines 14 and 15 remove the word "east" and add, in its place, the word "west".

Dated: March 27, 2003.

**James M. Farley,**

*Captain, U.S. Coast Guard, Captain of the Port Tampa.*

[FR Doc. 03-8523 Filed 4-8-03; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### 36 CFR Part 7

RIN 1024-AC91

#### Personal Watercraft Use at Lake Mead National Recreation Area

**AGENCY:** National Park Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** This rule designates areas where personal watercraft (PWC) may be used in Lake Mead National Recreation Area, Nevada and Arizona. This rule implements the provisions of the National Park Service (NPS) general regulation authorizing parks to allow the use of PWC by promulgating a special regulation. The *NPS Management Policies 2001* provides that individual parks should determine whether PWC use is appropriate for a specific park area based on an evaluation of that area's enabling legislation, resources and values, other visitor uses, overall management objectives, and consistent with the criteria of the NPS for managing visitor use. This rule authorizes the use of PWC at Lake Mead National Recreation Area consistent with the Record of Decision for Lake Management Plan.

**EFFECTIVE DATE:** This rule becomes effective April 9, 2003.

**ADDRESSES:** Mail Inquiries to: Jim Holland, Management Assistant, Lake Mead National Recreation Area, 601 Nevada Way, Boulder City, Nevada 89005.

**FOR FURTHER INFORMATION CONTACT:** Kym Hall, Regulations Program Manager, National Park Service, 1849 C Street, NW., Room 7413, Washington, DC 20240. Phone: (202) 208-4206.

#### SUPPLEMENTARY INFORMATION:

##### Personal Watercraft Use and Regulatory Background

In May 1998 the Bluewater Network, a coalition of more than 70 organizations, filed a petition urging the National Park Service to initiate the

rulemaking process to prohibit PWC use throughout the National Park System. In response to the petition, the NPS proposed a specific PWC regulation premised on the notion that PWC use should be evaluated by the individual park area to determine if the use is an appropriate use of the park (63 FR 49312, Sept. 15, 1998).

The NPS envisioned the servicewide regulation as an opportunity to evaluate impacts from PWC use before authorizing the use. The preamble to the servicewide regulation calls the regulation a "conservative approach to managing PWC use" considering the resource concerns, visitor conflicts, visitor enjoyment, and visitor safety. During a 60-day comment period, the NPS received nearly 20,000 comments.

After reviewing the public comments and further review, the NPS promulgated a final regulation that prohibited PWC use in all units, until the individual park areas determine PWC appropriateness for continued use (36 CFR 3.24(a), 65 FR 15077-90, Mar. 21, 2000). The final rule provided a 2-year grace period for 21 parks. Specifically, the regulation allowed the NPS to designate PWC areas and to continue PWC use by promulgating a special regulation in park areas, including Lake Mead National Recreation Area. Ten NRA's were given an additional option of authorizing PWC use through the units' superintendents' compendium (36 CFR 3.24(b)), but only if the requirements of 36 CFR 1.5 were met. This additional designation method was provided for in the units because of their congressional designation as national recreation areas and specific congressional intent to provide for motorized watercraft use in these parks.

In response to the PWC final regulation, Bluewater Network sued the NPS. The organization challenged the National Park Service decision to provide a 2-year grace period allowing continued PWC use in 21 park units while prohibiting PWC use in other park units. In addition, the organization also disputed the National Park Service decision to allow 10 park units the additional option of authorizing continued PWC use after 2002 using the procedures of the superintendents' compendium (36 CFR 1.5), which would not require the opportunity for public input through a notice and a comment rulemaking process.

In response to the suit, the National Park Service and the environmental group negotiated a settlement. The resulting settlement agreement accepted by the court on April 12, 2001, required each of those parks authorizing

continued PWC use must promulgate a park-specific special regulation. The settlement agreement acknowledged that the NEPA analysis must, at a minimum, evaluate PWC impacts on water quality, air quality, soundscapes, wildlife, wildlife habitat, shoreline vegetation, visitor conflicts, and visitor safety.

In 2001 the National Park Service adopted its revised NPS Management Policies (NPS 2001) for the National Park System. The policy document included a provision addressing PWC use in park units and the need for proper evaluation before authorizing use in a specific park unit (8.2.3.3). The policy states that the use should be evaluated based on the park's enabling legislation, resources, values, other park uses, and overall management strategies.

On September 5, 2002, the National Park Service published a draft rule for the operation of PWC at Lake Mead NRA (67 FR 56785-94). The proposed rule for PWC use was based on alternative C (the preferred alternative) in the Draft Environment Impact Statement/Lake Management Plan (DEIS/LMP). The 60-day public comment period on the proposed rule ran from September 5 to November 4, 2002.

##### Overview of Recreational Use and Personal Watercraft

The NPS is granted broad statutory authority under various acts of Congress to manage and regulate water activities in areas of the National Park System, 16 U.S.C. 1, 1a-2(h) and 3. The *NPS Organic Act*, 16 U.S.C. 1 *et seq.*, authorizes the NPS to " \* \* \* regulate the use of Federal areas known as national parks, monuments, and reservations \* \* \* by such means and measures as conform to the fundamental purpose of the said parks \* \* \* which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." Congress has also emphasized that the " \* \* \* authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the national park system and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress." 16 U.S.C. 1a-1. The appropriateness of a visitor use or recreational activity will