

each year and continues through December 31 of the same year. These persons shall not harvest, possess while in or on the waters of the state, or land tropical ornamental marine life species in excess of the following limits:

- (a) A limit of 75 angelfish (Family Pomacanthidae) per person per day or 150 angelfish per vessel per day, whichever is less.
- (b) A limit of 75 butterflyfishes (Family Chaetodontidae) per vessel per day.
- (c) There shall be no limits on the harvest for commercial purposes of gorgonians unless and until the season for all harvest of gorgonians in federal Exclusive Economic Zone (EEZ) waters adjacent to state waters is closed. At such time, the season for harvest of gorgonians in state waters shall also close until the following January 1, upon notice given by the Executive Director of the Department of Natural Resources, in the manner provided in Section 120.52(16)(d), Florida Statutes.

(d) A limit of 200 giant Caribbean or "pink-tipped" anemones (*Condylactus gigantea*) per vessel per day.

Specific Authority 370.027(2), F.S. Law Implemented 370.025, 370.027, F.S. History: New 1-1-91, Amended 7-1-92.

46-42.007 Gear Specifications and Prohibited Gear.

(1) The following types of gear shall be the only types allowed for the harvest of any tropical fish, whether from state waters or from federal Exclusive Economic Zone (EEZ) waters adjacent to state waters:

- (a) Hand held net.
- (b) Barrier net, with a mesh size not exceeding 3/4 inch stretched mesh.
- (c) Drop net, with a mesh size not exceeding 3/4 inch stretched mesh.
- (d) Slurp gun.
- (e) Quinaldine may be used for the harvest of tropical fish if the person using the chemical or possessing the chemical in or on the waters of the state meets each of the following conditions:

1. The person also possesses and maintains aboard any vessel used in the harvest of tropical fish with quinaldine a special activity license authorizing the use of quinaldine, issued by the Division of Marine Resources of the Department of Natural Resources pursuant to Section 370.08(8), Florida Statutes.

2. The quinaldine possessed or applied while in or on the waters of the state is in a diluted form of no more than 2% concentration in solution with seawater. Prior to dilution in seawater, quinaldine shall only be mixed with isopropyl alcohol or ethanol.

(f) A roller frame trawl operated by a person possessing a valid live bait shrimping license issued by the Department of Natural Resources pursuant to Section 370.15, Florida Statutes, if such tropical fish are taken as an incidental bycatch of shrimp lawfully harvested with such trawl.

(g) A trawl meeting the following specifications used to collect live specimens of the dwarf seahorse, *Hippocampus zosterae*, if towed by a vessel no greater than 15 feet in length at no greater than idle speed:

1. The trawl opening shall be no larger than 12 inches by 48 inches.

2. The trawl shall weigh no more than 5 pounds wet when weighed out of the water.

(2) This rule shall not be construed to prohibit the use of any bag or container used solely for storing collected specimens or the use of a single blunt rod in conjunction with any allowable gear, which rod meets each of the following specifications:

(a) The rod shall be made of nonferrous metal, fiberglass, or wood.

(b) The rod shall be no longer than 36 inches and have a diameter no greater than 3/4 inch at any point.

(3) No person shall harvest in or from state waters any tropical fish by or with the use of any gear other than those types specified in subsection (1); provided, however, that tropical fish harvested as an incidental bycatch of other species lawfully harvested for commercial purposes with other types of gear shall not be deemed to be harvested in violation of this rule, if the quantity of tropical fish so harvested does not exceed the bag limits established in Rule 46-42.005.

Specific Authority 370.027(2), F.S. Law Implemented 370.025, 370.027, F.S. History: New 1-1-91, Amended 7-1-92.

PART 937—[REMOVED AND RESERVED]

2. Part 937 is removed and reserved.

[FR Doc. 95-7669 Filed 3-29-95; 8:45 am]

BILLING CODE 3510-12-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Chapter I

46 CFR Chapter I

[CGD 95-022]

Presidential Regulation Review

AGENCY: Coast Guard, DOT.

ACTION: Public meeting; request for comments.

SUMMARY: The Coast Guard will conduct a public meeting to provide the public an opportunity to comment on Coast Guard regulations and the regulatory process. Comments are sought on changes to Coast Guard regulations that would make them less burdensome or more flexible, including use of negotiated rulemaking to effect changes, and on improvements that could be made to the enforcement process, while still ensuring a high level of safety and environmental protection.

DATES: The meeting will be held April 20, 1995, from 9 a.m. to 3 p.m. Written material must be received not later than May 1, 1995.

ADDRESSES: The meeting will be held in room 2415, Coast Guard Headquarters, 2100 Second Street SW., Washington,

DC 20593-0001. Written comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA), U.S. Coast Guard, 2100 Second Street, SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

Comments will become part of this docket and will be available for inspection or copying at room 3406, Coast Guard Headquarters, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Bruce P. Novak, Regulations Coordinator, Oil Pollution Act (OPA 90) Staff, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001, telephone (202) 267-6819. This telephone is equipped to record messages on a 24-hour basis.

SUPPLEMENTARY INFORMATION: The President recently announced a Regulatory Reinvention initiative. Under this initiative agencies are directed to review their regulations; improve their enforcement efforts to focus on results, not punishment; meet with the people affected by their regulations; and substantially increase their efforts to promote consensual rulemaking.

In reviewing existing regulations the Coast Guard will be focussing on the following issues: (1) Identification of obsolete regulations; (2) suggestions for achieving the intended goal of regulations that would be more efficient and/or less intrusive; (3) identification of private sector alternatives to regulations such as market mechanisms, that can achieve the objectives of regulations; (4) could private business, setting its own standards and being subject to public accountability, do the job as well; and (5) could State or local government regulations be used in lieu of Coast Guard regulation?

The Coast Guard is interested in suggestions on areas where the goals of our regulatory and enforcement programs are not clear, and on recommendations for improvements that would focus on attaining defined safety and environmental protection results rather than mandating the use of specific methods or equipment.

The Coast Guard would also like to discuss techniques for developing consensus rules. Negotiated rulemaking is currently being offered as the primary way of achieving consensus rulemaking. The Coast Guard has used negotiated rulemaking and has explored its use for several rulemaking projects. While negotiated rulemaking has the ability to

bring together private parties with widely disparate views, not all rulemakings are appropriate for use of this process. The report accompanying the National Performance Review identifies the following limits on use of the negotiated rulemaking process:

- (1) The number of distinct interests concerned with the proposed rule, including any relevant government agencies, must be small enough so that they can be fairly represented by not more than 20 to 25 negotiators;
- (2) There should be a number of diverse issues that participants can rank according to their own priorities, so that there will be room for compromise on some of the issues as an agreement is sought;
- (3) It is essential that the issues to be negotiated not require compromise of principles so fundamental to the parties that productive negotiations are unrealistic;
- (4) Parties must be willing to negotiate in good faith, and no single interest should be able to dominate the negotiations; and
- (5) The parties cannot have an incentive to stall; therefore, they must believe that the agency itself will issue a rule if consensus is not reached. A statutory requirement that the agency issue some type of rule is often helpful.

The Coast Guard is interested in suggestions for use of negotiated rulemaking to make changes to existing regulations, or where regulations currently under development may be converted to negotiated rulemakings. The Coast Guard is also interested in suggestions of alternative techniques that may facilitate consensual rulemaking where a formal negotiated rulemaking is not appropriate.

The Coast Guard recently undertook a comprehensive review of its regulatory process and has now promulgated a new internal rulemaking instruction. The new instruction embodies certain reforms that are designed to make the Coast Guard's rulemaking process more responsive to public need and more timely.

The Coast Guard has been using expanded opportunities for early public participation before issuing a proposed rule. The Coast Guard has held numerous public meetings on issues of concern that might result in regulations. The purpose of the meetings is to solicit public participation on a wide range of issues such as: (1) Possible non-regulatory alternatives; (2) is a regulatory solution technologically feasible; (3) what regulatory alternatives are available; (4) what are the probable benefits; and (5) what are the probable costs?

The Coast Guard has also been making extensive use of its advisory committees early in the rulemaking process. The advisory committees have a particular expertise and are able to advise the Coast Guard on impacts to the industry and the environment, technological feasibility, alternatives, existence of industry standards, and so on.

Although the resulting rules are not precisely consensual, they result in broad public participation in the rulemaking process. Interested parties discuss concerns and issues with each other and the Coast Guard at informal meetings and workshops where there is considerable give and take among the participants. The Coast Guard has found that this early identification and discussion of issues results in a better crafted proposed rule that is subject to less adverse comment.

The Coast Guard is also being responsive to the public's demand for more timely rulemaking by increasing personnel accountability. Once timelines for major milestones have been approved by the Coast Guard's Marine Safety Council, progress on the rulemaking is closely monitored and delays must be explained. This justification and review process also keeps senior management informed concerning the progress of developing rules. Also, management must review existing resource commitments and agree to provide adequate resources to develop a rule before initiating one.

The public is invited to comment with regard to the use of the negotiated rulemaking process for current Coast Guard rulemaking projects. Comments are also invited on the Coast Guard's participatory rulemaking process.

Attendance at the April 20 meeting is open to the public. Members of the public may make oral presentations during the meeting. Persons wishing to make oral presentations should notify the person listed above under **FOR FURTHER INFORMATION CONTACT** no later than the day before the meeting. Written material may be submitted prior to, during, or after the meeting.

Dated: March 23, 1995.

A.E. Henn,

Vice Admiral, U.S. Coast Guard, Acting Commandant.

[FR Doc. 95-7736 Filed 3-29-95; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 3100

[WO-610-00-4110-2411]

RIN 1004-AC26

Promotion of Development, Reduction of Royalty on Heavy Oil

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau of Land Management (BLM) is issuing this proposed rule to amend the regulations relating to the waiver, suspension, or reduction of rental, royalty, or minimum royalty. This amendment would establish the conditions under which the operators of properties that produce "heavy oil" (crude oil with a gravity of less than 20 degrees) can obtain a reduction in the royalty rate. This action is being taken to encourage the operators of Federal heavy oil leases to place marginal or uneconomical shut-in oil wells back in production, provide an economic incentive to implement enhanced oil recovery projects, and delay the plugging of these wells until the maximum amount of economically recoverable oil can be obtained from the reservoir or field. The BLM believes that this amendment will result in substantial additional revenue for the States and Federal Government, increase the cumulative amount of domestic oil production from existing wells, increase the percentage of oil recovery from presently developed reservoirs, minimize the necessity of drilling new wells with their additional environmental impacts, assist in reducing the national balance of trade deficit, and help promote stability in the jobs and services related to the domestic oil industry.

DATES: Comments should be submitted by May 30, 1995. Comments postmarked after this date may not be considered as part of the decisionmaking process in issuance of a final rule.

ADDRESSES: Comments should be sent to: Director (140), Bureau of Land Management, Room 5555, Main Interior Building, 1849 C Street, N.W., Washington, D.C. 20240. Comments will be available for public review in Room 5555 at the above address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Dr. John W. Bebout, Bureau of Land Management, (202) 452-0340.