

District of Florida 95-118-CR-  
UNGARO-BENAGES

8. Wayne P. Smith, 2333 Big Woods, Edgerly Road, Vinton, LA 70668. Conviction date: October 3, 1995, 22 U.S.C. § 2778 (violation of AECA), *U.S. v. Wayne P. Smith*, U.S. District Court for the Western District of Louisiana, 2:95CR20069-001
9. Erickson Trouillot, 8840 N.W. 23rd Street, Coral Springs, FL. Conviction date: October 29, 1996, 22 U.S.C. § 2778 (violation of AECA), *U.S. v. Erickson Trouillot*, U.S. District Court for the Southern District of Florida, 95-6138-CR-GONZALES(s)

Specific case information may be obtained from the Office of the Clerk for each respective U.S. District Court.

This notice involves a foreign affairs function of the United States encompassed within the meaning of the military and foreign affairs exclusion of the Administrative Procedure Act. Because the exercise of this foreign affairs function is discretionary, it is excluded from review under the Administrative Procedure Act.

Dated: May 11, 1998.

**William J. Lowell,**

*Director, Office of Defense Trade Controls,  
Bureau of Political-Military Affairs, U.S.  
Department of State.*

[FR Doc. 98-14315 Filed 5-29-98; 8:45 am]

BILLING CODE 4710-25-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[USCG-1998-3880]

#### Vessel Traffic Management Measures in the Monterey Bay National Marine Sanctuary; Public Workshop Notice

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of public workshops; request for comments.

**SUMMARY:** The United States Coast Guard (USCG) and the National Oceanic and Atmospheric Administration (NOAA) will hold four Public Workshops to obtain views and comments regarding the need for offshore vessel management in the Monterey Bay National Marine Sanctuary (MBNMS) for the protection of the marine environment.

**DATES:** Public Workshops will be held on the following dates:

June 17, 1998, 7 p.m., Half Moon Bay, CA  
June 18, 1998, 7 p.m., Oakland, CA  
June 29, 1998, 7 p.m., Santa Cruz, CA  
June 30, 1998, 7 p.m., Monterey, CA  
Oral presentations are encouraged to promote an open forum with group

participation, however if interested parties are unable to attend the workshop, written comments will be accepted and should reach the Eleventh Coast Guard District Aids to Navigation and Waterways Management Branch on or before July 14, 1998.

**ADDRESSES:** Public workshops will be held at the following locations:

Half Moon Bay, CA—Ted Adcock Community/Senior Center, 535 Kelly Avenue, Half Moon Bay, CA 94019  
Oakland, CA, Port of Oakland, 2nd Floor Board Room, 530 Water Street, Oakland, CA 94607  
Monterey, CA—Doubletree Hotel at the Intersection of Del Monte Avenue and Alvarado Street, Monterey, CA 93940  
Santa Cruz, CA—Cocoanut Grove Hotel, 400 Beach Street, Santa Cruz, CA 95060

You may mail your comments to the Docket Management Facility, (USCG-1998-3880), U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington DC 20590-0001, or deliver them to room PL-401 on the Plaza level of the Nassif Building at the same address between 10 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

You may also deliver comments or other written materials for inclusion in the public docket to Commander (Pow), Eleventh Coast Guard District, Building 50-6, Coast Guard Island, Alameda, CA 94501; Attn: MBNMS Public Comment, between 7 a.m. and 4 p.m., Monday through Friday, except Federal Holidays. The telephone number is (510) 437-2982.

The Docket Management Facility maintains the public docket for these workshops. Comments and other submitted documents will become part of this docket and will be available for inspection or copying at room PL-401 on the Plaza level of the Nassif Building at the same address between 10 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also access this docket on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** LTJG Kati Sylvester, Waterways Management Officer, Eleventh Coast Guard District, Building 50-6, Coast Guard Island, Alameda, CA 94501. The telephone number is (510) 437-2982.

#### SUPPLEMENTARY INFORMATION:

##### Public Workshop

Public Workshops to discuss the need for Vessel Traffic Management Measures in the Monterey Bay National Marine Sanctuary will be held in the following locations:

- *Half Moon Bay*, 7 p.m., Wednesday June 17, 1998, Ted Adcock Community/

Senior Center, 535 Kelly Avenue, Half Moon Bay, CA.

- *Oakland*, 7 p.m., Thursday, June 18, 1998, Port of Oakland, 2nd Floor Board Room, 530 Water Street, Oakland, CA.

- *Santa Cruz*, 7 p.m., Monday, June 29, 1998, Cocoanut Grove Hotel, 400 Beach Street, Santa Cruz, CA.

- *Monterey*, 7 p.m., Tuesday, June 30, 1998, Doubletree Hotel, intersection of Del Monte Avenue & Alvarado Street, Monterey, CA.

The doors for the public workshops will open at 6:30 p.m. for registration. The workshops will begin at 7 p.m. with a brief presentation. The presentation will cover the steps leading to the workshops, a description of the vessel activity in and near the Sanctuary, an overview of the sensitive Sanctuary resources and their value to the coastal culture and economy, a description of a work group process used by the Coast Guard and NOAA to shape the analysis, and lastly a set of management measures believed to increase Sanctuary resource protection while preserving the economic viability of California ports. Meeting attendees will then be invited to present comments or direct questions to a panel of representatives from a work group assembled by NOAA and the Coast Guard to help frame the issues. We are particularly interested in comments relating to:

- *Distance Off Shore*—Identification of a distance off shore for tankers, tank barges, vessels carrying hazardous materials, and large commercial vessels that would provide adequate protection to the sensitive marine resources of the Sanctuary without imposing undue economic stress to the shipping industry.

- *Traffic Separation Schemes (TSS)*—Implementation of pre-approved adjustments to existing TSSs, including a western rotation of the southern leg of the San Francisco TSS to provide a true north/north alignment and an eighteen miles extension on the western end of the Santa Barbara Channel TSS.

- *Rescue*—Identification of vessels of opportunity available to assist vessels which become disabled during coastal transit.

- *Implementation Mechanisms*—To include Industry Agreements and Recommended Routes approved by the International Maritime Organization (IMO).

- *Reporting Systems*—Voluntary Reporting System, approved by the IMO, to monitor vessel transits along the California coastline via radio call-in points and/or Automated Information System (AIS).

A detailed Information Packet concerning these issues is available for review and copying in the public docket at the address under ADDRESSES or on the internet at <http://dms.dot.gov>, or may be obtained from the Coast Guard Internet Home Page at [www.uscg.mil/pacarea/pm/graphic/mbnms.htm](http://www.uscg.mil/pacarea/pm/graphic/mbnms.htm) or by calling (408) 647-4201 in Monterey, CA or (510) 437-2982 in Oakland, CA.

### Purpose of Workshop

In January of 1997 the USCG and NOAA submitted a *Report to Congress on Regulating Vessel Traffic in the Monterey Bay National Marine Sanctuary*, which was mandated by the National Marine Sanctuaries Program Amendments Act of 1992. In this report, the USCG and NOAA made a commitment to hold public workshops to help formulate a policy concerning the need for vessel management measures in the Sanctuary. These public workshops are designed to realize this goal.

### Sanctuary Background

In September of 1992 the Monterey Bay National Marine Sanctuary (MBNMS) was established in recognition of its dramatic underwater geology and topography, its floral and fauna diversity, its abundant commercial fishery, and its standing as an important research site. The Monterey Bay National Marine Sanctuary is the largest of its kind in the country, and includes over 5,000 square miles of water off the central California Coast. It spans over 350 miles of coastline from Cambria to Rocky Point, and extends as much as fifty-three miles offshore. The Sanctuary supports diverse bird species and several threatened and endangered marine mammals.

### Formation of the Monterey Bay National Marine Sanctuary Vessel Traffic Management Work Group

To better prepare for the public workshops, the Coast Guard and NOAA invited members from industry, conservation, and government groups to participate in the Monterey Bay National Marine Sanctuary Vessel Management work group. Formed as a Panel under the Navigation Safety Advisory Committee (NAVSAC), its purpose was to frame the issues in such a way as to facilitate productive public workshops. The work group will help NOAA and the Coast Guard incorporate the views obtained from the public workshops into a report to NAVSAC containing suggested strategies for increasing Sanctuary protection at reasonable cost to the shipping industry.

NAVSAC will in turn make recommendations to the Coast Guard and NOAA on implementation.

### Sanctuary Resources and Potential Threats

The MBNMS is characterized by a combination of oceanic conditions and undersea topography that provides for a rich and highly productive ecosystem. Six distinct marine habitats can be described in the MBNMS: (1) A submarine canyon habitat (2) a near-shore sublittoral habitat (3) a rocky intertidal habitat (4) a sandy beach intertidal habitat (5) a kelp forest habitat (6) estuaries and sloughs.

Living resources found in the MBNMS include twenty-seven different types of marine mammals including several endangered species, approximately ninety-four bird species, approximately 345 fish species and one of the most diverse populations of invertebrate marine fauna in the world. The proximity of the Monterey submarine canyon to shore allows scientists a unique opportunity to study the land-deep sea interface.

### Current Vessel Traffic Management Procedures

Shipping activity in the Sanctuary includes both U.S. and foreign registered vessels of the following types: Tankers, container ships, bulk carriers, chemical carriers, military vessels, research vessels, cruise ships, tugboats, registered fishing vessels and other types of vessels used for commercial purposes. Altogether, these total about 4,000 vessel transits through the Sanctuary per year. There are no formal vessel routes along the central California coast. However, there are a variety of preventative measures in place to reduce the likelihood of marine accidents. These include an Industry Agreement between tankers carrying Alaskan crude oil and the State of California to transit at least fifty nautical miles offshore; Vessel Traffic Services in San Francisco and Los Angeles/Long Beach; TSS's in the approach to San Francisco Bay and the Santa Barbara Channel; regulatory initiatives relating to vessel construction, equipment, and operating procedures; and the Coast Guard's Prevention Through People and vessel inspection programs.

### Vessel Traffic Work Group Processes and Evaluations

The goal of the Vessel Traffic Management work group was to identify, evaluate, and prioritize strategies for vessel traffic management in the MBNMS. Using public comment from past studies, key components of

vessel traffic management were categorized as Traffic Separation Schemes (TSS), Distance From Shore, Implementation Mechanisms for routing, Reporting, and Response to Disabled Vessels. Each potential strategy was listed under one of the above categories and was individually evaluated by the group in terms of its environmental effectiveness, socio-economic impacts, and institutional feasibility.

Through the systematic evaluation process, a set of vessel routing and management measures emerged as increasing Sanctuary protection without unreasonable cost to industry. These measures are discussed below to help facilitate discussion at the workshops.

### Distance From Shore

One of the work group's challenges was to identify a distance off shore for the implementation of routing measures that would provide adequate protection to the sensitive marine resources of the Sanctuary without imposing undue economic stress to the shipping industry. The following recommended transit distances off shore were derived based on current practice and threat level:

Tankers—Fifty nautical miles  
Barges—Twenty-five nautical miles  
Hazmat Vessels—Twenty-five nautical miles  
LCVs—Off Pigeon Point:

Twelve decimal seven nautical miles (northbound)  
Sixteen nautical miles (southbound)  
Off Point Sur:  
Fifteen nautical miles (northbound)  
Twenty nautical miles (southbound)

A Vessel Drift Rate Analysis was used to help determine a suitable protection level for the Sanctuary by identifying a line along the central coast where a response vessel from a nearby port could arrest the drift of a disabled vessel prior to shore impact during a worst case wind event.

### Implementation Mechanisms for Routing

The minimum transit distances from shore listed above would be implemented by establishing IMO approved Recommended Routes for LCV's. The Recommended Routes would be depicted on National Oceanic Service nautical charts. This system would reduce risk by adding order and predictability to coastwise traffic flow and by virtually eliminating the threat of grounding by a disabled vessel. Tankers would be encouraged to continue their participation in Industry Agreements with Western States Petroleum Association. The Industry Agreements would be strengthened with

Coast Guard involvement. Tank barges would be encouraged to remain 25 nautical miles offshore, in compliance with the Responsible Carriers Program, and standard developed by the American Waterway Operators.

### Reporting

An effective way to monitor vessel transits along the California coastline is through the use of radio call-in points at two key geographical points: Point Sur and Point Arguello.

The work group also supports the implementation of the Automatic Identification System (AIS) for ships currently being developed by the IMO. AIS is an automated electronic vessel position reporting system that transmits a real-time positional information packet to a shore based station such as the Vessel Traffic Service (VTS).

A Near-Miss Reporting system is currently under development at the National level and will help to identify causes of marine accidents and rectify problem areas before accidents occur.

### Traffic Separation Schemes (TSS)

To provide alignment with the recommended routing measures, the Santa Barbara Channel Traffic Separation Scheme will be extended approximately eighteen nautical miles to Point Arguello. The southern leg of the San Francisco TSS would be shifted slightly to the west to provide a true north-south alignment for vessels entering and departing the TSS. These recommended changes to the TSS have been approved by the International Maritime Organization (IMO) and are ready for implementation.

### Response to Disabled Vessels

There is a low but existing risk to the resources of the Sanctuary from a disabled vessel grounding on the rocky shoreline. Timely response from one or more appropriate vessels could make the difference between an environmental disaster and an insignificant event. The work group recommended the development of a vessel response network to enable a shoreside authority to identify and locate vessels willing and able to provide immediate emergency assistance to a disabled vessel.

**Information on Services for Individuals With Disabilities:** For information on facilities or services for individuals with disabilities or to request special assistance at the meetings, contact the person under **FOR FURTHER INFORMATION CONTACT** as soon as possible.

Dated: May 22, 1998.

**R. C. North,**

*Rear Admiral, Coast Guard, Assistant Commandant for Marine, Safety and Environmental Protection.*

[FR Doc. 98-14393 Filed 5-29-98; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### FAA Approval of Noise Compatibility Program and Determination on Revised Noise Exposure Maps Akron-Canton Regional Airport Akron, Ohio

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by Akron-Canton Regional Airport Authority under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR Part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On October 16, 1997, the FAA determined that the noise exposure maps submitted by Akron-Canton Regional Airport Authority under Part 150 were in compliance with applicable requirements. On April 9, 1998, the Associate Administrator for Airports approved the Akron-Canton Regional Airport noise compatibility program.

Most of the recommendations of the program were approved. The Akron-Canton Regional Airport Authority has also requested under FAR Part 150, section 150.35(f), that FAA determine that revised noise exposure maps submitted with the noise compatibility program and showing noise contours as a result of the implementation of the noise compatibility program are in compliance with applicable requirements of FAR Part 150. The FAA announces its determination that the revised noise exposure maps for Akron-Canton Regional Airport for the years submitted with the noise compatibility program, are in compliance with applicable requirements of FAR Part 150 effective May 13, 1998.

**EFFECTIVE DATE:** The effective date of the FAA's approval of the Akron-canton Regional Airport noise compatibility program is April 9, 1998. The effective date of the FAA's determination on the revised noise exposure maps is May 13, 1998.

### FOR FURTHER INFORMATION CONTACT:

Lawrence C. King, program Manager, Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111. Documents reflecting this FAA action may be reviewed at this same location.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA has given its overall approval to the noise compatibility program for Akron-Canton Regional Airport, effective April 9, 1998, and that revised noise exposure maps for 1997-2002 for this same airport are determined to be in compliance with applicable requirements of FAR Part 150.

Under section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport operator for the reduction of existing noncompatible land uses and prevention of additional noncompatible land uses within the area covered by the noise exposure maps. The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with Federal Aviation Regulations (FAR) Part 150 is a local program, not a Federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA's approval or disapproval of FAR Part 150 program recommendations is measured according to the standards expressed in Part 150 and the Act, and is limited to the following determinations:

a. The noise compatibility program was developed in accordance with the provisions and procedures of FAR Part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing noncompatible land uses around the airport and preventing the introduction of additional noncompatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal Government; and