

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket No. 04–106–3]

#### Oriental Fruit Fly; Removal of Quarantined Area

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the Oriental fruit fly regulations by removing a portion of Los Angeles County, CA, from the list of quarantined areas and removing restrictions on the interstate movement of regulated articles from that area. The interim rule was necessary to relieve restrictions that were no longer needed to prevent the spread of the Oriental fruit fly into noninfested areas of the United States.

**DATES:** *Effective Date:* The interim rule became effective on March 1, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Wayne D. Burnett, National Fruit Fly Program Manager, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737–1236; (301) 734–4387.

#### SUPPLEMENTARY INFORMATION:

##### Background

In an interim rule effective on November 9, 2004, and published in the **Federal Register** on November 16, 2004 (69 FR 67041–67042, Docket No. 04–106–1), we amended the Oriental fruit fly regulations contained in 7 CFR 301.93 through 301.93–10 (referred to below as the regulations) by adding a portion of Los Angeles County, CA, to the list of quarantined areas in § 301.93–3(c) and restricting the interstate

movement of regulated articles from that area. The November 2004 interim rule was necessary to prevent the spread of Oriental fruit fly into noninfested areas of the United States.

Comments on the interim rule were required to be received on or before January 18, 2005. We received one comment by that date, from a private citizen. The commenter questioned why an infestation of Oriental fruit fly had been allowed to occur, but did not offer any comments on the action taken in the interim rule; therefore, we are making no changes in response to this comment.

In a second interim rule effective March 1, 2005, and published in the **Federal Register** on March 7, 2005 (70 FR 10861–10862, Docket No. 04–106–2), we amended the Oriental fruit fly regulations by removing the portion of Los Angeles County, CA, from the list of quarantined areas and removing restrictions on the interstate movement of regulated articles from that area. We took this action based on trapping surveys conducted by inspectors of California State and County agencies that showed that the Oriental fruit fly had been eradicated from the quarantined portion of Los Angeles County, CA.

Comments on the interim rule were required to be received on or before May 6, 2005. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rules concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

#### List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

■ Accordingly, we are amending 7 CFR part 301 as follows:

#### PART 301—DOMESTIC QUARANTINE NOTICES

■ Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR part 301 and

that was published at 70 FR 10861–10862 on March 7, 2005.

Done in Washington, DC, this 10th day of February 2006.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 06–1446 Filed 2–15–06; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 157

[Docket No. RM81–19–000]

#### Natural Gas Pipelines; Project Cost and Annual Limits

February 9, 2006.

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Final rule.

**SUMMARY:** Pursuant to the authority delegated by 18 CFR 375.308(x)(1), the Director of the Office of Energy Projects (OEP) computes and publishes the project cost and annual limits for natural gas pipelines blanket construction certificates for each calendar year.

**DATES:** *Effective Date:* January 1, 2006.

**FOR FURTHER INFORMATION CONTACT:** Michael J. McGehee, Chief, Certificates Branch 1, Division of Pipeline Certificates, (202) 502–8962.

#### Publication of Project Cost Limits Under Blanket Certificates

##### Order of the Director, OEP

Section 157.208(d) of the Commission's Regulations provides for project cost limits applicable to construction, acquisition, operation and miscellaneous rearrangement of facilities (Table I) authorized under the blanket certificate procedure (Order No. 234, 19 FERC ¶ 61,216). Section 157.215(a) specifies the calendar year dollar limit which may be expended on underground storage testing and development (Table II) authorized under the blanket certificate. Section 157.208(d) requires that the "limits specified in Tables I and II shall be adjusted each calendar year to reflect the 'GDP implicit price deflator'

published by the Department of Commerce for the previous calendar year.”

Pursuant to § 375.308(x)(1) of the Commission's Regulations, the authority for the publication of such cost limits, as adjusted for inflation, is delegated to the Director of the Office of Energy Projects. The cost limits for calendar year 2006, as published in Table I of § 157.208(d) and Table II of § 157.215(a), are hereby issued.

#### List of Subjects in 18 CFR Part 157

Administrative practice and procedure, Natural Gas, Reporting and recordkeeping requirements.

**J. Mark Robinson,**

*Director, Office of Energy Projects.*

■ Accordingly, 18 CFR part 157 is amended as follows:

#### PART 157—[AMENDED]

■ 1. The authority citation for part 157 continues to read as follows:

**Authority:** 15 U.S.C. 717–717w, 3301–3432; 42 U.S.C. 7101–7352.

■ 2. Table I in § 157.208(d) is revised to read as follows:

#### § 157.208 Construction, acquisition, operation, replacement, and miscellaneous rearrangement of facilities.

\* \* \* \* \*

(d) \* \* \*

TABLE I

Year	Limit	
	Auto. proj. cost limit (Col. 1)	Prior notice proj. cost limit (Col. 2)
1982 .....	\$4,200,000	\$12,000,000
1983 .....	4,500,000	12,800,000
1984 .....	4,700,000	13,300,000
1985 .....	4,900,000	13,800,000
1986 .....	5,100,000	14,300,000
1987 .....	5,200,000	14,700,000
1988 .....	5,400,000	15,100,000
1989 .....	5,600,000	15,600,000
1990 .....	5,800,000	16,000,000
1991 .....	6,000,000	16,700,000
1992 .....	6,200,000	17,300,000
1993 .....	6,400,000	17,700,000
1994 .....	6,600,000	18,100,000
1995 .....	6,700,000	18,400,000
1996 .....	6,900,000	18,800,000
1997 .....	7,000,000	19,200,000
1998 .....	7,100,000	19,600,000
1999 .....	7,200,000	19,800,000
2000 .....	7,300,000	20,200,000
2001 .....	7,400,000	20,600,000
2002 .....	7,500,000	21,000,000
2003 .....	7,600,000	21,200,000
2004 .....	7,800,000	21,600,000
2005 .....	8,000,000	22,000,000
2006 .....	8,200,000	22,700,000

\* \* \* \* \*

■ 3. Table II in § 157.215(a)(5) is revised to read as follows:

#### § 157.215 Underground storage testing and development.

(a) \* \* \*

(5) \* \* \*

TABLE II

Year	Limit
1982 .....	\$2,700,000
1983 .....	2,900,000
1984 .....	3,000,000
1985 .....	3,100,000
1986 .....	3,200,000
1987 .....	3,300,000
1988 .....	3,400,000
1989 .....	3,500,000
1990 .....	3,600,000
1991 .....	3,800,000
1992 .....	3,900,000
1993 .....	4,000,000
1994 .....	4,100,000
1995 .....	4,200,000
1996 .....	4,300,000
1997 .....	4,400,000
1998 .....	4,500,000
1999 .....	4,550,000
2000 .....	4,650,000
2001 .....	4,750,000
2002 .....	4,850,000
2003 .....	4,900,000
2004 .....	5,000,000
2005 .....	5,100,000
2006 .....	5,250,000

\* \* \* \* \*

[FR Doc. 06–1435 Filed 2–15–06; 8:45 am]

BILLING CODE 6717–01–P

#### DEPARTMENT OF THE TREASURY

#### Alcohol and Tobacco Tax and Trade Bureau

#### 27 CFR Part 9

[T.D. TTB–42; Re: Notice No. 32]

RIN 1513–AA90

#### Establishment of the Covelo Viticultural Area (2003R–412P)

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau, Treasury.

**ACTION:** Final rule; Treasury decision.

**SUMMARY:** This Treasury decision establishes the 38,000-acre “Covelo” viticultural area in northern Mendocino County, California, about 150 miles north of San Francisco. We designate viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase.

**EFFECTIVE DATE:** March 20, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Nancy Sutton, Regulations and Rulings

Division, Alcohol and Tobacco Tax and Trade Bureau, 925 Lakeville St., No. 158, Petaluma, California 94952; telephone 415–271–1254.

#### SUPPLEMENTARY INFORMATION:

#### Background on Viticultural Areas

##### TTB Authority

Section 105(e) of the Federal Alcohol Administration Act (the FAA Act, 27 U.S.C. 201 *et seq.*) requires that alcohol beverage labels provide the consumer with adequate information regarding a product's identity and prohibits the use of misleading information on such labels. The FAA Act also authorizes the Secretary of the Treasury to issue regulations to carry out its provisions. The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers these regulations.

Part 4 of the TTB regulations (27 CFR part 4) allows the establishment of definitive viticultural areas and the use of their names as appellations of origin on wine labels and in wine advertisements. Part 9 of the TTB regulations (27 CFR part 9) contains the list of approved viticultural areas.

##### Definition

Section 4.25(e)(1)(i) of the TTB regulations (27 CFR 4.25(e)(1)(i)) defines a viticultural area for American wine as a delimited grape-growing region distinguishable by geographical features, the boundaries of which have been recognized and defined in part 9 of the regulations. These designations allow vintners and consumers to attribute a given quality, reputation, or other characteristic of a wine made from grapes grown in an area to its geographic origin. The establishment of viticultural areas allows vintners to describe more accurately the origin of their wines to consumers and helps consumers to identify wines they may purchase. Establishment of a viticultural area is neither an approval nor an endorsement by TTB of the wine produced in that area.

##### Requirements

Section 4.25(e)(2) of the TTB regulations outlines the procedure for proposing an American viticultural area and provides that any interested party may petition TTB to establish a grape-growing region as a viticultural area. Section 9.3(b) of the TTB regulations requires the petition to include—

- Evidence that the proposed viticultural area is locally and/or nationally known by the name specified in the petition;
- Historical or current evidence that supports setting the boundary of the