

Subpart D—Eligibility Requirements—Combination and Mobile Home Lot Loans

2. Section 201.1511(a)(1) is amended to read as follows:

§ 201.1511 Financing charges.

(a) *Maximum financing charges.* * * *

Subpart E—Eligibility Requirements—Historic Preservation Loans

(1) 17.00 percent per annum.

4. Section 201.1625(a) is amended to read as follows:

§ 201.1625 Financing charges.

(a) *Maximum financing charges.* The maximum permissible financing charge, exclusive of fees and charges as provided by paragraph (b) of this section, which may be directly or indirectly paid to, or collected by the insured in connection with the loan transaction, shall not exceed an 18.50 percent annual rate. No points or discounts of any kind may be assessed or collected in connection with the loan transaction. Finance charges for individual loans shall be made in accordance with tables of calculation issued by the Commissioner.

(Section 9(a), 82 Stat. 113; 12 USC 1709-1; Section 7 of the Department of Housing and Urban Development Act, 42 USC 3534(d))

Issued at Washington, D.C., August 6, 1982.

Philip Abrams,

General Deputy Assistance Secretary for Housing, Deputy Federal Housing Commissioner.

[FR Doc. 82-22188 Filed 8-13-82; 8:45 am]

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DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[T.D. ATF-108; Ref: Notice No. 379]

Paicines Viticultural Area

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule establishes a viticultural area in San Benito County, California to be known as "Paicines." The Bureau of Alcohol, Tobacco and Firearms (ATF) believes the establishment of Paicines as a viticultural area and its subsequent use as an appellation of origin on wine labels and in wine advertisements will allow wineries in the area to better

designate where their wines come from and will enable consumers to better identify the wines from this area.

EFFECTIVE DATE: September 15, 1982.

FOR FURTHER INFORMATION CONTACT: Robert L. White, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226 (202-566-7626).

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37672, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definite viticultural areas. The regulations also allow the name of an approved viticultural area to be used as a appellation of origin on wine labels and in wine advertisements.

On October 2, 1979, ATF published Treasury Decision ATF-60 (44 FR 56692) which added a new Part 9 to 27 CFR, providing for the listing of approved American viticultural areas, the names of which may be used as appellations of origin.

Section 4.25a(e)(1), Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features. Section 4.25a(e)(2) outlines the procedure for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area.

Almaden Vineyards petitioned ATF to establish a viticultural area in San Benito County, California, to be named "Paicines."

In response to this petition, ATF published a notice of proposed rulemaking, Notice No. 379, in the Federal Register on August 6, 1981 (48 FR 40045), proposing the establishment of the Paicines viticultural area.

Historical and Current Evidence of the Name

The name of the area, Paicines, was well documented by the petitioner. After evaluating the petition, ATF believes that the Paicines viticultural area has a unique historical identity and that the name Paicines is the most appropriate name for the area.

Geographical Evidence

In accordance with 27 CFR 4.25a(e)(2), a viticultural area should possess geographical features which distinguish the viticultural features of the area from surrounding areas.

Paicines is located about 17 miles north of Pinnacles National Monument and Park and consists of about 4,500 acres of grape-growing area. On the western side are the Cienega Vineyards

and the Gabilan Mountain Range which separate Paicines from San Lucas and King City. The San Luis Dam and Pacheco are on the northeast side, and new Idria and the Panoche Valley are on the eastern edge. The San Benito River forms a portion of the western boundary and continues on through the vineyards.

The Paicines area is in a wind tunnel of cool ocean air flowing to the San Joaquin Valley. Because of the relative lack of trees adjacent to the vineyard areas, the Paicines area is open to the direct influence of these winds. In the afternoon, Paicines takes advantage of the slight cooling breeze that comes in off the Monterey Valley. At night Paicines is more protected from the evening fog than much of the surrounding area because of its open location. However, during periods of extremely heavy fog, the Paicines area holds the fog longer than much of the nearby area, including Cienega Valley.

Elevation ranges from 500 feet to 1,200 feet above sea level. The average elevation is lower than much of the surrounding area which is closer to the Gabilan Mountain Range. The rainfall pattern in the Paicines area differs greatly from the area surrounding the Gabilan Mountain Range. Due to the greater distance of the Paicines area from the Gabilan Mountains, Paicines often gets less rain than much of the area closer to the Gabilan Mountain Range. Annual rainfall in the Paicines area is between 12 and 15 inches.

During winter the relative humidity in the Paicines area is more than 50 percent most of the time. In spring the relative humidity averages 60 to 75 percent at night and 40 to 50 percent during the day. Summers are quite dry; the average relative humidity in the daytime is about 20 to 25 percent. In fall, readings of 45 to 60 percent are common at night, but during the day readings generally range from 30 to 50 percent. The 10-year average temperature is around 2750 degree-days.

The Paicines area is comprised of various soil associations including Sorrento, Mocho, Clear Lake, Willows, Rincon, Antioch, Diablo, Soper, San Benito and Linne. The various soils in this area are generally well drained, of various depths, and root zones are quite deep. There are some steady alluvial fans and terrace escarpments with rapid runoff.

Boundaries

The boundaries proposed by the petitioner are adopted because they delineate an area which has climatic

and topographic features that distinguish it from surrounding areas.

Comments

No comments were received during the comment period. ATF has received no information from any source indicating opposition to the petition.

Miscellaneous

ATF does not wish to give the impression by approving the Paicines viticultural area that it is approving or endorsing the quality of the wine from this area. ATF is approving this area as being viticulturally distinct from surrounding areas, not better than other areas. By approving the area, wine producers are allowed to claim a distinction on labels and advertisements as to origin of the grapes. Any commercial advantage gained can only come from consumer acceptance of Paicines wines.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) are not applicable to this final rule because this final rule will not have a significant economic impact on a substantial number of small entities. This final rule is not expected to: have significant secondary or incidental effects on a substantial number of small entities; or impose, or otherwise cause, a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Accordingly, it is hereby certified under the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that this final rule will not have a significant economic impact on a substantial number of small entities.

Executive Order 12291

It has been determined that this final regulation is not a "major rule" within the meaning of Executive Order 12291, 46 FR 13193 (1981), because it will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Disclosure

A copy of the petition and appropriate maps with boundaries marked are available for inspection during normal business hours at the following location: ATF Reading Room, Room 4405, Office of Public Affairs and Disclosure, 12th and Pennsylvania Avenue NW., Washington, D.C.

Drafting Information

The principal author of this document is Robert L. White, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. However, personnel in other offices of the Bureau have participated in the preparation of this document, both in matters of substance and style.

List of Subjects in 27 CFR Part 9

Administrative practice and procedure, Consumer protection, Viticultural areas, and Wine.

Authority and Issuance

Accordingly, under the authority contained in section 5 of the Federal Alcohol Administration Act (49 Stat. 981, as amended; 27 U.S.C. 205), 27 CFR Part 9 is amended as follows:

PART 9—AMERICAN VITICULTURAL AREAS

Par. 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to add the title of § 9.39. As amended, the table of sections reads as follows:

Subpart C—Approved American Viticultural Areas

Sec.	
9.39	Paicines.

Par. 2. Subpart C is amended by adding § 9.39. As amended, Subpart C reads as follows:

Subpart C—Approved American Viticultural Areas

§ 9.39 Paicines.

(a) *Name.* The name of the viticultural area described in this section is "Paicines."

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Paicines viticultural area are the three U.S.G.S. maps. They are titled:

- (1) "Tres Pinos Quadrangle, California," 7.5 minute series (1971);
- (2) "Paicines Quadrangle, California," 7.5 minute series (1968); and
- (3) "Cherry Peak Quadrangle, California," 7.5 minute series (1968).

(c) *Boundaries.* The Paicines viticultural area is located in San Benito

County, California. The beginning point is the northwestern-most point of the proposed area at Township 14 South, Range 6 East, Section 3, northwest corner, located on U.S.G.S. map "Tres Pinos Quadrangle."

(1) From the beginning point the boundary runs east along the north border of Sections 3, 2, and 1, Township 14 South, Range 6 East;

(2) Thence south along the east border of Section 1, Township 14 South, Range 6 East; thence east along the north border of Section 7, Township 14 South, Range 7 East; thence south along the east border of Section 7, Township 14 South, Range 7 East;

(3) Thence continuing south along the east border of Section 18, Township 14 South, Range 7 East; thence east along the north border of Section 20, Township 14 South, Range 7 East; thence south along the east border of Sections 20, 29 and 32, Township 14 South, Range 7 East;

(4) Thence continuing south along the east border of Section 5, Township 15 South, Range 7 East; thence south along the east border of Sections 8 and 17, Township 15 South, Range 7 East to latitude line 36°37'30";

(5) Thence west along latitude line 36°37'30" to the west border of Section 18, Township 15 South, Range 7 East;

(6) Thence north along the west border of Sections 18 and 7, Township 15 South, Range 7 East; thence west along the south border of Section 1, Township 15 South, Range 6 East; thence north along the west border of Section 1, Township 15 South, Range 6 East to the 800-foot elevation contour line and then in a generally northwest direction along this 800-foot contour line to where it intersects with the south border of Section 35, Township 14 South, Range 6 East;

(7) Thence west along the south border of Section 35, Township 14 South, Range 6 East; thence north along the east border of Section 34, Township 14 South, Range 6 East; thence in a northwest direction along the northeast border of Section 34, Township 14 South, Range 6 East; thence continuing in a northwest direction along the east border of Section 27, Township 14 South, Range 6 East;

(8) Thence continuing in a northwest direction to the northeast border of Section 22, Township 14 South, Range 6 East to where an unnamed, unimproved dirt road intersects the northeast border; thence east and then northwest along the unimproved dirt road to the intersection with the San Benito River; thence following the San Benito River and meandering north to the intersection

with the east border of Section 4, Township 14 South, Range 6 East;

(9) Thence continuing north along the east border of Section 4, Township 14 South, Range 6 East to the point of beginning.

Signed: July 2, 1982.

Stephen E. Higgins,
Acting Director.

Approved: July 20, 1982.

John M. Walker, Jr.,
Assistant Secretary (Enforcement and Operations).

[FR Doc. 82-22272 Filed 8-13-82; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 110

[CGD 09-82-04]

Special Anchorage Area at Fish Creek Harbor, Fish Creek, WI

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard at the request of the Town Board of Gibraltar, WI is amending the Anchorage Regulations by establishing a Special Anchorage Area in Fish Creek Harbor, Fish Creek, WI.

This Special Anchorage Area has been requested in order to reduce harbor congestion and enhance navigational safety.

Establishment of this Special Anchorage Area will eliminate the necessity for displaying anchor lights on vessels of less than 65 feet in length while anchored within the area.

EFFECTIVE DATE: This amendment becomes effective on August 16, 1982.

FOR FURTHER INFORMATION CONTACT: Ensign Steven J. Boyle, Marine Port and Environmental Safety Branch, Ninth Coast Guard District, 1240 East 9th Street, Cleveland, OH 44199 or phone (216) 522-3918.

SUPPLEMENTARY INFORMATION: On 13 May 1982, the Coast Guard published a notice of proposed rulemaking in the Federal Register for these regulations (47 FR 20633). Interested persons were requested to submit comments, and no comments were received.

Drafting Information: The principal persons involved for drafting this rule were Ensign Steven J. Boyle, Marine Port and Environmental Safety Branch and Lieutenant Commander Arthur R. Butler, Assistant Legal Officer, Ninth Coast Guard District.

Summary of Final Evaluation: An environmental review of the final rule has been performed by the Planning Officer, Ninth Coast Guard District, who determined that the proposed action will have no significant impact. Preparation of an environmental assessment was not required since the action was found to be categorically excluded in accordance with 2-B-3(g) COMDTINST M16475.1A (National Environmental Policy Act). Also, the establishment of such special anchorage is neither a matter on which there is substantial public interest or controversy, nor does it involve impacts on business competition, State or local government, or the regulations of other programs and agencies.

The Town Board of Gibraltar understands and accepts the principle that this mooring area is available for use of the general public. No restrictions on the use by the general public have been established nor contemplated.

This final rule has been reviewed under the provisions of Executive Order 12291 and has been determined not to be a major rule. In addition, this rule is considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 22 May 1980). An economic evaluation has not been conducted since, for the reasons discussed above, its impact is expected to be minimal. In accordance with Section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164), it is also certified that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

PART 110—ANCHORAGE REGULATIONS

In consideration of the foregoing, Part 110 of Title 33 of the Code of Federal Regulations is amended by adding § 110.79c to read as follows:

§ 110.79c Fish Creek Harbor, Fish Creek, WI.

The area of Fish Creek Harbor north of the public swimming beach within the following boundary: Beginning at longitude 87°14'05" and latitude 45°07'44" thence 230°30', 200.00 feet; thence 315°50', 290.000 feet; thence 30°40', 330.00 feet; thence 328°00', 330.00 feet; thence 52°10', 620.00 feet; thence 160°30', 610.00 feet; thence 139°10', 185 feet; thence 226°10', 438.81 feet; thence 270°10', 65.12 feet to point of beginning.

(33 U.S.C. 2071; 49 CFR 1.46(n)(14), 33 CFR 1.05-1(g))

Dated: August 2, 1982.

Henry H. Bell,
Rear Admiral, U.S. Coast Guard, Commander,
Ninth Coast Guard District.

[FR Doc. 82-22263 Filed 8-13-82; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[CGD 82-020]

Fleeting Facilities; Towboat Attendance of Barges

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This document amends the barge fleeting regulations for the lower Mississippi River. It changes the frequency guarding requirement for the person in charge of certain specified towboats on the lower Mississippi River during high water. This revision reflects changes in the vessel bridge-to-bridge communication frequency previously enacted by Federal Communications Commission (FCC) regulations.

EFFECTIVE DATE: This rule becomes effective on August 16, 1982.

FOR FURTHER INFORMATION CONTACT: LT M. W. Brown, Commander, Eighth Coast Guard District (mps), Hale Boggs Federal Bldg., Room 1341, 500 Camp Street, New Orleans, LA 70130, (504) 589-6901; or ENS R. B. Strobbridge, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593, (202) 426-4958.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this rule are Ensign R. B. Strobbridge, Project Manager and Lieutenant Mark Hanlon, Project Attorney, Office of Chief Counsel.

This amendment is editorial in nature. It merely conforms Coast Guard regulations to those of the FCC, which is the agency authorized to prescribe radio frequencies. Affected entities are already utilizing this frequency. Therefore, under 5 U.S.C. 553, good cause exists for omitting notice and comment and making this rule effective immediately.

On August 20, 1979, the bridge-to-bridge communication frequency was changed, at the request of the Coast Guard, from Channel 13 (156.65 MHz) VHF-FM to Channel 67 (156.375 MHz) VHF-FM on the lower Mississippi River from Southwest Pass to mile 242.4, above Head of Passes. The change was promulgated by regulations issued by