



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Silver Spring, Maryland 20910

APR 23 2007

Mr. John Donaldson
2087 Applegate Drive
Corona, California 92882

Dear Mr. Donaldson,

Thank you for your request for correction (RFC) submitted pursuant to Section 515 of Public Law No. 106-554, 114 Stat. 2763 (2000), and the National Oceanic and Atmospheric Administration's (NOAA) Information Quality (IQ) Guidelines. This letter explains how we will respond to your request. The RFC you submitted concerns NOAA's proposed change to the definition of motorized personal watercraft in regulations for the Monterey Bay National Marine Sanctuary (MBNMS) and the utility of several related studies. The NOAA Section 515 Officer received the RFC and accompanying enclosure on March 27, 2007.

Our response to RFCs received on a proposed rulemaking are treated as a comment, as specified in NOAA's IQ Guidelines. The IQ Guidelines state in this regard:

A proper request received concerning information disseminated as part of and during the pendency of the public comment period on a proposed rule, Natural Resource Plan ("plan"), or other action, including a request concerning the information forming the record of decision for such proposed rule, plan, or action, *will be treated as a comment filed on that proposed rulemaking, plan, or action, and will be addressed in issuance of any final rule, plan, or action.*

See NOAA's IQ Guidelines § III.B.6, available at http://www.cio.noaa.gov/itmanagement/IQ_Guidelines_10606.htm (emphasis added) (last visited Apr. 17, 2007).

As you know, on October 6, 2006, NOAA announced in the Federal Register various proposed revisions to NOAA regulations and MBNMS management plan and invited interested parties to submit comments through January 5, 2007. Prior to this deadline, NOAA's National Marine Sanctuary Program (NMSP) received your letter dated December 30, 2006, entitled "Comments on the Monterey Bay National Marine Sanctuary draft management plan." The letter included comments on the Motorized Personal Watercraft Action Plan (a portion of the draft management plan) and on the proposed new regulatory definition, providing even more detail than your RFC.



Although the RFC was received subsequent to the close of the comment period, it does not differ substantively from portions of your December 30, 2006, letter. Consequently, for the purpose of efficiency, and in accordance with Section III.B.6 of the IQ Guidelines, the NMSP will respond to the RFC, along with your earlier comments, as part of the issuance of a final rule. Thank you for your interest in NOAA's programs.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel L. Basta". The signature is fluid and cursive, with a large loop at the beginning and a long horizontal stroke at the end.

Daniel L. Basta
Director
National Marine Sanctuary Program