

electronic bulletin board, to provide up-to-date information on scheduled meetings.

It is anticipated that following the close of the public comment period, the committee would meet briefly to consider the comments received and prepare its final report on any desired modifications in the final rule.

8. Consensus

The goal of the negotiating process is consensus. Generally, consensus means that each interest should concur in the result. The facilitator would mediate the negotiation process.

9. Record of Meetings

In accordance with the FACA requirements, the Coast Guard would keep a record of all committee meetings. The minutes would be placed in the public docket for the rulemaking (CGD09-95-004). Committee meetings would be open to the public, subject to space availability.

10. Committee Protocols

Under the general guidance of the facilitator, and subject to applicable legal requirements, the committee would establish protocols for its meetings.

11. Agency Action on Committee Proposal

The Commander, Ninth Coast Guard District would publish any proposal on which the committee reaches consensus as a NPRM, providing the proposal is consistent with the Coast Guard's statutory authority and Executive Order 12866. If the committee's proposal is modified in any manner, the NPRM would identify the modifications so that the public could distinguish the modifications from the committee's proposal. If the committee does not reach consensus, it shall report on those areas on which agreement was reached.

12. Final Committee Report

The committee will be furnished copies of any comments received on the NPRM and will have an opportunity to meet and consider modifications to its recommendations based on those comments. If consensus can be reached, the committee's final report would recommend a final rule. Commander, Ninth Coast Guard District would then issue the rule amending 33 CFR 117.391, providing it is consistent with Coast Guard authority and Executive Order 12866.

13. Termination

The committee would terminate on the date indicated in its charter

(September 30, 1995) or when it submits its final report to the Coast Guard, whichever is earlier.

14. Failure of the Committee to Reach Consensus

In the event that the committee is unable to reach consensus, the Coast Guard will develop a NPRM or final rule, as appropriate, and publish it in the **Federal Register**. As stated previously, the Coast Guard's goal is to publish a NPRM in July and a final rule by September 14, 1995.

Potential Participants

The committee members should have expertise in the issues under negotiation and should be able to represent adequately their affected interests. The Coast Guard has identified the following as interests affected by the rulemaking: the City of Chicago; boatyards; boaters; and the U.S. Coast Guard. In addition, Chicago business groups and public interest organizations have expressed concern over the operation of the Chicago River bridges. The Coast Guard has initiated discussions with representatives of potential members of the committee, and will continue those overtures, to explain the Reg-Neg process and to determine the likelihood of being able to convene a successful Reg-Neg committee. The Coast Guard is pleased that officials of the City of Chicago have indicated their willingness to participate.

Formation of the committee will allow representatives of all affected interests to participate directly in the rulemaking process. The Coast Guard welcomes comment on the appropriateness of these interests for participation in the negotiation. Suggestions for other potential participants are encouraged, but it is not necessary for every concerned organization to be represented, providing that all affected interests are represented adequately. Further, negotiating sessions will be open to the public who may communicate with committee members. The Coast Guard will ensure that the committee is balanced with respect to the interests represented.

Dated: April 5, 1995.

Rudy K. Peschel,

Rear Admiral, U.S. Coast Guard, Commander, Ninth Coast Guard District.

[FR Doc. 95-8759 Filed 4-6-95; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[CGD13-95-008]

Safety Zone Regulations; Bellingham Bay, Bellingham, WA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to adopt permanent safety zone regulations for the annual Fourth of July Blast Over Bellingham Fireworks Display in Bellingham, Washington. This event is held each year on the Fourth of July on the waters of Bellingham Bay. In the past, the Coast Guard has established a temporary safety zone each year to protect the safety of life on the navigable waters during this event. However, because the event recurs annually, the Coast Guard is proposing to adopt a permanent description of the event and permanent regulations to better inform the boating public.

DATES: Comments must be received on or before June 9, 1995.

ADDRESSES: Comments should be mailed to U.S. Coast Guard Group Seattle, 1519 Alaskan Way So., Seattle, WA 98134. The comments and other materials referenced in this notice will be available for inspection and copying at the above address in Building One, Room 130, Operations Division. Normal office hours are between 7 a.m. and 4 p.m., Monday through Friday, except federal holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: LT Susan Workman, Assistant Operations Officer, U.S. Coast Guard Group Seattle, (Telephone: (206) 217-6009).

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, and arguments. Persons submitting comments should include their names and addresses, identify this notice, specify the section of this notice to which each comment applies, and give the reason for each comment. Two copies of each comment should be provided in an unbound format. All comments should be on paper no larger than 8½ by 11 inches and should be suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of their comments should enclose stamped, self-addressed postcards or envelopes.

The proposed regulations may be changed in light of comments received.

All comments received during the comment period will be considered before final action is taken on this proposal.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the above address. The request should include the reasons why a hearing would be beneficial. If the Coast Guard determines that the opportunity for oral presentation will aid this rulemaking, it will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

Drafting Information

The principal persons involved in drafting this document are LT Susan Workman, Assistant Operations Officer, U.S. Coast Guard Group Seattle, and LCDR John Odell, project attorney, Thirteenth Coast Guard District Legal Office.

Discussion of Proposed Regulation

The Coast Guard is proposing to adopt permanent safety zone regulations for the annual Forth of July Blast Over Bellingham in Bellingham, Washington. This event is held on the waters of Bellingham Bay each year from 9:30 p.m. to 11 p.m. on July fourth. In the past, the Coast Guard has established a temporary safety zone each year to protect the safety of life on the navigable waters during the event. However, because the event recurs annually, the Coast Guard is proposing to adopt a permanent description of the event and permanent regulations in the Code of Federal Regulations (CFR) to better inform the boating public. The Coast Guard, through this action, intends to promote the safety of spectators and participants in this event. The Blast Over Bellingham Fireworks Display is being held as part of the celebration of the Fourth of July Independence Day in Bellingham, Washington. This event is sponsored by the Whatcom County Chamber of Commerce. The fireworks display is conducted from a barge located on the waters of Bellingham Bay, Bellingham, Washington. This one day event attracts a large number of spectators gathered on the waters near the fireworks display. Spectators who approach the fireworks barge at close range during the event may be struck by falling debris from the overhead fireworks display. To promote the safety of both the spectators and participants and to keep spectators away from the fireworks barge during the fireworks display, the proposed regulations would establish a safety zone around the fireworks barge and prohibit entry into the area that surrounds the fireworks barge during the event. This safety zone

will be enforced by representatives of the Captain of the Port Puget Sound, Seattle, Washington. The Captain of the Port may be assisted by other federal agencies.

Regulatory Evaluation

This proposal is not a significant action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979).

The Coast Guard expects the economic impact of this proposal to be so minimal that a full regulatory evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The safety zone established by the proposed regulation would encompass less than a half of one square nautical mile on Bellingham Bay adjacent to Squalicum Harbor. Entry into the safety zone would be restricted for less than three hours on the day of the event. These restrictions would have little effect on maritime commerce in the area.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000. Because it expects the impact of this proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this proposal will have a significant economic impact on your business or organization, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and to what degree this proposal will economically affect it.

Collection of Information

This proposal contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a federalism assessment.

Environment

The Coast Guard considered the environmental impact of this proposed regulation and concluded that, under paragraph 2.B.2 of Commandant Instruction M16475.1B (as revised by 59 FR 38654; July 29, 1994), this proposed regulation is categorically excluded from further environmental documentation. Appropriate environmental analysis of the Blast Over Bellingham Fireworks Display will be conducted in conjunction with the marine event permitting process each year. Any environmental documentation required under the National Environmental Policy Act will be completed prior to the issuance of a marine event permit for this event.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 165 of Title 33, Code of Federal Regulations, as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 160.5; 49 CFR 1.46.

2. A new § 165.1304 is added to read as follows:

§ 165.1304 Bellingham Bay, Bellingham, WA.

(a) *Location.* The following area is a safety zone: All portions of Bellingham Bay bounded by the following coordinates: Latitude 48° 44' 09" N, Longitude 122° 30' 07" W; thence to Latitude 48° 44' 09" N, Longitude 122° 29' 57" W; thence to Latitude 48° 44' 02" N, Longitude 122° 29' 57" W; thence to Latitude 48° 44' 02" N, Longitude 122° 30' 07" W; thence returning to the

origin. This safety zone resembles a square centered around the barge from which the fireworks demonstration will be launched. Floating markers will be placed by the sponsor of the fireworks demonstration to delineate the boundaries of the safety zone.

(b) *Effective dates.* These regulations become effective annually on July fourth from 9:30 p.m. to 11 p.m. unless otherwise specified by **Federal Register** notice.

(c) *Regulation.* In accordance with the general regulations in § 165.23 of this part, entry into this safety zone is prohibited unless authorized by the Captain of the Port, Puget Sound, Seattle, WA.

Dated: March 29, 1995.

R. K. Softye,

Captain, U.S. Coast Guard, Captain of the Port Puget Sound.

[FR Doc. 95-8642 Filed 4-7-95; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[CGD13-95-010]

RIN 2115-AA97

Safety Zone Regulations; Lake Union, Seattle, WA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to adopt permanent safety zone regulations for the annual Fourth of July Fireworks Display on Lake Union, Seattle, Washington. This event is held each year on the Fourth of July on the waters of Lake Union. In the past, the Coast Guard has established a temporary safety zone each year to protect the safety of life on the navigable waters during this event. However, because the event recurs annually, the Coast Guard is proposing to adopt a permanent description of the event and permanent regulations to better inform the boating public.

DATES: Comments must be received on or before June 9, 1995.

ADDRESSES: Comments should be mailed to U.S. Coast Guard Group Seattle, 1519 Alaskan Way So., Seattle, WA 98134. The comments and other materials referenced in this notice will be available for inspection and copying at the above address in Building One, Room 130, Operations Division. Normal office hours are between 7 a.m. and 4 p.m., Monday through Friday, except federal holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT:

LT Susan Workman, Assistant Operations Officer, U.S. Coast Guard Group Seattle, (206) 217-6009.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, and arguments. Persons submitting comments should include their names and addresses, identify this notice, specify the section of this notice to which each comment applies, and give the reason for each comment. Two copies of each comment should be provided in an unbound format on paper no larger than 8½ by 11 inches and should be suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of their comments should enclose stamped, self-addressed postcards or envelopes.

The proposed regulations may be changed in light of comments received. All comments received during the comment period will be considered before final action is taken on this proposal.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the above address. The request should include the reasons why a hearing would be beneficial. If the Coast Guard determines that the opportunity for oral presentation will aid this rulemaking, it will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

Drafting Information

The principal persons involved in drafting this document are LT Susan Workman, Assistant Operations Officer, U.S. Coast Guard Group Seattle, and LCDR John Odell, project attorney, Thirteenth Coast Guard District Legal Office.

Discussion of Proposed Regulation

The Coast Guard is proposing to adopt permanent safety zone regulations for the annual Fourth of July Fireworks Display on Lake Union, Seattle, Washington. This event is held on the waters of Lake Union each year from 9:30 p.m. to 11 p.m. on July fourth. In the past, the Coast Guard has established a temporary safety zone each year surrounding the fireworks barge to protect the safety of life on the navigable waters during the event. However, because the event recurs annually, the Coast Guard is proposing to adopt a permanent description of the event and permanent regulations in the Code of Federal Regulations (CFR) to

better inform the boating public. The Coast Guard, through this action, intends to promote the safety of spectators and participants in this event. The Lake Union Fireworks Display is held annually as part of the celebration for the Fourth of July Independence Day in the Lake Union community. This event is sponsored by One Reel Incorporated. The fireworks display is conducted from a barge located on the waters of Lake Union, Seattle, Washington. This one day event attracts a large number of spectators gathered on the waters near the fireworks display. Spectators who approach the fireworks barge at close range may be struck by falling debris from the overhead fireworks display. To promote the safety of both the spectators and participants and to keep spectators away from the fireworks barge during the fireworks display, the proposed regulations would establish a safety zone and prohibit entry into the area that surrounds the fireworks barge during the event. Under the proposed regulations, the Captain of the Port may establish transit lanes along the east and west shorelines of Lake Union. If established, boaters would be allowed to transit north and south through the safety zone in these lanes. These lanes would remain open until 10 p.m. and then be closed until the conclusion of the fireworks display. This safety zone will be enforced by representatives of the Captain of the Port, Puget Sound, Seattle, Washington. The Captain of the Port may be assisted by other federal agencies.

Regulatory Evaluation

This proposal is not a significant action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979).

The Coast Guard expects the economic impact of this proposal to be so minimal that a full regulatory evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The safety zone established by the proposed regulation would encompass less than eight hundred square yards in the center of Lake Union. Entry into the safety zone around the fireworks barge would be restricted for less than three hours on the day of the event. These restrictions would have little effect on maritime commerce in the area.