

Discussion of Regulations

Super Boat Racing, Inc., is sponsoring a high speed power boat race with approximately thirty-five (35) race boats, ranging in length from 24 to 50 feet, participating in the event. There will be approximately two hundred (200) spectator craft. The race will take place in the Atlantic Ocean 1,000 feet off the Miami Beach shore from Miami Beach Clock Tower to Atlantic Heights. The race boats will be competing at high speeds with numerous spectator craft in the area, creating an extra or unusual hazard in the navigable waterways.

Regulatory Evaluation

This regulation is not a significant regulatory 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. Entry into the regulated area is prohibited for only 5 hours on the day of the event.

Since the impact of this rule is expected to be minimal, the Coast Guard certifies that it will not have a significant economic impact on a substantial number of small entities.

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this action consistent with Section 2.B. of Commandant Instruction M16475.1B. In accordance with that section, this action has been environmentally assessed (EA completed), and the Coast Guard has determined that it will not significantly affect the quality of the human environment. An environmental assessment and finding of no significant impact have been prepared and are available for inspection and copying from the office listed in the "ADDRESSES" section above. As a condition to the permit, the applicant is

required to educate the event participants regarding the possible presence of manatees and the appropriate precautions to take if the animals are sighted.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

Final Regulation

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary section 100.35T07-008 is added to read as follows:

§ 100.35T07-008 City of Miami Beach, FL

(a) Regulated Area:

(1) A regulated area is established by a line joining the following points:

25° 45'.5N, 080° 07'.8W; thence to, 25° 45'.3N, 080° 06'.4W; thence to, 25° 51'.2N, 080° 05'.7W; thence to, 25° 51'.35N, 080° 07'.1W; thence along the shoreline to the starting point.

(2) A spectator area is established in the regulated area for spectator traffic and is defined by a line joining the following points, starting from:

25° 46'.35N, 080° 06'.8W; thence to, 25° 45'.3N, 080° 06'.4W; thence to, 25° 51'.2N, 080° 05'.7W; thence to, 25° 51'.3N, 080° 06'.2W; and back to the starting point.

(3) A buffer zone of 300 feet separates the race course and the spectator areas. [NAD 83]

(b) Special local regulations:

(1) Entry into the regulated area by other than event participants is prohibited unless otherwise authorized by the Patrol Commander. At the completion of scheduled races and departure of participants from the regulated area, traffic may resume normal operations. At the discretion of the Patrol Commander, between scheduled racing events, traffic may be permitted to resume normal operations.

(2) A succession of not fewer than 5 short whistle or horn blasts from a patrol vessel will be the signal for any and all vessels to take immediate steps to avoid collision. The display of an orange distress smoke signal from a patrol vessel will be the signal for any and all vessels to stop immediately.

(3) Spectators are required to maintain a safe distance from the race course at all times.

(c) *Effective dates:* This section is effective on September 10, 1995 at 11:30

a.m. EDT and terminate on 4:30 p.m. EDT that day. In the event of inclement weather, an alternate rain date of September 11, 1995 is established with these same times.

Dated: June 8, 1995.

William P. Leahy,

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

[FR Doc. 95-17492 Filed 7-14-95; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 100

[CGD 05-95-037]

Special Local Regulations for Marine Events; Washington Summer Festival; Tar River, Washington, NC

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

SUMMARY: Special local regulations are being adopted for Washington Summer Festival. This special local regulation is necessary to control vessel traffic in the immediate vicinity of this event. The effect will be to restrict general navigation in the regulated area for the safety of spectators and participants.

EFFECTIVE DATE: This regulation is effective from 1 p.m. to 4 p.m. July 30, 1995.

FOR FURTHER INFORMATION CONTACT: Stephen L. Phillips, Chief, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004 (804) 398-6204, or Commander, Coast Guard Group Fort Macon Operations (919) 247-4545.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for these regulations and good cause exists for making them effective in less than 30 days from the date of publication. Adherence to normal rulemaking procedures would not have been possible. Specifically, the sponsor's application to hold the event was not received in the district office until May 23, 1995, leaving insufficient time to publish a notice of proposed rulemaking in advance of the event.

Drafting Information

The drafters of this notice are QM2 Gregory C. Garrison, project officer, Boating Affairs Branch, Fifth Coast Guard District, and CDR C.A. Abel, project attorney, Fifth Coast Guard District Legal Staff.

Background and Purpose

The Washington Beaufort County Chamber of Commerce submitted an

application to hold the Washington Summer Festival on July 30, 1955, on the Tar River. The event consists of a water ski show involving approximately four ski boats. The boats will make several passes in both directions with different skiing formations.

Discussion of Regulations

These regulations are necessary to control spectator craft and provide for the safety of life and property on navigable waters during the event. Since the main channel will not be closed for an extended period of time, commercial traffic should not be severely disrupted.

Regulatory Evaluation

This proposal is not a significant regulatory 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 fully Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This regulation will only be in effect for three hours, and the impacts on routine navigation are expected to be minimal.

Small Entities

Because it expects the impact of this rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b), that this rule will not have a significant economic impact on a substantial number of small entities.

Federalism Assessment

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the final rule does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this proposal, and consistent with Section 2.B of Commandant Instruction M16475.1B has conducted an environmental assessment of the proposed action, and has determined that the actions to be taken under this regulation will have no significant impact on the environment.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), reporting and recordkeeping requirements, waterways.

Proposed Regulations: In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations is amended as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 1090.35.

2. A temporary Section 100.35-537 is added to read as follows:

§ 100.35T05-037 Tar River, Washington, North Carolina.

(a) *Regulated area:* The waters of the Tar River bounded to the North by the Highway 17 Bridge, center point at latitude 35°32'33" North, longitude 77°03'42" West; and bounded to the South by the Tar River Railroad Bridge, center point at latitude 35°32'08" North, longitude 77°03'12" West. [NAD 83]

(b) *Definitions:* Coast Guard Patrol Commander. The Coast Guard Patrol Commander is any commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Fort Macon to act on his behalf.

(c) *Special Local Regulations:*

(1) Except for participants of Washington Summer Festival and vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area without the permission of the Patrol Commander.

(2) The operator of any vessel in this area shall:

(i) Stop the vessel immediately when directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant or petty officer on board a vessel displaying a Coast Guard ensign.

(d) *Effective dates:* This section is effective from 1 p.m. to 4 p.m. July 30, 1995.

Dated: June 14, 1995.

W.J. Ecker,

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

[FR Doc. 95-17493 Filed 7-14-95; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGD01-95-052]

RIN 2115-AE47

Drawbridge Operation Regulations; Manchester Harbor, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule with request for comments.

SUMMARY: The Coast Guard is temporarily changing the operating regulations that govern the Manchester Amtrak Bridge (formerly the Boston and Maine Railroad Bridge), at mile 1.0 in Manchester, Massachusetts. This change will require the bridge to be crewed for three additional hours each day during the 1995 boating season. This rule is based upon satisfactory experience with a temporary deviation from the operating regulations that was in effect for the 1994 boating season. Comment letters supporting the deviation were received in March 1995, well after the end of the comment period for the deviation had ended in October, 1994. Since those comment letters were received at such a late date, it was not possible to make a permanent change to the regulations in time for the 1995 boating season. The Coast Guard determined that in order to implement desired changes to the operating regulations in time for the 1995 boating season, a temporary final rule would be required, with a comment period ending after the boating season. This change may be proposed as a permanent change as a result of comments received.

EFFECTIVE DATE: This rule is effective from July 17, 1995 through September 30, 1995. Comments must be received on or before October 31, 1995.

ADDRESSES: Comments should be mailed to Commander (obr), First Coast Guard District, Captain John Foster Williams Federal Building, 408 Atlantic Ave., Boston, Massachusetts 02110-3350. Comments also may be hand-delivered to room 628 at the same address between 6:30 a.m. and 3 p.m., Monday through Friday, except federal holidays. The telephone number is (617) 223-8364. The telephone number will become part of this docket and will be available for inspection or copying at the above address.

FOR FURTHER INFORMATION CONTACT: John W. McDonald, Project Officer, Bridge Branch, (617) 223-8364.

SUPPLEMENTARY INFORMATION:

Request for Comments

Interested persons are invited to participate in this rulemaking by