

the swimmers. The time period for the event is dictated by tidal conditions. Subject to Coast Guard approval, the sponsor selects a Saturday in July or August that most closely exhibits low tide 40 minutes after 8 a.m. Spectator craft are authorized to watch the race from any area as long as they remain 200 feet away from any participating swimmer. In emergency situations, provisions may be made to establish safe escort by a Coast Guard or designated Coast Guard vessel for vessels requiring transit within 200 feet of participating swimmers.

The proposed section will be effective annually on a Saturday in July or August, at a specific date and time published in a Coast Guard Notice to Mariners. A rain date may be established and published in a Coast Guard Notice to Mariners.

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 to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the limited duration of the competition, the extensive advisories that will be made to the affected maritime community, and the minimal restrictions which the regulation places on vessel traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "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.

For the reasons discussed in the Regulatory Evaluation, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal will not have a significant economic impact on a substantial number of small entities.

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 proposal under 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 has considered the environmental impacts of this proposal and concluded that, under paragraph 2.B.2.e.34(h) of COMDTINST 16475.1B, (as revised by 59 FR 38654, July 29, 1994) this proposal is a regulation issued in conjunction with an annually issued regatta or marine parade permit and is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

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

Proposed Regulation

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 100 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. Section 100.112, is added to read as follows:

§ 100.112 Swim the Bay, Narragansett, RI.

(a) *Regulated area.* All waters of the East Passage of Narragansett Bay within 200 feet of participating competition swimmers.

(b) *Special local regulations.* (1) The Coast Guard patrol commander may delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated area with a Coast Guard designated escort.

(4) All persons and vessels shall comply with the instructions of the

Coast Guard on-scene patrol commander. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon hearing five or more short blasts from a U.S. Coast Guard vessel, the operator of a vessel shall proceed as directed. Members of the Coast Guard Auxiliary may also be present to inform vessel operators of this regulation and other applicable laws.

(c) *Effective period.* This section is in effect annually on a Saturday in July or August, at a specific date and times published in a Coast Guard Notice to Mariners.

Dated: February 27, 1996.

J.L. Linnon,

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

[FR Doc. 96-6297 Filed 3-19-96; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 100

[CGD07-96-005]

RIN 2115-AE46

Special Local Regulations: Fort Myers Beach Offshore Grand Prix; Fort Myers Beach, FL

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish permanent special local regulations for the Fort Myers Beach Offshore Grand Prix. This event will be held annually during the first Saturday and Sunday of June, between 12 p.m. and 3 p.m. EDT (Eastern Daylight Time). Historically, there have been approximately 170 participant and spectator craft. The resulting congestion of navigable channels creates an extra or unusual hazard in the navigable waters. These proposed regulations are necessary to provide for the safety of life on navigable waters during the event. By establishing these proposed permanent regulations, the Coast Guard expects to give better notice of requirements related to marine events, and also avoid the recurring costs of publication related with temporary regulations. However, the establishment of these proposed permanent regulations would not relieve the event organizers from applying for an annual marine event permit.

DATES: Comments must be received on or before May 20, 1996.

ADDRESSES: Comments may be mailed to U.S. Coast Guard Group St. Petersburg, 600 8th Ave. S.E., St. Petersburg, Florida 33701-5099, or may be delivered to the

operations office at the same address between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (813) 824-7533. Comments will become a part of the public docket and will be available for copying and inspection at the same address.

FOR FURTHER INFORMATION CONTACT: LTJG J.W. Nelson, Coast Guard Group St. Petersburg, FL at (813) 824-7533.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names, addresses, identify the notice (CGD07-96-005) and the specific section of this proposal to which their comments apply, and give reasons for each comment. The Coast Guard will consider all comments received during the comment period. The regulations may be changed in view of the comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal.

No public hearing is planned, but one may be held if written requests for a hearing are received, and it is determined that the opportunity to make oral presentations will add to the rulemaking process.

Discussion of Proposed Regulations

The proposed regulations are needed to provide for the safety of life during the Fort Myers Beach Offshore Grand Prix. These regulations are intended to promote safe navigation on the waters off Fort Myers beach during the races by controlling the traffic entering, exiting, and traveling within these waters. The anticipated concentration of spectator and participant vessels associated with the Grand Prix poses a safety concern, which is addressed in these proposed special local regulations. The proposed regulations would not permit anchoring shoreward of the shoreside legs of the racecourse, from 11 a.m. to 3 p.m. on the first Saturday and Sunday of June. Approximately 75 to 100 spectator craft would be permitted near the race area but would be required to stay clear of the race lanes. The proposed regulations would permit anchoring for spectators seaward of the seaside legs of the racecourse, but only in the designated spectator area defined in paragraph (b) of the proposed regulations. All vessel traffic, not involved with the Fort Myers Beach Offshore Grand Prix, exiting

Matanzas Pass between 11 a.m. and 3 p.m. would exit the marked channel at Matanzas Pass Channel daybeacon #3 (26°25.9' N, 82°58.2' W, LLNR 16365) And #4 (26°26.1' N, 82°57.8' W, LLNR 16370), and would proceed in a southwesterly direction seaward of the designated spectator area defined in paragraph (b) of the proposed regulations, taking action to avoid a close-quarters situation until the vessel finally is past and clear of the racecourse. All vessel traffic, not involved with the Fort Myers Beach Offshore Grand Prix, exiting Big Carlos Pass between 11 a.m. and 3 p.m. would proceed in a southwesterly direction seaward of the designated spectator area defined in paragraph (b) of the proposed regulation, taking action to avoid a close-quarters situation until finally past and clear of the racecourse. All coordinates referenced use datum: NAD 83.

Regulatory Evaluation

This proposal is not a significant regulatory action under Section 3(f) of the Executive Order 12866 and does not require an assessment of the 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 proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The proposed regulation would last for only 4 hours each day of the event.

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 independently owned and operated that are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard finds that this proposal, if adopted, would not have a significant economic impact on a substantial number of small entities.

Collection of Information

These proposed regulations contain no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

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 proposal and has concluded that preparation of an Environmental Impact Statement is not necessary. An Environmental Assessment and Finding of No Significant Impact are available in the docket for inspection or copying where indicated under "ADDRESSES." The Coast Guard has concluded that this proposed action would not significantly affect the quality of the human environment.

List of Subjects in 33 CFR Part 100

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

Proposed Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, the Coast Guard is proposing to amend as follows:

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

PART 100—[AMENDED]

Authority: 33 U.S.C. 1233; 46 CFR 1.46 and 33 CFR 100.35.

2. A new section 100.717 is added to read as follows:

§ 100.717 Fort Myers Beach Offshore Grand Prix; Fort Myers, FL.

(a) *Regulated Area.* The regulated area is formed by a line drawn from the start/finish position, at the Fort Myers Beach Pier (20°28.07' N, 81°58.30' W), thence to position 26°26.08' N, 81°55.29' W, thence to position 26°24.75' N, 81°54.68' W, thence to position 26°23.74' N, 81°55.10' W, thence to position 26°23.91' N, 81°55.40' W, thence to position 26°24.94' N, 81°55.24' W, thence to position 26°26.93' N, 81°58.53' W, thence to position 26°27.32' N, 81°58.16' W, thence back to the start/finish position, at the Fort Myers Beach Pier (26°28.07, 81°58.30' W). All coordinates referenced use datum: NAD 83.

(b) *Special local regulations.*

(1) No vessel may anchor shoreward of the shoreside boundaries of the regulated area, from 11 a.m. to 3 p.m.
(2) Spectator craft would be permitted to anchor seaward of the seaside boundaries of the regulated area, in the

spectator area formed by a line drawn from the position 29°26.54' N, 81°58.12' W, thence to position 28°25.06' N, 81°55.42' W, thence to position 26°24.45' N, 81°55.50' W, thence to position 26°26.54' N, 81°58.30' W, thence back to position 29°26.54' N, 81°58.12' W, and in the spectator area formed by a line drawn from the position 26°25.06' N, 81°54.18' W, thence to position 26°23.47' N, 81°54.00' W, thence to position 25°24.05' N, 81°54.47' W, thence back to position 26°25.06' N, 81°54.18' W.

(3) All vessel traffic, not involved with the Fort Myers Beach Offshore Grand Prix, exiting Matanzas Pass Between 11 a.m. and 3 p.m. would exit the marked channel at Matanzas Pass Channel daybeacon #3 (26°25.9' N, 82°58.2' W, LLNR 16365) and #4 (26°26.1' N, 82°57.8' W, LLNR 16370), and would proceed in a southwesterly direction seaward of the spectator area defined in paragraph (b) of these regulations, taking action to avoid a close-quarters situation until finally past and clear of the racecourse. All coordinates referenced use datum: NAD 83.

(4) All vessel traffic, not involved with the Fort Myers Beach Offshore Grand Prix, exiting Big Carlos Pass between 11 a.m. and 3 p.m. will exit the pass in a southwesterly direction seaward of the spectator area defined in paragraph (b) of these regulations, taking action to avoid a close-quarters situation with the spectator craft until finally past and clear of the racecourse. All coordinates referenced use datum: NAD 83.

(5) Entry into the regulated area shall be in accordance with this regulation. Spectator vessels will stay seaward of the seaside legs of the racecourse at all times in the spectator areas defined in paragraph (b) of these regulations.

(c) *Effective Dates:* This section is effective at 11 a.m. and terminates at 3 p.m. annually during the first Saturday and Sunday of June.

Dated: February 29, 1996.

Roger T. Rufe, Jr.,
Rear Admiral, U.S. Coast Guard, Commander,
Seventh Coast Guard District.
[FR Doc. 96-6542 Filed 3-19-96; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 110

[CGD01-96-012]

RIN 2115-AA98

Special Anchorage Area: Special Anchorage Great Kills Harbor, Staten Island, NY; Special Anchorage Sheepshead Bay, Brooklyn, NY

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend the special anchorage regulations for Great Kills Harbor, Staten Island, New York, and Sheepshead Bay, Brooklyn, New York. Due to a desire to eliminate unnecessary federal procedures, the Coast Guard Captain of the Port New York has decided to no longer issue permits for moorings within these anchorages. The proposed rule would amend these regulations to reflect the Captain of the Port's decision to no longer administer individual recreational mooring locations in the Port of New York.

DATES: Comments must be received on or before May 20, 1996.

ADDRESSES: Comments should be mailed to U.S. Coast Guard Captain of the Port New York, Bldg. 108, Governors Island, New York 10004-5096, Attn: LCDR R. Trabocchi, or be delivered to her at the Planning and Readiness Division, Bldg. 108, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. Comments received, and any documents referenced herein, are available for inspection at this address. Any person wishing to visit this office must contact the Planning and Readiness Division at (212) 668-7906 to obtain advance clearance due to the fact that Governors Island is a military installation with limited access.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander R. Trabocchi, Chief, Planning and Readiness Division, Captain of the Port New York (212) 668-7906.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments.

Persons submitting comments should include their names and addresses, identify this notice (CGD01-96-012) and the specific section of the proposal to which their comments apply, and give reasons for each comment. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments. The Coast Guard plans no public hearing; however, persons may request a public hearing by writing to the Planning and Readiness Division at the address under "ADDRESS". If it is determined that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Background and Purpose

An area designated as a special anchorage allows vessels 65 feet and under to anchor within specified boundaries without exhibiting anchorage lights. Approximately a decade ago, the Captain of the Port New York administered approximately 2,500 mooring locations annually in approximately nine special anchorages. As the size of the boating public grew, the burden of administering these mooring locations became increasingly difficult. Several years ago, Captain of the Port New York discontinued the administration of individual recreational mooring locations in all special anchorages, except for anchorages in Great Kills Harbor and Sheepshead Bay. Due to budget constraints and the Presidential mandate to streamline the federal government, Captain of the Port New York has decided to discontinue entirely the discretionary administrative procedure of issuing permits for mooring locations. This proposal would modify the existing regulations to reflect that anchorage permits are no longer issued by the Coast Guard for Great Kills Harbor and Sheepshead Bay anchorages. Although mooring permits will no longer be issued by the Captain of the Port, vessels may still anchor or use a mooring buoy without displaying lights. Should a State or local agency decide to issue permits in these special anchorages, the Coast Guard will include that information in the final rule.

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