

Dated: September 15, 1998.

**Van Zeck,**

*Commissioner of the Public Debt.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR 100

[CGD08-98-060]

RIN 2115-AE46

#### Special Local Regulations: 2nd Annual Hobbs Island Regatta, Tennessee River Mile 333.5 to 336.5, Huntsville, Alabama

AGENCY: Coast Guard, DOT.

ACTION: Temporary Final Rule.

**SUMMARY:** Special local regulations are being adopted for the 2nd Annual Hobbs Island Regatta. This event will be held on September 26, 1998 from 9:00 a.m. until 4:00 p.m. at the riverfront in Huntsville, AL. These regulations are needed to provide for the safety of life on navigable waters during the event. **DATES:** These regulations are effective from 9 a.m. until 4 p.m. on September 26, 1998.

**FOR FURTHER INFORMATION CONTACT:** LTJG Tom Boyles, Marine Safety Office, Paducah, KY. Tel: (502) 442-1621 ext. 310.

#### SUPPLEMENTARY INFORMATION:

##### Drafting Information

The drafters of this regulation are LTJG Tom Boyles, Project Officer, Marine Safety Office Paducah, and LTJG Michele Woodruff, Project Attorney, Eighth Coast Guard District Legal Office.

##### Regulatory History

In accordance with 5 U.S.C. 553, a notice of proposed rule making for these regulations has not been published, and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rule making procedures would have been impracticable. The details of the event were not finalized with sufficient time remaining to publish proposed rules in advance of the event or to provide for a delayed effective date.

##### Background and Purpose

The marine event requiring this regulation is the 2nd Annual Hobbs Island Regatta. The Rocket City Rowing Club sponsors this event. The event will consist of a three-mile rowing race involving rowing shells of up to 60 feet

in length with nine person crews. The sponsor expects approximately 300 to 350 participants and between 10 and 15 spectator boats. Spectators will be able to view the event from areas designated by the sponsor.

##### Regulatory Evaluation

This rule 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 not been reviewed 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because of the event's short duration.

##### Small Entities

The Coast Guard finds that the impact on small entities, if any, is not substantial. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 et seq) that this temporary rule will not have a significant economic impact on a substantial number of small entities because of the event's short duration.

##### Collection of Information

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

##### Federalism Assessment

The Coast Guard has analyzed this action in accordance with the principles and criteria of Executive Order 12612 and has determined that this 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 rule and concluded that under section 2-1, paragraph (34)(h) of Commandant Instruction M16475.1C this rule is excluded from further environmental documentation.

##### List of Subjects in 33 CFR Part 100

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

##### Temporary 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 of 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 100.35-T09-060 is added to read as follows:

#### § 100.35-T08-060 Tennessee River at Huntsville, Alabama.

(a) *Regulated Area:* A regulated area is established on the Tennessee River between miles 333.5 and 336.5.

(b) *Special Local Regulation:* All persons and/or vessels not registered with the sponsors as participants or official patrol vessels are considered spectators. The "official patrol" consists of any Coast Guard, public, state or local law enforcement and/or sponsor provided vessels assigned to patrol the event.

(1) No spectators shall anchor, block, loiter in, or impede the through transit of participants or official patrol vessels in the regulated area during effective dates and times, unless cleared for such entry by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, a spectator shall come to an immediate stop. Vessels shall comply with all directions given: failure to do so may result in a citation.

(3) The Patrol Commander is empowered to forbid and control the movement of all vessels in the regulated area. The Patrol Commander may terminate the event at any time it is deemed necessary for the protection of life and/or property and can be reached on VHF-FM Channel 16 by using the call sign "PATCOM".

*Effective Date:* These regulations will be effective on September 26, 1998 from 9:00 a.m. until 4:00 p.m.

Dated: September 4, 1998.

**A. L. Gerfin, Jr.,**

*Captain, U.S. Coast Guard,*

*Acting Commander, 8th Coast Guard Dist.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 100

[CGD07-98-008]

RIN 2115-AE46

#### Special Local Regulations; Around Alone Sailboat Race, Charleston, SC

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.