This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment
We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2–1, paragraph (34)(f), of the Instruction. This rule involves the establishment of a temporary safety zone. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 165
Harbors, Marine safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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


2. Add §165.T13–146 to read as follows:


(a) Location. All waters of East Passage encompassed within 900 yards of Browns Point, Washington in position 47°18.354′ N., 122°27.654′ W. (NAD 83).

(b) Regulations. In accordance with the general regulations in 33 CFR Part 165, Subpart C, no vessel operator may enter or remain in the safety zone without the permission of the Captain of the Port or Designated Representative. The Captain of the Port may be assisted by other federal, state, or local agencies with the enforcement of the safety zone. Additionally, any vessel traffic transiting the area shall do so at a speed that minimizes wake in the safety zone.

(c) Authorization. All vessel operators who desire to enter the safety zone must obtain permission from the Captain of the Port or Designated Representative by contacting the South Sound Water Exercise Control on VHF Channel 22 or via telephone at (253) 691–1313. Vessel operators granted permission to enter the zone will be escorted by the on-scene patrol craft until they are outside of the safety zone and may not cause a wake while in the zone.

(d) Enforcement Period. This rule is effective from 7 a.m. until 8 p.m. on June 10, 2010, unless canceled sooner by the Captain of the Port.

Dated: May 27, 2010.

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

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