

TABLE 1 OF T01-0470—Continued

7.10 City of Long Beach Fireworks .....	<ul style="list-style-type: none"> <li>• Date: July 4, 2011.</li> <li>• Time: 8:30 p.m. to 10:30 p.m.</li> <li>• Location: Waters off Riverside Blvd, City of Long Beach, NY in approximate position 40°34'38.77" N, 073°39'41.32" W (NAD 83).</li> </ul>
7.11 Shelter Island Fireworks .....	<ul style="list-style-type: none"> <li>• Date: July 4, 2011.</li> <li>• Time: 8:30 p.m. to 10:30 p.m.</li> <li>• Location: Waters of Gardiner Bay, Shelter Island, NY in approximate position 41°04'39.11" N, 072°22'01.07" W (NAD 83).</li> </ul>
7.12 Point O'Woods Fire Company Summer Fireworks .....	<ul style="list-style-type: none"> <li>• Date: July 3, 2011.</li> <li>• Rain date: July 4, 2011.</li> <li>• Time: 8:30 p.m. to 10:30 p.m.</li> <li>• Location: Waters of the Great South Bay, Point O'Woods, NY in approximate position 40°39'18.57" N, 073°08'5.73" W (NAD 83).</li> </ul>
7.13 South Bay Go 4th on the Bay Davis Park Fireworks .....	<ul style="list-style-type: none"> <li>• Date: July 4, 2011.</li> <li>• Rain date: July 5, 2011.</li> <li>• Time: 8:30 p.m. to 10:30 p.m.</li> <li>• Location: Waters of the Great South Bay, Davis Park, NY in approximate position, 40°41'38.23" N, 073°00'21.54" W (NAD 83).</li> </ul>
7.14 North Bay Go 4th on the Bay Fireworks .....	<ul style="list-style-type: none"> <li>• Date: July 4, 2011.</li> <li>• Rain date: July 5, 2011.</li> <li>• Time: 8:30 p.m. to 10:30 p.m.</li> <li>• Location: Waters of the Great South Bay, Blue Point, NY in approximate position, 40°44'06.28" N, 073°01'02.50" W (NAD 83).</li> </ul>
7.15 Montauk Yacht Club Independence Day Fireworks .....	<ul style="list-style-type: none"> <li>• Date: July 2, 2011.</li> <li>• Rain date: July 3, 2011.</li> <li>• Time: 8:30 p.m. to 10:30 p.m.</li> <li>• Location: Waters of Lake Montauk, Montauk, NY in approximate position, 41°03'58.80" N, 071°55'42.83" W (NAD 83).</li> </ul>
7.16 Clam Shell Fireworks .....	<ul style="list-style-type: none"> <li>• Date: July 16, 2011.</li> <li>• Rain date: July 17, 2011.</li> <li>• Time: 8:30 p.m. to 10:30 p.m.</li> <li>• Location: Waters of Three Mile Harbor, East Hampton, NY in approximate position, 41°01'14.58" N, 072°11'11.38" W (NAD 83).</li> </ul>

Dated: June 3, 2011.

**J.M. Vojvodich,**

*Captain, U. S. Coast Guard, Captain of the Port Sector Long Island Sound.*

[FR Doc. 2011-14828 Filed 6-14-11; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2011-0438]

RIN 1625-AA00

#### Safety Zone; Augusta Southern Nationals Drag Boat Race, Savannah River, Augusta, GA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the waters of the Savannah River in Augusta, Georgia during the Augusta Southern Nationals Drag Boat Race. The

Augusta Southern Nationals Drag Boat Race will consist of a series of high-speed boat races. The event is scheduled to take place from Thursday, July 14, 2011 through Sunday, July 18, 2011. The temporary safety zone is necessary for the safety of race participants, participant vessels, spectators, and the general public during the event. Persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the safety zone unless authorized by the Captain of the Port Savannah or a designated representative.

**DATES:** This rule is effective from 6 a.m. on July 14, 2011 through 8 p.m. on July 18, 2011.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2011-0438 and are available online by going to <http://www.regulations.gov>, inserting USCG-2011-0438 in the "Keyword" box, and then clicking "Search." They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground

Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary final rule, call or e-mail Lieutenant Junior Grade Deidre R. Harrison, Marine Safety Unit Savannah, Coast Guard; telephone 912-652-4353, e-mail [Deidre.R.Harrison@uscg.mil](mailto:Deidre.R.Harrison@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary

to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the Coast Guard did not receive necessary information about the event until May 10, 2011. As a result, the Coast Guard did not have sufficient time to publish an NPRM and to receive public comments prior to the event. Although this event occurs annually, and special local regulations for this event are in the Code of Federal Regulations at 33 CFR 100.701, this year the event host changed the date of the event from the third weekend in July to July 14 through July 17, thereby rendering the special local regulations set forth in 33 CFR 100.701 inapplicable for this year’s event. Any delay in the effective date of this rule would be contrary to the public interest because immediate action is needed to minimize the potential danger to race participants, participant vessels, spectators, and the general public.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date would be contrary to the public interest since immediate action is needed to ensure the safety of the event participants, spectator craft, and other vessels transiting the event area.

#### **Basis and Purpose**

The legal basis for the rule is the Coast Guard’s authority to establish regulated navigation areas and other limited access areas: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

The purpose of the rule is to protect race participants, participant vessels, spectators, and the general public from the hazards associated with the high-speed boat races.

#### **Discussion of Rule**

From July 14, 2011 through July 17, 2011 Augusta Southern Nationals, Inc. is hosting the Augusta Southern Nationals Drag Boat Race, a series of high-speed boat races. The races will take place from 7 a.m. until 7 p.m. If the event is postponed on any of these dates, then the event will also take place on July 18, 2011. The event will be held on the waters of the Savannah River south of Augusta, Georgia. Approximately 125 high-speed power boats will be participating in the races. The high speed of the participant

vessels poses a safety hazard to race participants, participant vessels, spectators, and the general public.

The safety zone encompasses certain waters of the Savannah River in Augusta, Georgia. The safety zone will be enforced daily from 6 a.m. until 8 p.m. on July 14, 2011 through July 17, 2011. If the event is postponed due to inclement weather on any of these dates, then the safety zone will be enforced from 6 a.m. until 8 p.m. on July 18, 2011.

Persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the safety zone unless authorized by the Captain of the Port Savannah or a designated representative. Persons and vessels desiring to enter, transit through, anchor in, or remain within the safety zone may contact the Captain of the Port Savannah by telephone at 912–652–4353, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain within the safety zone is granted by the Captain of the Port Savannah or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Savannah or a designated representative. The Coast Guard will provide notice of the safety zone by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

#### **Regulatory Analyses**

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

#### **Executive Order 12866 and Executive Order 13563**

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

The economic impact of this rule is not significant for the following reasons: (1) The safety zone will be enforced for only 14 hours per day for five days; (2) persons and vessels may still enter, transit through, anchor in, or remain within the safety zone if authorized by the Captain of the Savannah or a designated representative; and (3) the Coast Guard will provide advance

notification of the safety zone to the local maritime community by Local Notice to Mariners and Broadcast Notice to Mariners.

#### **Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

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. This rule may affect the following entities, some of which may be small entities: The owners or operators of vessels intending to enter, transit through, anchor in, or remain within that portion of the Savannah River encompassed within the safety zone from 6 a.m. until 8 p.m. on July 14, 2011 through July 18, 2011. For the reasons discussed in the Executive Order 12866 and Executive Order 13563 section above, this rule will not have a significant economic impact on a substantial number of small entities.

#### **Assistance for Small Entities**

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### **Collection of Information**

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

## Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

## Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or Tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

## Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

## Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

## Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

## Indian Tribal Governments

This rule does not have Tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

## Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That

Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

## Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

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.ID, 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 which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2–1, paragraph (34)(g), of the Instruction. This rule involves the establishment of a temporary safety zone that will be enforced for a total of 56 hours. 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 recordkeeping 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:

**Authority:** 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add a temporary § 165.T07–0438 to read as follows:

### § 165.T07–0438 Safety Zone; Augusta Southern Nationals Drag Boat Race, Savannah River, Augusta, GA.

(a) *Regulated Area.* The following regulated area is a safety zone. All waters of the Savannah River encompassed between 5th Street Bridge, located in approximate position 33°28'36" N, 81°57'25" W, and the Palmetto Parkway Bridge, located in approximate position 33°27'43" N, 81°55'34" W. All coordinates are North American Datum 1983.

(b) *Definition.* The term “designated representative” means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port Savannah in the enforcement of the regulated area.

(c) *Regulations.*

(1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port Savannah or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain within the regulated area may contact the Captain of the Port Savannah by telephone at 912–652–4353, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the Captain of the Port Savannah or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Savannah or a designated representative.

(3) The Coast Guard will provide notice of the regulated area by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Effective Date and Enforcement Periods.* This rule is effective from 6

a.m. on July 14, 2011 through 8 p.m. on July 18, 2011. This rule will be enforced daily from 6 a.m. until 8 p.m. on July 14, 2011 through July 17, 2011. If the event is postponed due to inclement weather on any of these dates, then this rule will be enforced from 6 a.m. until 8 p.m. on July 18, 2011.

Dated: June 7, 2011.

**J.B. Loring,**

*Commander, U.S. Coast Guard, Captain of the Port Savannah.*

[FR Doc. 2011-14826 Filed 6-14-11; 8:45 am]

**BILLING CODE 9110-04-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG-2008-1096]

**Safety Zones: Fireworks Displays in the Captain of the Port Columbia River Zone**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the safety zones in 33 CFR 165.1315 for fireworks displays in the Captain of the Port Zone from May through September 2011. This action is necessary to ensure the safety of the crews onboard the vessels involved in the fireworks displays, the maritime public, and all observers. During the enforcement period for each specific safety zone, no person or vessel may enter or remain in the safety zone without permission of the Captain of the Port, Columbia River or his designated representative.

**DATES:** The regulations in 33 CFR 165.1315 will be enforced as follows:

(1) Portland Rose Festival Fireworks Display, Portland, OR: From 8:30 p.m. until 11:30 p.m. on May 27, 2011.

(2) Tri-City Chamber of Commerce Fireworks Display, Columbia Park, Kennewick, WA: From 8:30 p.m. until 11:30 p.m. on July 4, 2011.

(3) Cedco Inc. Fireworks Display, North Bend, OR: From 8:30 p.m. until 11:30 p.m. on July 3, 2011.

(4) Astoria 4th of July Fireworks, Astoria, OR: From 8:30 p.m. until 11:30 p.m. on July 4, 2011.

(5) Oregon Food Bank Blues Festival Fireworks, Portland, OR: From 8:30 p.m. until 11:30 p.m. on July 4, 2011.

(6) Florence Chamber 4th of July Fireworks Display, Florence, OR: On July 4, 2011 from 9 p.m. to 11 p.m.

(7) Oaks Park July 4th Celebration, Portland, OR: On July 4, 2011 from 9 p.m. to 11 p.m.

(8) Rainier Days Fireworks Celebration, Rainier, OR: On July 9, 2011 from 9 p.m. to 11 p.m.

(9) Ilwaco July 4th Committee Fireworks, Ilwaco, WA: On July 2, 2011 from 9 p.m. to 11 p.m.

(10) Milwaukie Centennial Fireworks Display, Milwaukie, OR: On July 23, 2011 from 9 p.m. to 11 p.m.

(11) Splash Aberdeen Waterfront Festival, Aberdeen, WA: On July 4, 2011 from 9 p.m. to 11 p.m.

(12) Arlington Chamber of Commerce Fireworks Display, Arlington, OR: On July 4, 2011 from 8:30 p.m. to approximately 11:30 p.m.

(13) East County 4th of July Fireworks, Gresham, OR: On July 4, 2011 from 8:30 p.m. to approximately 11:30 p.m.

(14) Port of Cascade Locks July 5th Fireworks Display, Cascade Locks, OR: On July 4, 2011 from 8:30 p.m. to approximately 11:30 p.m.

(15) Astoria Regatta Association Fireworks Display, Astoria, OR: On August 13, 2011 from 8:30 p.m. to approximately 11:30 p.m.

(16) City of Washougal July 4th Fireworks Display, Washougal, WA: On July 4, 2011 from 8:30 p.m. to approximately 11:30 p.m.

(17) City of St. Helens 4th of July Fireworks Display, St. Helens, OR: On July 4, 2011 from approximately 8:30 p.m. to approximately 11:30 p.m.

(18) Waverly Country Club 4th of July Fireworks Display, Milwaukie, OR: On July 4, 2011 from 8:30 p.m. to approximately 11:30 p.m.

(19) Hood River 4th of July, Hood River, OR: On July 4, 2011 from 8:30 p.m. to approximately 11:30 p.m.

(20) Rufus 4th of July Fireworks, Rufus, OR: On July 2, 2011 from 8:30 p.m. to approximately 11:30 p.m.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or e-mail MST1 Jaime Sayers, Waterways Management Division, MSU Portland, Coast Guard; telephone 503-240-9327, e-mail [Jaime.a.Sayers@uscg.mil](mailto:Jaime.a.Sayers@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

The Coast Guard will enforce the safety zone regulation in 33 CFR 165.1315 for fireworks displays in the Columbia River Captain of the Port Zone during the dates and times listed in **DATES**.

Under the provisions of 33 CFR 165.1315 and 33 CFR 165 Subparts C, no person or vessel may enter or remain in the safety zones without permission of the Captain of the Port, Columbia

River or his designated representative. See 33 CFR 165.1315 and 33 CFR 165 subparts C for additional information and prohibitions. Persons or vessels wishing to enter the safety zones may request permission to do so from the on-scene Captain of the Port representative via VHF Channel 16 or 13. The Coast Guard may be assisted by other Federal, State, or local enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 165.1315 and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with notification of this enforcement period via the Local Notice to Mariners.

Dated: June 3, 2011.

**D.E. Kaup,**

*Captain, U.S. Coast Guard Captain of the Port, Columbia River.*

[FR Doc. 2011-14832 Filed 6-14-11; 8:45 am]

**BILLING CODE 9110-04-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG-2010-0939]

**RIN 1625-AA00**

**Safety Zone; M/V DAVY CROCKETT, Columbia River**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The U.S. Coast Guard is extending the enforcement of a safety zone established on the waters of the Columbia River surrounding the M/V DAVY CROCKETT at approximate river mile 117. The original safety zone was established on January 28, 2011. The safety zone is necessary to help ensure the safety of the response workers and maritime public from the hazards associated with ongoing salvage operations involving the M/V DAVY CROCKETT. All persons and vessels are prohibited from entering or remaining in the safety zone unless authorized by the Captain of the Port, Columbia River or his designated representative.

**DATES:** This rule is effective from June 15, 2011 through July 31, 2011. This rule is effective with actual notice for purposes of enforcement on May 23, 2011. This rule will remain in effect through July 31, 2011.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2010-0939 and are available online by going