2. In §122.153, revise paragraph (c) to read as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atlanta, Georgia</td>
<td>Hartsfield-Jackson Atlanta International Airport.</td>
</tr>
<tr>
<td>Austin, Texas</td>
<td>Austin-Bergstrom International Airport.</td>
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<tr>
<td>Chicago, Illinois</td>
<td>O'Hare International Airport.</td>
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<tr>
<td>Dallas, Texas</td>
<td>Dallas/Fort Worth International Airport.</td>
</tr>
<tr>
<td>Fort Lauderdale, Florida</td>
<td>Fort Lauderdale-Hollywood International Airport.</td>
</tr>
<tr>
<td>Fort Myers, Florida</td>
<td>Southwest Florida International Airport.</td>
</tr>
<tr>
<td>Houston, Texas</td>
<td>George Bush Intercontinental Airport.</td>
</tr>
<tr>
<td>Jamaica, New York</td>
<td>John F. Kennedy International Airport.</td>
</tr>
<tr>
<td>Key West, Florida</td>
<td>Key West International Airport.</td>
</tr>
<tr>
<td>Los Angeles, California</td>
<td>Los Angeles International Airport.</td>
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<tr>
<td>Miami, Florida</td>
<td>Miami International Airport.</td>
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<tr>
<td>New Orleans, Louisiana</td>
<td>Louis Armstrong New Orleans International Airport.</td>
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<tr>
<td>Oakland, California</td>
<td>Oakland International Airport.</td>
</tr>
<tr>
<td>Orlando, Florida</td>
<td>Orlando International Airport.</td>
</tr>
<tr>
<td>Pittsburgh, Pennsylvania</td>
<td>Pittsburgh International Airport.</td>
</tr>
<tr>
<td>San Juan, Puerto Rico</td>
<td>San Juan Luis Muñoz Marin International Airport.</td>
</tr>
<tr>
<td>Tampa, Florida</td>
<td>Tampa International Airport.</td>
</tr>
<tr>
<td>West Palm Beach, Florida</td>
<td>Palm Beach International Airport.</td>
</tr>
</tbody>
</table>


David V. Aguilar,
Acting Commissioner, U.S. Customs and Border Protection.

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2011–1176]

RIN 1625–AA08

Special Local Regulations for Marine Events; Potomac River, Charles County, MD

AGENCY: Coast Guard, DHS.

ACTION: Temporary Final rule.

SUMMARY: The Coast Guard is establishing special local regulations during the “Potomac River Sharkfest Swim” amateur swim, a marine event to be held on the waters of the Potomac River on June 2, 2012. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to temporarily restrict vessel traffic in a portion of the Potomac River during the event.

DATES: This rule is effective and will be enforced from 10 a.m. until 2:30 p.m. on June 2, 2012.

ADDRESSES: Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG–2011–1176 and are available online by going to http://www.regulations.gov, inserting USCG–2011–1176 in the "Keyword" box, and then clicking "Search." This material is 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 rule, call or email Mr. Ronald Houck, U.S. Coast Guard Sector Baltimore, MD; telephone 410–576–2674, email Ronald.L.Houck@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

On February 9, 2012, we published a notice of proposed rulemaking (NPRM) entitled “Special Local Regulations for Marine Events; Potomac River, Charles County, MD” in the Federal Register (77 FR 27). We received one comment on the proposed rule. No public meeting was requested, and none was held.

Background and Purpose

On June 2, 2012, Enviro-Sports Productions, Inc. of Stinson Beach, California, will sponsor an amateur swim across the Potomac River between Newburg, Maryland and King George, VA. The event consists of up to 500 swimmers on a course located upriver and parallel to the Governor Harry W. Nice Memorial (US–301) Bridge. The swimmers will be supported by sponsor-provided watercraft. The start will be located along the shore at the Aqua-Land Marina and the finish will be located along the shore at Dahlgren Wayside Park. A portion of the swim course will cross the federal navigation channel. Due to the need for vessel control during the event, the Coast Guard will temporarily restrict vessel traffic in the event area to provide for the safety of participants, spectators and other transiting vessels.

Discussion of Comments and Changes

The Coast Guard received one comment in response to the NPRM. No public meeting was requested and none was held. What follows is a review of, and the Coast Guard’s response to, the issue that was presented by the commenter concerning the proposed regulations.

The commenter, Mr. David R. Horning of EnviroSports, who is the event organizer, stated that after further review of the tidal currents for June 2, 2012, it has been determined that the best time to start the swim event would be between 11:30 a.m. and 12 p.m. (Noon) to get all participants across the Potomac River safely. Furthermore, the timeline in the proposed regulation closing this portion of the Potomac
River should be adjusted to a time from
10 a.m. to 2:30 p.m.
We feel that adjusting the effective
period in the proposed rule as suggested
by the commenter will not adversely
affect waterway users in this portion of
the Potomac River on June 2, 2012.

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

Regulatory Planning and Review
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, Improving
Regulation and Regulatory Review, and
does not require an assessment of
potential costs and benefits under
section 6(a)(3) of Executive Order 12866
or under section 1 of Executive Order
13563. The Office of Management and
Budget has not reviewed it under those
Orders. We expect the economic impact
of this rule to be so minimal that a full
Regulatory Evaluation under the
regulatory policies and procedures of
DHS is unnecessary. Although this
regulation will prevent traffic from
transiting a portion of the Potomac River
during the event, the effect of this
regulation will not be significant due to
the limited duration that the regulated
area will be in effect and the extensive
advances that will be made to the
maritime community via the
Local Notice to Mariners and marine
information broadcasts, so mariners can
adjust their plans accordingly.

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 would affect the following
entities, some of which might be small
entities: The owners or operators of
vessels intending to transit or anchor in
the affected portions of the Potomac
River during the event.

Although this regulation prevents
traffic from transiting a portion of the
Potomac River near the Governor Harry
W. Nice Memorial (US–301) Bridge
during the event, this rule will not have a
significant economic impact on a
substantial number of small entities for
the following reasons. This rule will be
in effect for only a limited period.

Though the regulated area extends
across the entire width of the river,
vessel traffic may be permitted to safely
transit a portion of the regulated area,
but only after all participants have
safely cleared that portion of the
regulated area and when the Coast
Guard Patrol Commander deems it safe
for vessel traffic to do so. All Coast
Guard vessels enforcing this regulated
area can be contacted on marine band
radio VHF–FM channel 16 (156.8 MHz).

Before the enforcement period, we will
issue maritime advisories so mariners
can adjust their plans accordingly.

Assistance for Small Entities
Under section 213(a) of the Small
Business Regulatory Enforcement
Fairness Act of 1996 (Pub. L. 104–121),
in the NPRM we offered to assist small
entities in understanding the rule so
that they could 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
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
3520).

Federalism
A rule has implications for federalism
under Executive Order 13132,
Federalism, if it has a substantial direct
effect on the States, on the relationship
between the national government and
the States, or on the distribution of
power and responsibilities among the
various levels of government. We have
analyzed this rule under that Order and
determined that this rule does not have
implications for federalism.

Protest Activities
The Coast Guard respects the First
Amendment rights of protesters.
Protesters are asked to contact the
person listed in the FOR FURTHER
INFORMATION CONTACT section to
coordinate protest activities so that your
message can be received without
jeopardizing the safety or security of
people, places or vessels.

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.

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
This action is not a “significant
energy action” under Executive Order
13211. Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

Technical Standards
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 M1647.5D, 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)(h), of the Instruction. This rule involves implementation of regulations within 33 CFR part 100 applicable to organized marine events on the navigable waters of the United States that could negatively impact the safety of waterway users and shore side activities in the event area. The category of water activities includes but is not limited to sail boat regattas, boat parades, power boat racing, swimming events, crew racing, canoe and sail board racing. 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 100
Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard temporarily amends 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

§ 100.35T05–1176 Special Local Regulations and Safety Zones; Recurring Events in Northern New England

(a) Regulated area. The following location is a regulated area: All waters of the Potomac River, within lines connecting the following positions: From latitude 38°22′05″ N, longitude 076°59′03″ W, thence to latitude 38°21′30″ N, longitude 077°00′54″ W, and from latitude 38°21′29″ N, longitude 077°00′54″ W to latitude 38°21′45″ N, longitude 076°58′59″ W. All coordinates reference Datum NAD 1983.

(b) Definitions. (1) Coast Guard Patrol Commander means a commissioned, warrant, or petty officer of the U.S. Coast Guard who has been designated by the Commander, Coast Guard Sector Baltimore.

(2) Official Patrol means any vessel assigned or approved by Commander, Coast Guard Sector Baltimore with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(c) Special local regulations. (1) The Coast Guard Patrol Commander may forbid and control the movement of all vessels and persons in the regulated area. When hailed or signaled by an official patrol vessel, a vessel or person in the regulated area shall immediately comply with the directions given. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(2) All Coast Guard vessels enforcing this regulated area can be contacted at telephone number 410–576–2693 or on marine band radio VHF–FM channel 16 (156.8 MHz).

(3) The Coast Guard will publish a notice in the Fifth Coast Guard District Local Notice to Mariners and issue a marine information broadcast on VHF–FM marine band radio announcing specific event date and times.

(d) Enforcement period. This section will be enforced from 10 a.m. to 2:30 p.m. on June 2, 2012.

Mark P. O’Malley,
Captain, U.S. Coast Guard, Captain of the Port Baltimore.

[FR Doc. 2012–9518 Filed 4–19–12; 8:45 am]
BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 100 and 165

[Docket No. USCG–2011–1023]

RIN 1625–AA08; AA00

Special Local Regulations and Safety Zones; Recurring Events in Northern New England

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is updating special local regulations and permanent safety zones in the Coast Guard Captain of the Port (COTP) Northern New England Zone for annual recurring marine events. When these special local regulations or safety zones are activated, and subject to enforcement, this rule will restrict vessels from portions of water areas during these annual recurring events. The revised special local regulations and safety zones will expedite public notification of events, and ensure the protection of the maritime public and event participants from the hazards associated with these annual recurring events.

DATES: This rule is effective May 21, 2012.

This rule will be enforced during dates and times specified in the Tables to §§ 100.120 and 165.171.

ADDRESSES: Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG–2011–1023 and are available online by going to http://www.regulations.gov, inserting USCG–2011–1023 in the “Keyword” box, and then clicking “Search.” This material is 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 rule, call or email Lieutenant Junior Grade Terence Leahy, Waterways Management Division at Coast Guard Sector Northern New England, telephone 207–767–0398, email Terence.O.Leahy@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

On Tuesday, December 27, 2011, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled “Special Local Regulations and Safety Zones; Recurring Events in Northern New England” in the Federal Register (Vol. 76 No. 248). We received no comments or requests for a public meeting on the proposed rule.

Basis and Purpose