

#### D. Federalism and Indian Tribal Governments

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 have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, 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. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

#### E. 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 (adjusted for inflation) 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.

#### F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01 and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that 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 involves a 250

yard safety zone around the Mackinac Bridge. It is categorically excluded from further review under paragraph L60(a) in Table 3–1 of U.S. Coast Guard Environmental Planning Implementing Procedures 5090.1. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

#### G. 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.

#### 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:** 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

- 2. Add § 165.T09–0624 to read as follows:

#### § 165.T09–0624 Safety Zone; Straits of Mackinac Swim Event, MI.

(a) *Location.* The following area is a safety zone: All navigable waters, from top to bottom, within 250 yards of the Mackinac Bridge in the Straits of Mackinac.

(b) *Effective and enforcement period.* This section will be enforced from 7 a.m. to 11 a.m. on August 11, 2019.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, hail the COTP's representative on an appropriate VHF channel. Those in the

safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

Dated: July 22, 2019.

**P.S. Nelson,**

*Captain, U.S. Coast Guard, Captain of the Port Sault Sainte Marie.*

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**BILLING CODE 9110–04–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2019–0625]

#### Safety Zones; Recurring Safety Zones in Captain of the Port Sault Sainte Marie Zone for Events Beginning in Late July 2019

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce established safety zones for maritime events starting in late July 2019 to provide for the safety of life on navigable waterways. Our regulation for safety zones within the Captain of the Port Sault Sainte Marie Zone identifies the regulated area for these safety zones. During the enforcement periods, vessels must stay out of the established safety zone and may only enter with permission from the designated representative of the Captain of the Port Sault Sainte Marie.

**DATES:** The regulations in 33 CFR 165.918 will be enforced for the safety zones identified in Table 1 of the **SUPPLEMENTARY INFORMATION** section of this document for the dates and times specified.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this publication, call or email LT Sean Murphy, Waterways Management, Coast Guard Sector Sault Sainte Marie, U.S. Coast Guard; telephone 906–635–3223, email [Sean.V.Murphy@uscg.mil](mailto:Sean.V.Murphy@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zones in 33 CFR 165.918 as per the time, dates, and locations in Table 1.

TABLE 1  
[Datum NAD 1983]

Event	Location	Event date
(1) Charlevoix Venetian Festival Friday Night Fireworks; Charlevoix, MI.	All U.S. navigable waters of Lake Charlevoix, in the vicinity of Depot Beach, within the arc of a circle with an approximate 1200-foot radius from the fireworks launch site located on a barge in position 45°19'08" N, 085°14'18" W.	July 26, 2019 from 9:30 p.m. to 11 p.m.
(2) Charlevoix Venetian Saturday Night Fireworks; Charlevoix, MI.	All U.S. navigable waters of Round Lake within the arc of a circle with an approximate 250-foot radius from the fireworks launch site located on a barge in position 45°19'03" N, 085°15'18" W.	July 27, 2019 from 9:30 p.m. to 11 p.m.
(3) Elk Rapids Harbor Days Fireworks; Elk Rapids, MI.	All U.S. navigable waters within the arc of a circle with an approximate 350-foot radius from the fireworks launch site located on a barge in position 44°54'6.95" N, 85°25'3.11" W.	August 3, 2019 from 9:30 p.m. to 10:30 p.m.
(4) Nautical City Fireworks; Rogers City.	All U.S. navigable waters within the arc of a circle with an approximate 560-foot radius from the fireworks launch site located near Harbor View Road in position 45°25'04.72" N, 83°47'51.21" W.	August 4, 2019 from 9:30 p.m. to 10:30 p.m. Rain date August 11, 2019 from 9:30 p.m. to 10:30 p.m.

This action is being taken to provide for the safety of life on navigable waterways during the fireworks displays. The regulations for safety zones within the Captain of the Port Sault Sainte Marie Zone, § 165.918, apply for these fireworks displays.

This notice of enforcement is issued under authority of 33 CFR 165.918 and 5 U.S.C. 552(a). In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via Broadcast Notice to Mariners or Local Notice to Mariners. If the Captain of the Port Sault Sainte Marie determines that the safety zone need not be enforced for the full duration stated in this notice of enforcement he or she may use a Broadcast Notice to Mariners to grant general permission to enter the respective safety zone.

Dated: July 22, 2019.

**P.S. Nelson,**

*Captain, U.S. Coast Guard, Captain of the Port Sault Sainte Marie.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG-2019-0593]

**Safety Zone; Recurring Events in Captain of the Port Duluth Zone—Superior Man Triathlon**

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce the safety zone regulation for the

Superior Man Triathlon event in Duluth, MN from 5:30 a.m. through 8:30 a.m. on August 10, 2019. This action is necessary to protect participants and spectators during the event. During the enforcement period, entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth or his or her designated on-scene representative.

**DATES:** The regulations in Table 1 to 33 CFR 165.94, item (11), will be enforced from 5:30 a.m. through 8:30 a.m. on August 10, 2019.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this document, call or email LT Abbie Lyons, Chief of Waterways Management, Coast Guard; telephone (218) 725-3818, email [DuluthWWM@uscg.mil](mailto:DuluthWWM@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone regulation for the annual Superior Man Triathlon event in 33 CFR 165.943, Table 1, item (11), from 5:30 a.m. through 8:30 a.m. on August 10, 2019 on all waters of the Duluth Harbor Basin, Northern Section in Duluth, MN within an imaginary line created by the following coordinates: 46°46'36" N, 092°06'06" W, moving southeast to 46°46'32" N, 092°06'01" W, then moving northeast to 46°46'45" N, 092°05'45" W, then moving northwest to 46°46'49" N, 092°05'49" W, and finally returning to the starting position.

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth or his or her designated on-scene representative. The Captain of the Port Duluth or his or her on-scene representative may be contacted via VHF Channel 16.

This document is issued under authority of 33 CFR 165.943 and 5 U.S.C. 552(a). In addition to this

publication in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of the enforcement of this safety zone via Broadcast Notice to Mariners.

Dated: July 22, 2019.

**F.M. Smith,**

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

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R04-OAR-2017-0758; FRL-9996-92-Region 4]

**Air Plan Approval; Kentucky: Jefferson County Definitions and Federally Enforceable District Origin Operating Permits**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving State Implementation Plan (SIP) revisions submitted under cover letters dated December 21, 2016, and August 25, 2017, by the Commonwealth of Kentucky, through the Energy and Environment Cabinet (Cabinet). The SIP revisions were submitted by the Cabinet on behalf of the Louisville Metro Air Pollution Control District (LMAPCD or District) and make amendments to Jefferson County's regulations regarding definitions and the federally enforceable district origin operating permit (FEDOOP) program. EPA is approving the revisions modifying these regulations because the Agency believes