

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 safety zone lasting only one hour on September 28, 2019 and will prohibit entry through a fireworks display. It is categorically excluded from further review under paragraph L60(a) in Table 3-1 of U.S. Coast Guard Environmental Planning Implementing Procedures. 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 call or email 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, 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.T08-0760 to read as follows:

§ 165.T08-0760 Safety Zone; Lake of the Ozarks, Lake Ozark, MO.

(a) *Location.* The following area is a safety zone: Navigable waters within 300 feet of a fireworks barge on the Lake of the Ozarks near mile marker 7.0.

(b) *Period of Enforcement.* This section will be enforced from 9:30 p.m. through 10:30 p.m. on September 28, 2019.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Upper Mississippi River (COTP) or designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of USCG Sector Upper Mississippi River.

(2) Vessels requiring entry into this safety zone must request permission from the COTP or a designated representative. To seek entry into the safety zone, contact the COTP or the representative by telephone at 314-269-2332.

(3) Persons and vessels permitted to enter this safety zone must transit at their slowest safe speed and comply with all lawful directions issued by the COTP or the designated representative.

(d) *Information broadcasts.* The COTP or a designated representative will inform the public of the enforcement dates and times for this safety zone, as well as any emergent safety concerns that may delay the enforcement of the zone, through Local Notices to Mariners (LNM) and/or Marine Safety Information Bulletins (MSIB) as appropriate.

Dated: September 11, 2019.

R.M. Scott,
Commander, U.S. Coast Guard, Acting Captain of the Port Sector Upper Mississippi River.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2019-0667]

Safety Zones; Annual Events in the Captain of the Port Buffalo Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zone for the Head of the Cuyahoga Regatta located in the federal regulations for Annual Events in the Captain of the Port Buffalo zone. This action is necessary and intended to protect the safety of life and property on navigable waters prior to, during, and immediately after this event. During the enforcement period, no person or vessel may enter the safety zone without the

permission of the Captain of the Port Buffalo.

DATES: The regulations in 33 CFR 165.939(d)(3) will be enforced from 7 a.m. through 5 p.m. on September 21, 2019.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, contact LT William Fitzgerald, Chief of Waterways Management, U.S. Coast Guard MSU Cleveland, via telephone at 216-937-0124 or email *D09-SMB-MSUCleveland-WWM@uscg.mil*.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zone for the Head of the Cuyahoga Regatta as listed in 33 CFR 165.939(d)(3) from 7 a.m. through 5 p.m. on September 21, 2019.

Pursuant to 33 CFR 165.23, entry into, transiting, or anchoring within the safety zones during an enforcement period is prohibited unless authorized by the Captain of the Port Buffalo or a designated representative. Those seeking permission to enter the safety zones may request permission from the Captain of Port Buffalo via channel 16, VHF-FM. Vessels and persons granted permission to enter the safety zones shall obey the directions of the Captain of the Port Buffalo or a designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

This notice of enforcement is issued under authority of 33 CFR 165.939 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 Buffalo determines that the safety zone need not be enforced for the full duration stated in this notice she may use a Broadcast Notice to Mariners to grant general permission to enter the respective safety zone.

Dated: August 29, 2019.

L.M. Littlejohn,
Captain, U.S. Coast Guard, Captain of the Port Buffalo.

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