§ 9.279 Virginia Peninsula AVA.

2. Add § 9.279 to subpart C to read as follows:

3. The authority citation for part 9 continues to read as follows:


Subpart C—Approved American Viticultural Areas

2. Add § 9.279 to subpart C to read as follows:

§ 9.279 Virginia Peninsula AVA.

(a) Name. The name of the viticultural area described in this section is "Virginia Peninsula". For purposes of part 4 of this chapter, "Virginia Peninsula" is a term of viticultural significance.

(b) Approved maps. The 5 United States Geological Survey (USGS) 1:100,000 scale topographic maps used to determine the boundary of the Virginia Peninsula viticultural area are titled:

1. Norfolk, Virginia-North Carolina; 1985;
2. Petersburg, Virginia; 1984;
3. Richmond, Virginia; 1984;
4. Tappahannock, Virginia-Maryland; 1984; and

(c) Boundary. The Virginia Peninsula viticultural area is located in James City, York, New Kent, and Charles City Counties, Virginia, as well as the independent Virginia cities of Poquoson, Hampton, Newport News, and Williamsburg. The boundary of the Virginia Peninsula viticultural area is as described below:

1. The beginning point is on the Norfolk, Virginia-North Carolina map at the intersection of the Newport News City boundary and the James River Bridge. From the beginning point, proceed northwesterly along the Newport News City boundary to the point in the James River where the city boundary becomes concurrent with the James City County boundary; then
2. Proceed northwesterly along the James City County boundary to the point where it becomes concurrent with the Charles City County boundary; then
3. Proceed along the Charles City County boundary, crossing onto the Petersburg, Virginia, map and continuing along the Charles City County boundary to the point where it intersects the Henrico County boundary at Turkey Island Creek; then
4. Proceed north-northeasterly along the concurrent Henrico County-Charles City County boundary to its intersection with the Chickahominy River, which is concurrent with the New Kent County boundary; then
5. Proceed northwesterly along the Chickahominy River-New Kent County boundary, crossing onto the Richmond, Virginia, map to its intersection with the Hanover County boundary; then
6. Proceed northeasterly along the Hanover County-New Kent County boundary to its intersection with the King William County boundary at the Pamunkey River; then
7. Proceed southeasterly along the King William County-New Kent County boundary, crossing onto the Tappahannock, Virginia-Maryland map, to the intersection of the concurrent county boundary with the York River; then
8. Proceed southeasterly along the York River, crossing onto the Williamsburg, Virginia, map, to the intersection of the river with the Chesapeake Bay north of Tide Point; then
9. Proceed southeast in a straight line to the shoreline of Marsh Point; then
10. Proceed southeasterly, then southwesterly along the shoreline to the Hampton Roads Bridge-Tunnel; then
11. Proceed southwest in a straight line, crossing onto the Norfolk, Virginia-North Carolina map, to the northeastern terminus of the Hampton City boundary; then
12. Proceed southwesterly along the Hampton City boundary to the point where it intersects with the Newport News City boundary; then
13. Proceed southwesterly along the Newport News City boundary, returning to the beginning point.

Signed: June 9, 2021.

Mary G. Ryan, Administrator.

Approved: June 11, 2021.

Timothy E. Skud, Deputy Assistant Secretary (Tax, Trade, and Tariff Policy).

[FR Doc. 2021–18209 Filed 8–24–21; 8:45 am]

BILLING CODE 4610–31–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2021–0638]

RIN 1625–AA00

Safety Zone; Monongahela River, Miles 5.8–6.3, Pittsburgh, PA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for all navigable waters of the Monongahela River from Mile 5.8 to Mile 6.3. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by a fireworks display. Entry of vessels or persons into this zone is prohibited unless specifically authorized by Captain of the Port Marine Safety Unit Pittsburgh.

DATES: This rule is effective from 10:30 p.m. through 11:30 p.m. on September 10, 2021.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to https://www.regulations.gov, type USCG–2021–0638 in the search box and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email MST2 David Deaton, Marine Safety Unit Pittsburgh, U.S. Coast Guard, at telephone 412–221–0807 ext 226, email David.M.Deaton@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
II. Background Information and Regulatory History

The Coast Guard is issuing this temporary 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 it is impracticable. The safety zone must be established by September 10, 2021 and we lack sufficient time to provide a reasonable comment period and then consider those comments before issuing this rule. The NPRM process would delay the establishment of the safety zones until after the scheduled date for the fireworks.

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 of this rule would be impracticable because this action is necessary to ensure the safety of vessels and persons during the fireworks display on September 10, 2021.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port Marine Safety Unit Pittsburgh (COTP) has determined that a safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created from a land-based firework display.

IV. Discussion of the Rule

This rule establishes a safety zone on September 10, 2021, from 10:30 p.m. through 11:30 p.m. The safety zone will cover all navigable waters on the Monongahela River from Mile 5.8 to Mile 6.3. The duration of the safety zone is intended to protect personnel, vessels, and the marine environment from potential hazards created by a firework display. No vessel or person is permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard (USCG) assigned to units under the operational control of the COTP. To seek permission to enter, contact the COTP or a designated representative via VHF–FM channel 16, or through Marine Safety Unit Pittsburgh at 412–221–0807. Persons and vessels permitted to enter the safety zone must comply with all lawful orders or directions issued by the COTP or designated representative. The COTP or a designated representative will inform the public of the effective period for the safety zone as well as any changes in the dates and times of enforcement through Local Notice to Mariners (LNMs), Broadcast Notices to Mariners (BNMs), and/or Marine Safety Information Bulletins (MSIBs), as appropriate.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, and duration of the temporary safety zone. This safety zone impacts only a 0.5 mile stretch of the Monongahela River for a short amount of time of one hour on one evening. Vessel traffic will be informed about the safety zone through local notices to mariners. Moreover, the Coast Guard will issue LNMs, MSIBs, and BNM via VHF–FM marine channel 16 about the zone and the rule allows vessels to seek permission from the COTP to transit the zone.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. 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.

While some owners or operators of vessels intending to transit the temporary safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the FOR FURTHER INFORMATION CONTACT section.

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.

C. Collection of Information

This will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

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.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act
of 1995 (2 U.S.C. 1531–1536) requires
Federal agencies to assess the effects of
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, Rev. 1, associated
implementing instructions, and
Environmental Planning COMDINST
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 one hour that will prohibit
entry on the Monongahela River from
mile 5.8 to mile 6.3. It is categorically
excluded from environmental. This rule involves a safety

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. 00170.1, Revision No. 01.2.

2. Add §165.T08–0638 to read as follows:

§165.T08–0638 Safety Zone; Monongahela
River, Miles 5.8–6.3, Pittsburgh, PA

(a) Location. The following area is a
temporary safety zone: All navigable
waters of the Monongahela River from
mile 5.8 to Mile 6.3.

(b) Effective period. This section is
effective from 10:30 p.m. through 11:30
p.m. on September 10, 2021.

(c) Regulations. (1) In accordance with
the general regulations in §165.23, entry
of persons and vessels into this zone is
prohibited unless authorized by the
Captain of the Port Marine Safety Unit
Pittsburgh (COTP) or a designated
representative.

(2) Persons or vessels requiring entry
into or passage through the zone must
request permission from the COTP or a
designated representative. The COTP’s
representative may be contacted at 412–
221–0807.

(3) All persons and vessels shall
comply with the instructions of the
COTP or a designated representative.
Designated COTP representatives
include United States Coast Guard
commissioned, warrant, and petty
officer.

(d) Information broadcasts. The
Captain COTP or a designated
representative will inform the public
through Local Notice to Mariners
(LNMs), Broadcast Notices to Mariners
(BNMs), and/or Marine Safety
Information Bulletins (MSIBs), as
appropriate.


Eric J. Velez,
Commander, U.S. Coast Guard, Captain of
the Port Marine Safety Unit Pittsburgh.

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND
SECURITY

Coast Guard
33 CFR Part 165

[Docket Number USCG–2021–0414]
RIN 1625–AA00

Safety Zone; M/V ZHEN HUA 24, Crane
Delivery Operation, Chesapeake Bay
and Patapsco River, Baltimore, MD
AGENCY: Coast Guard, DHS.
ACTION: Temporary final rule.

SUMMARY: The Coast Guard is
establishing a temporary safety zone for
certain waters of the Chesapeake Bay
and Patapsco River. This action is
necessary to provide for the safety of life
on these navigable waters during the
movement of the M/V ZHEN HUA 24
while it is transporting four new Super-
Post Panamax container cranes to the
Port of Baltimore. M/V ZHEN HUA 24 is
anticipated to arrive between August
26, 2021 and September 15, 2021. This
rulemaking will prohibit persons and
vessels from being in the safety zone
unless authorized by the Captain of the
Port Maryland-National Capital Region or
a designated representative.

DATES: This rule is effective from
August 26, 2021, to September 15, 2021.

ADDRESSES: To view documents
mentioned in this preamble as being
available in the docket, go to https://
www.regulations.gov, type USCG–2021–
0414 in the “SEARCH” box and click
“SEARCH.” Next, in the Document
Type column, select “Supporting &
Related Material.”

FOR FURTHER INFORMATION CONTACT: If
you have questions on this rule, call or
email MST3 Melissa Kelly, Sector
Maryland-NCR, Waterways Management
Division, U.S. Coast Guard: telephone
(410) 576–2596, Melissa.C.Kelly@
uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section

II. Background Information and
Regulatory History

On June 28, 2021, Ports America
Chesapeake, LLC notified the Coast
Guard that the M/V ZHEN HUA 24 will be
transporting four new Super-Post
Panamax container cranes to the Port of