

the affected public because a NPRM was published two months prior to the event and the event is a longstanding, popular tradition in the local area.

#### Discussion of Rule

The Coast Guard is establishing a special local regulation on specified waters of Deer Island Thoroughfare, Stonington, ME. The regulated area will be closed to all traffic from 10 a.m. to 4 p.m. on July 22, and thereafter annually on the third or fourth Saturday in July, at the same prescribed times. In emergency situations, provisions will be made to establish safe escort by a Coast Guard or designated Coast Guard vessel for mariners requiring transit through the regulated area. This regulation is needed to protect spectators and participants from the hazards that accompany a high speed powerboat race in a confined area.

#### Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the limited duration of the race, the extensive advisories that have been and will be made to the affected maritime community, and the fact that the event is taking place in an area where there is little commercial interest except the race participants.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their fields and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632).

For the reasons discussed in the Regulatory Evaluation, 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.

#### Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### Federalism

The Coast Guard has analyzed this rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environment

The Coast Guard has considered the environmental impacts of this special local regulation as well as the Stonington Lobster Boat Races. An Environmental Assessment (EA) was prepared for the Stonington Lobster Boat Races for which a Coast Guard Marine Event Permit will be issued. A Finding of No Significant Impact (FONSI) was made; a copy of the EA and FONSI statement are available in the docket. Under paragraph 2.B.2.e.34(h) of the Coast Guard's Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST 16475.1B, this special local regulation is categorically excluded from further environmental documentation.

#### List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

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

#### PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A permanent section, § 100.111, is added to read as follows:

#### § 100.111 Stonington Lobster Boat Races, Stonington, ME.

(a) *Regulated area.* The regulated area includes all waters within the following points:

Latitude	Longitude
44° 08.57' N	068° 40.12' W
44° 09.05' N	068° 40.12' W
44° 09.15' N	068° 39.05' W
44° 09.05' N	068° 39.00' W

(b) *Special local regulations.*

(1) Commander, U.S. Coast Guard Group Southwest Harbor reserves the right to delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area during the effective period of regulation unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels desiring to transit Deer Island Thoroughfare may do so without Coast Guard approval as long as the vessel remains outside the regulated area at specified times. No vessel will be allowed to transit through any portions of the regulated area during the actual race. Provisions will be made to allow vessels to transit the regulated area between race heats. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated area with a Coast Guard designated escort. Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16.

(4) Spectator craft are authorized to watch the race from any area as long as they remain outside the designated regulated area. Spectator craft are expected to remain outside the regulated area from 10 a.m. to 4 p.m. unless permission has been granted by the patrol commander.

(5) All persons and vessels shall comply with the instructions of the Commander, U.S. Coast Guard Group Southwest Harbor or the designated on-scene patrol commander. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon hearing five or more short blasts from a U.S. Coast Guard vessel, the operator of a vessel shall stop immediately, then proceed as directed. Members of the Coast Guard Auxiliary will also be present to inform vessel operators of this regulation and other applicable laws.

(c) *Effective period.* This section is effective from 10 a.m. to 4 p.m. on Saturday, July 22, 1995, and thereafter annually on the third or fourth Saturday in July, at the same prescribed times, as published in an annual **Federal Register** notice, unless otherwise specified in the Coast Guard Local Notice to Mariners and a notice in the **Federal Register**.

Dated: July 19, 1995.

**R.R. Clark**

*Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.*

[FR Doc. 95-20941 Filed 8-23-95; 8:45 am]

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**33 CFR Part 100**

[CGD 05-95-048]

**Special Local Regulations for Marine Events; Barnegat Bay Classic; Toms River, NJ**

AGENCY: Coast Guard, DOT.

ACTION: Notice of implementation.

**SUMMARY:** This notice announces that 33 CFR 100.502 will be in effect for the Barnegat Bay Classic, an annual event to be held on August 26, 1995 in Barnegat Bay, between Island Beach and the mainland. These special local regulations are needed to provide for the safety of the participants and spectators on navigable waters during this event. This rule will restrict general navigation in the regulated area.

**EFFECTIVE DATES:** The regulations in 33 CFR 100.502 are effective from 9:30 a.m. to 5 p.m., August 26, 1995. If the event is postponed due to weather conditions, 33 CFR 100.502 is effective from 9:30 a.m. to 5 p.m., August 27, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Stephen L. Phillips, Chief, Boating Affairs Branch, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004 (804) 398-6204, or Commander, Coast Guard Group Cape May (609) 884-6981.

**SUPPLEMENTARY INFORMATION:**

**Drafting Information:** The drafters of this notice are QM1 Gregory C. Garrison, project officer, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, and CDR Thomas R. Cahill, project attorney, Fifth Coast Guard District Legal Staff.

**Discussion of Rule**

On August 26, 1995, the United States Offshore Racing Association will hold the Barnegat Bay Classic in Barnegat Bay between Island Beach and the mainland. If weather conditions do not allow the Barnegat Bay Classic to be held on August 26, 1995, it will be held, weather permitting, on August 27, 1995. The event will consist of approximately fifty to sixty powerboats, ranging from 24 to 36 feet in length, racing on a designated course within the regulated area described in 33 CFR 100.502(a). To enhance the safety of the participants in and spectators of the Barnegat Bay Classic, Commander, Fifth Coast Guard District is placing 33 CFR 100.502 in effect during this event. Although this rule will restrict general navigation within the designated area, waterborne traffic will not be severely disrupted because the Intracoastal Waterway will remain open for passage.

Dated: August 11, 1995.

**W.J. Ecker,**

Rear Admiral, U.S. Coast Guard Commander, Fifth Coast Guard District.

[FR Doc. 95-20942 Filed 8-23-95; 8:45 am]

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**33 CFR Part 100**

[CGD 09-95-024]

**Special Local Regulation; 1995 Offshore Series Grand Prix, Lake Erie, Geneva-on-the-Lake, OH**

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

**SUMMARY:** A special local regulation is being adopted for the 1995 Offshore Series Grand Prix. This event will be held on Lake Erie, Geneva-on-the-Lake, OH, on September 10, 1995. The Geneva Offshore Grand Prix will have an estimated 30 offshore race boats racing a closed course race on Lake Erie which could pose hazards to navigation in the area. This regulation will restrict general navigation on Lake Erie between Cowles Creek and the Redbrook Boat Club and is needed to provide for the safety of life, limb, and property on navigable waters during the event.

**EFFECTIVE DATE:** This regulation is effective from 11 a.m. until 3 p.m. September 10, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Marine Science Technician Second Class Jeffrey M. Yunker, Ninth Coast Guard District, Aids to Navigation and Waterways Management Branch, Room 2083, 1240 East Ninth Street, Cleveland, Ohio 44199-2020, (216) 522-3990.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 553, a Notice of Proposed Rulemaking has not been published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. The application to hold this event was not received by the Commander, Ninth Coast Guard District, until August 3, 1995, and there was not sufficient time remaining to publish a proposed final rule in advance of the event. The Coast Guard has decided to proceed with a temporary rule for this year's event and publish a NPRM, as part of the Great Lakes annual marine events list, prior to next year's event.

**Drafting Information:** The drafters of this notice are Lieutenant Junior Grade Byron D. Willeford, Project Officer, Ninth Coast Guard

District, Aids to Navigation and Waterways Management Branch, and Lieutenant Charles D. Dahill, Project Attorney, Ninth Coast Guard District Legal Office.

**Discussion of Regulation**

The Geneva Offshore Grand Prix will be held on Lake Erie between Cowles Creek and the Redbrook Boat Club on September 10, 1995. This event will have an estimated 30 offshore race boats racing a closed course race on Lake Erie which could pose hazards to navigation in the area. The effect of this regulation will be to restrict general navigation on that portion of Lake Erie, in an area rectangular in shape, from the mouth of Cowles Creek, east along the shoreline approximately 4.4 statute miles, extending offshore approximately 0.7 statute mile, for the safety of spectators and participants. This regulation is necessary to ensure the protection of life, limb, and property on navigable waters during this event. Any vessel desiring to transit the regulated area may do so only with prior approval of the Patrol Commander (Officer in Charge, U.S. Coast Guard Station Ashtabula, OH).

This regulation is issued pursuant to 33 U.S.C. 1233 as set out in the authority citation for all of Part 100.

*Federalism Implications*

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

*Environment*

The Coast Guard is conducting an environmental analysis for this event pursuant to section 2.B.2.c of Coast Guard Commandant Instruction M16475.1B, and the Coast Guard Notice of final agency procedures and policy for categorical exclusions found at (59 FR 38654; July 29, 1994).

*Economic Assessment and Certification*

This regulation is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph