

Vessels less than 20 meters long may anchor in these areas without displaying the anchor lights and shapes required by Inland Navigation Rule 30 (33 U.S.C. 2030(g)).

These regulations were specifically established to enhance the safety of the participants in and spectators of the marine portions of the Hampton Bay Days Festival and the regulations are hereby implemented.

Dated: August 29, 1995.

**N.V. Scurria, Jr.,**

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

[FR Doc. 95-22531 Filed 9-11-95; 8:45 am]

BILLING CODE 4910-14-M

**33 CFR Part 117**

[CGD 07-95-20]

RIN 2115-AE47

**Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, FL**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is removing the regulations governing the operation of the Merrill Barber, State Road 60 bridge, mile 951.9, at Vero Beach. This drawbridge has been replaced by a fixed bridge and there is no longer a need for the regulation.

**EFFECTIVE DATE:** October 12, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mr. Walt Paskowsky, Project Manager, Bridge Section, (305) 536-4103.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 553, as notice of proposed rulemaking has not been published for these regulations, because there is no longer a need for the regulations as they pertain to a drawbridge that no longer exists.

**Drafting Information**

The principal persons involved in drafting this document are Walt Paskowsky, Project Manager, and LT Commander Rob Wilkins, Project Counsel.

**Background and Purpose**

The Merrill Barber bridge was replaced by a high level fixed bridge on March 1, 1995. The old drawbridge is in the process of being removed from the waterway. This removal is a requirement of the permit issued for the new bridge. The regulations in 33 CFR 117.261(n) governing the operation of the old drawbridge are no longer necessary and are being removed.

**Environment**

Under section 2.B.2.e(32)(e) of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation.

**Federalism**

The Coast Guard has analyzed this rule under 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.

**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 not been reviewed 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. We conclude this because the drawbridge no longer exists.

**List of Subjects in 33 CFR Part 117**

Bridges.

In consideration of the foregoing facts, part 117 of Title 33 of the Code of Federal Regulations is amended as follows:

**PART 117—DRAWBRIDGE OPERATION REGULATIONS**

1. The authority citation for Part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); Section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Section 117.261 paragraph (n) is removed and reserved.

**§ 117.261 Atlantic Intracoastal Waterway from St. Mary's River to Key Largo.**

\* \* \* \* \*

(n) [Removed and reserved]

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Dated: July 21, 1995.

**R.T. Rufe, Jr.,**

*Rear Admiral, U.S. Coast Guard Commander, Seventh Coast Guard District.*

[FR Doc. 95-22529 Filed 9-11-95; 8:45 am]

BILLING CODE 4910-14-M

**33 CFR Part 165**

[CGD02-95-015]

RIN 2115-AE84

**Regulated Navigation Area; Ohio River Mile 461.0 to 462.0**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a regulated navigation area on the Ohio River from mile 461.0 to mile 462.0. This regulation is needed to protest and control recreational and commercial vessel traffic during three Jimmy Buffet concerts at the Riverbend Music Center, Cincinnati, Ohio. This regulation will restrict general navigation in the regulated area for the safety of recreational and commercial vessels.

**EFFECTIVE DATES:** This regulation is effective between 8 p.m. and 11 p.m. EDST on September 22, 23, and 26, 1995.

**FOR FURTHER INFORMATION CONTACT:** CWO Ken Smith, Operations Officer, Captain of the Port, Louisville, Kentucky at (502) 582-5194.

**SUPPLEMENTARY INFORMATION:**

**Drafting Information**

The principal persons involved in drafting this document are Chief Warrant Officer Ken Smith, Operations Officer for the Captain of the Port Louisville, Kentucky, and Lieutenant S. Moody, Project Attorney, Second Coast Guard District Legal Office, St. Louis, MO.

**Regulatory History**

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. Overriding safety concerns and short notice of scheduling of the event made following normal rulemaking procedures impracticable. Three Jimmy Buffet concerts at the Riverbend Music Center, an arena located on the shores of the Ohio River, are expected to attract hundreds of recreational vessels to the area. These shoreside concerts are not marine events and therefore the sponsors were not required to notify the Coast Guard of the event. As a result, the Coast Guard did not learn of the need for vessel traffic control in time to publish a notice of proposed rulemaking.

**Background and Purpose**

For the past few years Jimmy Buffet has performed annual concerts at the