

normal rulemaking procedures would have been impracticable, as there was insufficient time to publish proposed rule in advance of the event or to provide for a delayed effective date.

Drafting Information

The drafters of these regulations are LTJG Julia Diaz, project attorney, Seventh Coast Guard District Legal Office, and QMC T. Kjerulff, project officer, USCG Group Miami.

Discussion of Regulations

The 1995 Columbus Day Cruising Regatta is a sailboat race taking place on Biscayne Bay in the vicinity of Dinner Key Channel to the East Featherbed Bank. The event is a two-day race involving approximately six hundred 20 to 70 foot single and multi-hull sailing vessels with an additional 3,000 spectator craft expected to view the race. The significant amount of participating sailing vessels with the numerous spectator craft in the area will create an extra or unusual hazard in the navigable waterways.

Regulatory Evaluation

These regulations are 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 action to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. Entry into the regulated area is prohibited for only 9 hours each day of the event.

Since the impact of this action is expected to be minimal, the Coast Guard certified that it will not have a significant economic impact on a substantial number of small entities.

Environmental Assessment

The Coast Guard has considered the environmental impact of this action consistent with Section 2.B. of Commandant Instruction M16475.1B. In accordance with that section, this action has been environmentally assessed (EA completed), and the Coast Guard has determined that it will not significantly affect the quality of the human environment. An environmental assessment and finding of no significant impact have been prepared and are

available for inspection and copying. As a condition to the permit, the applicant is required to educate the operators of spectator craft and parade participants regarding the possible presence of manatees and the appropriate precautions to take if the animals are sighted.

List of Subjects in 33 CFR Part 100

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

Temporary Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

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

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

2. A temporary § 100.35-07-060 is added to read as follows:

§ 100.35-07-060 Key West Super Boat Race.

(a) *Regulated area.* All navigable waters within a line drawn through the following points:

Latitude 25°31.3' N, approximately at Featherbed Bank Light #3 (LLNR 41340).

Datum: NAD 1983.

(b) *Special local regulations.* (1) Entry into the regulated area is prohibited unless authorized by the Patrol Commander.

(2) All vessels in the regulated area will follow the directions of the Patrol Commander and will proceed at no more than 5 MPH when passing through the regulated area.

(3) A succession of not fewer than 5 short whistle or horn blasts from a patrol vessel will be the signal for any non-participating vessel to stop immediately. The display of an orange distress smoke signal from a patrol vessel will be the signal for any and all vessels to stop immediately.

(c) *Effective Dates:* This section is effective on October 7, 1995, at 8:30 a.m. EDT and terminate on October 8, 1995, at 6:30 p.m. EDT.

Dated: September 22, 1995.

Roger T. Rufe, Jr.,
Rear Admiral, U.S. Coast Guard Commander,
Seventh Coast Guard District.

[FR Doc. 95-24919 Filed 10-5-95; 8:45 am]

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33 CFR Part 100

[CGD07-95-060]

Special Local Regulations; Key West Super Boat Race

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Special local regulations are being adopted for the Key West Super Boat Race sponsored by Super Boat Racing, Inc. This event will be held on November 8 and 12, 1995, between 10 a.m. and 4 p.m. EST (Eastern Standard Time). The regulations are needed to provide for the safety of life on navigable waters during the event.

EFFECTIVE DATES: These regulations are effective from 10 a.m. to 4 p.m. on November 8 and November 12, 1995.

FOR FURTHER INFORMATION CONTACT: QMC Hitchcock, project officer, USCG Group Key West, (305) 292-8727.

SUPPLEMENTARY INFORMATION: In accordance with 5 USC 553, a notice of proposed rulemaking has not been published for these regulations and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impractical, as there was not sufficient time remaining to publish proposed rules in advance of the event or to provide for a delayed effective date.

Drafting Information

The drafters of this regulation are QMC R. C. Kent, project officer, USCG Group Key West, and LTJG Julia Diaz, project attorney, Seventh Coast District Legal Office.

Discussion of Regulations

Approximately 50 power boats are expected to participate in the Key West Super Boat Race, with 100 spectator craft expected. The power boats will be competing at high speeds and operating in close proximity to each other and to spectator craft, creating an extra or unusual hazard in the navigable waters.

Federalism

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.

Regulatory Evaluation

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 10e of the regulatory policies and procedures of DOT is unnecessary. Entry into the regulated area is prohibited for only 6 hours on the day of the event.

Since the impact of this regulation is expected to be minimal, the Coast Guard certifies that it will not have a significant economic impact on a substantial number of small entities.

Federalism

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

Environmental Assessment

The Coast Guard considered the environmental impact of this action consistent with Section 2.B. of Commandant Instruction M16475.1B. In accordance with that section, this action has been environmentally assessed (EA completed), and the Coast Guard has determined that it will not significantly affect the quality of the human environment. An environmental assessment and finding of no significant impact have been prepared and are available for inspection and copying.

List of Subjects in 33 CFR Part 100

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

Final Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

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 temporary section 100.35-07-061 is added to read as follows:

§ 100.35-07-061 City of Miami, FL.

(a) *Regulated Area.* (1) The regulated area consists of all navigable waters on Biscayne Bay south of Rickenbacker Causeway and north from
(1) 24-33.65N, 081-48.47W; thence to,

(2) 24-33.95N, 081-48.30W; thence to,
(3) 24-34.05N, 081-48.45W; thence to,
(4) 24-33.58N, 081-48.70W; thence to,
(5) 24-31.18N, 081-51.10W; thence to,
(6) 24-31.18N, 081-48.88W; thence to,
(7) 24-32.94N, 081-48.82W.

(Datum: NAD 1983)

(b) *Special Local Regulations.* (1) Entry into the regulated area, by other than event participants, is prohibited unless otherwise authorized by the patrol commander.

(2) A succession of not less than 5 short whistle or horn blasts from a patrol vessel will be the signal for any non-participating vessel to take immediate steps to avoid collision. The display of a red distress flare from a patrol vessel will be a signal for any and all vessels to stop immediately.

(c) *Effective Dates.* This section is effective from 10 a.m. to 4 p.m. on November 8 and November 12, 1995.

Dated: September 13, 1995.

Roger T. Rufe, Jr.,

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

[FR Doc. 95-24918 Filed 10-5-95; 8:45 am]

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33 CFR Part 117

[CGD09-95-023]

RIN-2115-AE47

Drawbridge Operation Regulations, Chicago River, IL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard amends the operating regulations governing the drawbridges owned and operated by the City of Chicago over the Chicago River system. This final rule establishes the times when, and the conditions under which, the bridges need to open for the passage of commercial and recreational vessels, and requires advance notice of a recreational vessel's time of intended passage through the bridges. The rule allows additional drawbridge openings for flotillas of five or more recreational vessels. The regulations have one set of rules for the period of high vessel activity, from April 1 through November 30, and other rules for the remainder of the year. Further, certain bridges on the North Branch of the Chicago River have been deleted from the previous permanent rule because they no longer exist or are no longer in the route of commercial or recreational vessels.

The changes are being made in response to a request by the City of Chicago to reduce the number of required bridge openings. That request

was premised on the unique situation in Chicago, where 26 bridges across the Chicago River and its North and South Branches in the very heart of the City. As a result, City officials asserted that drawbridge openings in Chicago are more numerous than in any other major city in the United States and have a correspondingly great impact on vehicular traffic. This action accommodates the needs of vehicle traffic while providing for the reasonable needs of navigation.

EFFECTIVE DATE: This rule is effective on November 19, 1995.

ADDRESSES: Documents referenced in this preamble are available for inspection and copying at the office of the Commander (obr), Ninth Coast Guard District, Room 2083, 1240 East Ninth Street, Cleveland, Ohio 44199-2060, between 6:30 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (216) 522-3993.

FOR FURTHER INFORMATION CONTACT:

Ms. Carolyn Malone, Bridge Branch,
Ninth Coast Guard District, (216) 522-3993.

SUPPLEMENTARY INFORMATION:

Regulatory History

A. Overview

The final rule that is published today is the culmination of over two years of analysis by the Coast Guard concerning what restrictions, if any, should be applicable to the opening of drawbridges in downtown Chicago. This has proven to be a highly contentious issue, and the task of arriving at a final rule has been difficult. During the past two years, the Coast Guard has sought and received public comments on 10 separate occasions (7 requests for comments on deviations, 1 request for comments on the regulatory negotiation process, and 2 requests for comments on Notices of Proposed Rulemaking). During this time, the Coast Guard also has conducted three public hearings, and has attempted to establish new rules during the course of what proved to be an unsuccessful negotiated rulemaking proceeding.

As discussed below, Chicago presents unique drawbridge problems since there are 26 drawbridges over the Chicago River in the heart of the City's commercial district. Every time the bridges are required to open, the flow of vehicular and pedestrian traffic is interrupted. On the other hand, sailboat owners who sail their boats on Lake Michigan historically have stored their boats during the winter at yards located along the river, and the transits to and