

economic impact on a substantial number of small entities.

#### Collection of Information

This proposal 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 proposal under the principles and criteria contained in Executive Order 12612 and has determined that this proposal 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 proposal and concluded that, under paragraph 2.B.2.e.34(h) of COMDTINST 16475.1B, (as revised by 59 FR 38654, July 29, 1994) this proposal is a regulation issued in conjunction with an annually issued regatta or marine parade permit and is categorically excluded from further environmental documentation.

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

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

#### Proposed Regulation

For the reasons set out in the preamble, the Coast Guard proposes to amend 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. Section 100.113 is added to read as follows:

#### **§ 100.113 Provincetown Swim for Life, Provincetown, MA.**

(a) *Regulated area.* All waters of Provincetown Harbor within 200 feet of participating benefit swimmers.

(b) *Special local regulations.* (1) The Coast Guard patrol commander may 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 unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16. 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.

(4) All persons and vessels shall comply with the instructions of the Coast Guard 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 proceed as directed. Members of the Coast Guard Auxiliary may also be present to inform vessel operators of this regulation and other applicable laws.

(c) *Effective period.* This section is in effect annually on the first Saturday following the Labor Day holiday weekend at times published in a Coast Guard Notice to Mariners.

Dated: February 27, 1996.

J.L. Linnon,

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

[FR Doc. 96-6300 Filed 3-19-96; 8:45 am]

BILLING CODE 4910-14-M

#### **33 CFR Part 100**

[CGD01-95-170]

RIN 2115-AE 46

#### **Special Local Regulation: Swim the Bay, Narragansett Bay, Narragansett, RI**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish a permanent special local regulation for a swimming competition known as Swim the Bay. The event will be held annually in the East Passage of Narragansett Bay, on the Saturday in July or August that has favorable tidal conditions. This regulation is needed to protect the participants from vessel traffic during the swimming competition.

**DATES:** Comments must be received on or before May 20, 1996.

**ADDRESSES:** Comments should be mailed to Commander (b), First Coast Guard District, Captain John Foster Williams Federal Building, 408 Atlantic Ave., Boston, MA 02110-3350, or may be hand delivered to Room 428 at the same address, between 8 a.m. and 4 p.m., Monday through Friday, except federal holidays. Comments will become part of this docket and will be available for inspection or copying at the above address.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant (jg) B.M. Algeo, Chief,

Boating Affairs Branch, First Coast Guard District, (617) 223-8311.

#### **SUPPLEMENTARY INFORMATION:**

##### Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this notice (CGD01-95-170), the specific section of the proposal to which each comment applies, and give reasons for each comment. The Coast Guard requests that all comments and attachments be submitted in an 8½" x 11" unbound format suitable for copying and electronic filing. If that is not practical, a second copy of any bound material is requested. Persons requesting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Commander (b), First Coast Guard District at the address under "ADDRESSES". The request should include reasons why a hearing would be beneficial. If it is determined that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

##### Discussion of Proposed Amendments

The annual Swim the Bay competition is a local, traditional event that has been held for many years in the East Passage of Narragansett Bay, Jamestown/Newport, RI. In the past, the Coast Guard has promulgated individual regulations for each year's running of the race. Given the recurring nature of the event, the Coast Guard desires to establish a permanent regulation. The proposed regulation would establish a regulated area in the East Passage of Narragansett Bay and would provide specific guidance to control vessel movement during the race. This proposal restricts vessels from approaching within 200 feet of participating competition swimmers.

The event will consist of two heats of approximately 100 swimmers racing 1.7 miles from Coasters Harbor Island beach, Newport, RI, to Potters Cove, Jamestown, RI. There will be approximately 25-30 support boats on scene to augment a Coast Guard patrol to alert boating traffic of the presence of

the swimmers. The time period for the event is dictated by tidal conditions. Subject to Coast Guard approval, the sponsor selects a Saturday in July or August that most closely exhibits low tide 40 minutes after 8 a.m. Spectator craft are authorized to watch the race from any area as long as they remain 200 feet away from any participating swimmer. In emergency situations, provisions may be made to establish safe escort by a Coast Guard or designated Coast Guard vessel for vessels requiring transit within 200 feet of participating swimmers.

The proposed section will be effective annually on a Saturday in July or August, at a specific date and time published in a Coast Guard Notice to Mariners. A rain date may be established and published in a Coast Guard Notice to Mariners.

#### Regulatory Evaluation

This proposal 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 competition, the extensive advisories that will be made to the affected maritime community, and the minimal restrictions which the regulation places on vessel traffic.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

For the reasons discussed in the Regulatory Evaluation, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This proposal 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 proposal under the principles and criteria contained in Executive Order 12612 and has determined that this proposal 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 proposal and concluded that, under paragraph 2.B.2.e.34(h) of COMDTINST 16475.1B, (as revised by 59 FR 38654, July 29, 1994) this proposal is a regulation issued in conjunction with an annually issued regatta or marine parade permit and is categorically excluded from further environmental documentation.

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

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

#### Proposed Regulation

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 100 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. Section 100.112, is added to read as follows:

#### **§ 100.112 Swim the Bay, Narragansett, RI.**

(a) *Regulated area.* All waters of the East Passage of Narragansett Bay within 200 feet of participating competition swimmers.

(b) *Special local regulations.* (1) The Coast Guard patrol commander may 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 unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16. 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.

(4) All persons and vessels shall comply with the instructions of the

Coast Guard 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 proceed as directed. Members of the Coast Guard Auxiliary may also be present to inform vessel operators of this regulation and other applicable laws.

(c) *Effective period.* This section is in effect annually on a Saturday in July or August, at a specific date and times published in a Coast Guard Notice to Mariners.

Dated: February 27, 1996.

J.L. Linnon,

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

[FR Doc. 96-6297 Filed 3-19-96; 8:45 am]

BILLING CODE 4910-14-M

### **33 CFR Part 100**

[CGD07-96-005]

RIN 2115-AE46

#### **Special Local Regulations: Fort Myers Beach Offshore Grand Prix; Fort Myers Beach, FL**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish permanent special local regulations for the Fort Myers Beach Offshore Grand Prix. This event will be held annually during the first Saturday and Sunday of June, between 12 p.m. and 3 p.m. EDT (Eastern Daylight Time). Historically, there have been approximately 170 participant and spectator craft. The resulting congestion of navigable channels creates an extra or unusual hazard in the navigable waters. These proposed regulations are necessary to provide for the safety of life on navigable waters during the event. By establishing these proposed permanent regulations, the Coast Guard expects to give better notice of requirements related to marine events, and also avoid the recurring costs of publication related with temporary regulations. However, the establishment of these proposed permanent regulations would not relieve the event organizers from applying for an annual marine event permit.

**DATES:** Comments must be received on or before May 20, 1996.

**ADDRESSES:** Comments may be mailed to U.S. Coast Guard Group St. Petersburg, 600 8th Ave. S.E., St. Petersburg, Florida 33701-5099, or may be delivered to the