

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. This conclusion is based on the limited duration of the race, the extensive advisories that will be made to the affected maritime community, and the minimal restrictions 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 rule will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this rule will have a significant economic impact on your business or organization, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and to what degree this rule will economically affect it.

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 raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impacts of this rule and concluded that, under paragraph 2.B.2.e.34(h) of COMDTINST 16475.1B, (as revised by 61 FR 13563, March 27, 1996) this rule is a special local regulation issued in conjunction with a regatta or marine parade and is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

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

Final Regulation

For the reasons set forth in the preamble, the Coast Guard amends 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. A new permanent section, 100.110, is added to read as follows:

§ 100.110 World's Fastest Lobster Boat Race, Jonesport, ME.

(a) *Regulated area.* The regulated area includes all waters of Moosabec Reach within the following points (NAD 83):

Latitude	Longitude
44°31'36" N	067°36'54" W
44°31'48" N	067°34'42" W
44°31'36" N	067°34'42" W
44°31'18" N	067°36'54" W

(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 on-scene Coast Guard 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 will also be present to inform vessel operators of the regulation in this section and other applicable laws.

(c) *Effective period.* This section is in effect from 10 a.m. to 1 p.m. on July 4, 1996, and each year thereafter on a date and times published in a Federal Register notice. If the event is canceled due to weather, this section is in effect on the day following the published effective date.

Dated: May 1, 1996.

J. L. Linnon,

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

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33 CFR Part 100

[CGD07-96-031]

RIN 2115-AE46

Special Local Regulations: Boating Safety Parade; Charleston, SC

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is adopting Special Local Regulations for the Boating Safety Parade, sponsored by the Charleston Power Squadron. This event will be held from 12 p.m. to 4 p.m. EDT (Eastern Daylight Time), on May 18, 1996. The customary presence of commercial and recreational traffic, and the nature of the event creates an extra or unusual hazard on the navigable waters. These regulations are necessary to provide for the safety of life on navigable waters during the event.

EFFECTIVE DATE: This rule is effective from 12 p.m. to 4 p.m. EDT, on May 18, 1996.

FOR FURTHER INFORMATION CONTACT: ENS M.J. DaPonte, project officer, Coast Guard Group Charleston at (803) 724-7621.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 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. The information to hold the event was not received until April 4, 1996, and there was insufficient time remaining to publish proposed rules in advance of the event or to provide for a delayed effective date.

Discussion of Regulations

These temporary special local regulations are needed to provide for the safety of life during Charleston Power Squadron's Boating Safety Parade. The regulations are intended to promote safe navigation on the waters on the Cooper and Ashley Rivers in Charleston Harbor during the parade by controlling the traffic entering, exiting, and traveling within the parade formation. There will be approximately thirty sailing and power boats participating in the parade. The anticipated concentration of nonparticipating vessels within the area

poses a safety concern, which is addressed in these special local regulations.

The temporary special local regulations will not permit the entry or movement of spectator vessels and other non-participating vessel traffic within an area 500 yards ahead, 100 yards astern, and 50 yards to either side of the vessels participating in the parade of boats between Town Creek Reach Buoy 2 (LLNR 2215) and the City Marina on the Ashley River, from 12 to 4 p.m. EDT, on May 18, 1996. The regulations will permit the movement of nonparticipating vessels within the regulated area after the termination of the event, at the discretion of the Coast Guard Patrol Commander.

Regulatory Evaluation

This proposal is not a significant regulatory action under Section 3(f) of the Executive Order 12866 and does not require an assessment of the 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 proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The regulated area encompasses less than 3 nautical miles of the Cooper and Ashley Rivers in Charleston, SC, and the regulation would be in effect for only 4 hours the day of the event.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et. seq.*), the Coast Guard must consider whether this proposal 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 field and that otherwise qualify as "small business concerns" under Section 3 of the Small Business Act (15 U.S.C. 632).

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

Collection of Information

These proposed regulations contain no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et. seq.*).

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.

Environmental Assessment

The Coast Guard has considered the environmental impact of this proposal consistent with Section 2.B.2.e of Commandant Instruction M16475.1 (Series). In accordance with that section, this event has been determined to be categorically excluded. Specifically, the Coast Guard has consulted with the South Carolina Department of Natural Resources and Department of Environmental and Health Control, the Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service regarding the environmental impact of this event, and it has been determined that the event does not jeopardize the continued existence of protected species.

List of Subjects in 33 CFR Part 100

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

Temporary Regulation

PART 100—[AMENDED]

For reasons set out in the preamble, the Coast Guard amends 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. A temporary section 100.35–T07–031 is added to read as follows:

§ 100.35–T07–031 Charleston Power Squadron Boating Safety Parade; Wando, Cooper and Ashley Rivers, Charleston, SC.

(a) *Definitions:* (1) *Regulated area.* The regulated area is formed around the area 500 yards ahead of the lead vessel of the parade, 100 yards astern of the last parade vessel, and 50 yards to either side of all parade vessels along the parade route described in paragraph (a)(2) of this section.

(2) *Parade route.* The parade route begins at the Town Creek Lower Reach buoy 2 (LLNR 2215) in approximate position 32°47.6' N, 079°55.35' W, thence south along the Charleston peninsula to 32°45.95' N, 079°55.34' W, thence up the Ashley River, and continuing to the finishing point at City Marina, in approximate position 32°46.8' N, 79°57.18' W. All coordinates referenced use datum: NAD 1983.

(3) *Coast Guard Patrol Commander.* The Coast Guard Patrol Commander is a commissioned, warrant or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Charleston, South Carolina.

(b) *Special local regulations.*

(1) Entry into the regulate area by other than authorized parade participants or official patrol vessels is prohibited, unless authorized by the Patrol Commander.

(2) After termination of the Charleston Power Squadron Boating Safety Parade and departure of the parade participants from the regulated area, all vessels may resume normal operations.

(c) *Effective date.* This section is effective at 12 p.m. and terminates at 4 p.m. EDT, on May 18, 1996, unless otherwise specified in the Seventh Coast Guard District Local Notice to Mariners.

Dated: April 30, 1996.

Roger T. Rufe, Jr.,

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

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33 CFR Part 165

[CGD01–96–026]

RIN 2115–AA97

Safety Zone: Fire Island Lighthouse Fireworks Display, Fire Island, NY

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone for the Fire Island Lighthouse Fireworks Display to be held on Great South Bay, Fire Island, NY, on May 26, 1996. This safety zone is needed to protect persons, facilities, vessels and others in the maritime community from the safety hazards associated with this fireworks display. Entry into this safety zone is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATE: This regulation is effective on May 26, 1996, from 9:30 p.m. until 9:45 p.m. unless extended or terminated sooner by the Captain of the Port. There is no rain date scheduled for this event.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander T.V. Skuby, Chief of Port Operations, Captain of the Port, Long Island Sound at (203) 468–4464.