

**Discussion of Regulations**

The Coast Guard is establishing temporary special local regulations on specified waters of the Western Branch, Elizabeth River. The regulations will be in effect from 11 a.m. to 6 p.m. on March 26, 1999, and from 6:30 a.m. to 6 p.m. on March 27, 1999, and will restrict general navigation in the regulated areas during the event. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area. These regulations are needed to control vessel traffic during the crew competition to enhance the safety of participants, spectators, and transiting vessels.

**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 the 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. This conclusion is based on the facts that the regulated area will only be in effect for a limited amount of time and that the Coast Guard Patrol Commander will allow vessel transits through the regulated area during times that the race participants are not competing.

**Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), 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 field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impact of this rule to be minimal, the event not lasting long, the Coast Guard certifies under 5 U.S.C. 605(b) that this temporary final rule will not have a significant economic impact on a substantial number of small entities.

**Collection of Information**

These regulations contain no Collection-of-Information requirements

under the Paperwork Reduction Act (44 U.S.C. 3501-3520).

**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.

**Environment**

The Coast Guard considered the environmental impact of this rule and concluded that, under figure 2-1, paragraph (34)(h) of COMDTINST M16475.1C, this rule is categorically excluded from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade are excluded under that authority.

**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:

**PART 100—[AMENDED]**

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

**Authority:** 33 U.S.C. 1233 through 1236; 49 CFR 1.46; 33 CFR 100.35.

2. A temporary section, § 100.35-T05-010, is added to read as follows:

**§ 100.35-T05-010 Western Branch, Elizabeth River, Portsmouth, Virginia.**

(a) *Definitions*—(1) *Regulated Area*. The waters of the Western Branch, Elizabeth River, bounded by a line connecting the following points:

Latitude	Longitude
36°50.3' North .....	076°23.1' West, to
36°50.3' North .....	076°21.7' West, to
36°50.2' North .....	076°21.7' West, to
36°50.2' North .....	076°23.1' West, to
36°50.3' North .....	076°23.1' West

All coordinates refer to Datum NAD 1983.

(2) *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 Hampton Roads.

(b) *Special Local Regulations*—(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in this area shall:

(i) Stop the vessel immediately when directed to do so by an official patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any official patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(c) *Effective Dates*. The regulated area is effective from 11 a.m. to 6 p.m. on March 26, 1999, and from 6:30 a.m. to 6 p.m. on March 27, 1999.

Dated: March 3, 1999.

**Roger T. Rufe, Jr.,**

*Vice Admiral, U.S. Coast Guard Commander, Fifth Coast Guard District.*

[FR Doc. 99-7093 Filed 3-22-99; 8:45 am]

BILLING CODE 4910-15-M

**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 100**

[CGD 05-99-011]

**Special Local Regulations for Marine Events; Approaches to Annapolis Harbor, Spa Creek, and Severn River, Annapolis, Maryland**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of implementation.

**SUMMARY:** This notice implements the special local regulations at 33 CFR 100.511 during the 20th Annual Seminar on Safety at Sea, a marine event to be held March 27, 1999, on Spa Creek and the Severn River at Annapolis, Maryland. These special local regulations are necessary to control vessel traffic in the vicinity of the U.S. Naval Academy because of the confined nature of the waterway and expected vessel congestion during the pyrotechnic display and helicopter-rescue demonstration. The effect will be to restrict general navigation in the regulated area for the safety of spectators, event participants, and other vessels transiting the event area.

**EFFECTIVE DATE:** 33 CFR 100.511 is effective from 11:30 a.m. to 3 p.m. on March 27, 1999.

**FOR FURTHER INFORMATION CONTACT:** Chief Warrant Officer R. L. Houck, Marine Events Coordinator, Commander, Coast Guard Activities Baltimore, 2401 Hawkins Point Road, Baltimore, MD 21226-1971, (410) 576-2674..

**SUPPLEMENTARY INFORMATION:** The U.S. Naval Academy Sailing Squadron will

sponsor the 20th Annual Seminar on Safety at Sea on the Severn River, near the U.S. Naval Academy, Annapolis, Maryland. Waterborne activities will include demonstrations of life rafts, pyrotechnics, man-overboard procedures, and a helicopter rescue. To ensure the safety of participants and transiting vessels, 33 CFR 100.511 will be in effect for the duration of the event. Under provisions of 33 CFR 100.511, no vessel may enter the regulated area unless it receives permission from the Coast Guard Patrol Commander. Spectator vessels may anchor outside the regulated area, but may not block a navigable channel. Because these restrictions will be in effect for a limited period, they should not result in a significant disruption of maritime traffic.

Dated: March 3, 1999.

**Roger T. Rufe, Jr.,**

*Vice Admiral, U.S. Coast Guard Commander,  
Fifth Coast Guard District.*

[FR Doc. 99-7094 Filed 3-22-99; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[CGD05-99-009]

RIM 2115-AA97

#### **Safety Zone: Chesapeake Bay, Patapsco River, Inner Harbor, Baltimore, Maryland**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone during the movement of the schooner Lady Maryland upon the waters of the Inner Harbor, Baltimore, MD. This safety zone is necessary to protect the safety of life and property of the participants, spectators and mariners on U.S. navigable waters during the effective dates.

**EFFECTIVE DATES:** This regulation will be effective from 12:30 p.m. to 2:30 p.m. March 27, 1999.

**FOR FURTHER INFORMATION CONTACT:** Chief Warrant Officer R. Houck, Marine Event Coordinator, Activities Baltimore, 2401 Hawkins Point Rd., Baltimore, Maryland, 21226-1791, telephone number (410) 576-2674.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 553, a Notice of Proposed Rulemaking (NPRM) was not published for this rule and good

cause exists for making it effective less than 30 days after **Federal Register** publication. The application for this event was not received until February 2, 1999. There was not sufficient time to publish a proposed rule in advance of the event. Publishing an NPRM and delaying its effective date would be contrary to the public interest because immediate action is needed to prevent a serious threat to spectators and vessels transiting in the vicinity.

#### **Discussion of Regulation**

The Living Classrooms Foundation will provide the schooner Lady Maryland for a mock gun battle as part of a promotional filming in the Inner Harbor for the Arts and Entertainment (A&E) Network on March 27, 1999. The Coast Guard is establishing a temporary safety zone 300 yards ahead and astern of, and 300 yards to port and starboard side of, the schooner Lady Maryland. A Coast Guard patrol commander will be assigned to control spectator and commercial vessels during this event. This safety zone is effective from 12:30 p.m. to 2:30 p.m. March 27, 1999. The Captain of the Port will notify the public of changes in the status of the zone by Marine Safety Radio Broadcast. Entry into this zone is prohibited unless authorized by the Captain of the Port.

#### **Regulatory Evaluation**

This temporary 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 F.R. 11040; February 26, 1979). This temporary rule affects only a limited area outside of the main shipping channels. Therefore, the Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

#### **Collection of Information**

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501-3520).

#### **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.

#### **Environment**

The Coast Guard has considered the environmental impact of this temporary rule and concluded that under figure 2-1, paragraph (34)(g), of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. Regulations establishing safety zones are excluded under that authority.

#### **List of Subjects in 33 CFR Part 165**

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

#### **Regulation**

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### **PART 165—[AMENDED]**

1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-6, and 160.5; and 49 CFR 1.46. Section 165.100 is also issued under authority of Sec. 311, Pub. L. 105-383.

2. A temporary § 165.T05-009 is added to read as follows:

#### **§ 165.T05-009 Safety Zone: Patapsco River, Inner Harbor, Baltimore, Maryland.**

(a) *Location.* The following area is a safety zone: All waters of the Inner Harbor, adjacent to Hawkins Point Shoal, enclosed within an area approximately 300 yards ahead and astern of, and 300 yards to port and starboard of, the schooner Lady Maryland.

(b) *Definitions.* (1) Captain of the Port (COTP) means the Commanding Officer of Coast Guard Activities Baltimore or any commissioned, warrant, or petty officer who has been authorized by the Captain of the Port to act on his behalf.

(c) *Regulations.* (1) In accordance with the general requirements in section 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port.

(2) Persons or vessels wishing to enter or pass through the safety zone must first request authorization from the COTP or designated representative. Coast Guard patrol vessels enforcing the safety zone can be contacted on VHF-FM Marine Band Radio, channel 16. The Captain of the Port can be contacted at telephone number (410) 576-2693.

(3) The Captain of the Port will notify the public of any changes in the status of this zone by a Marine Safety Radio