

M16475.1B (as revised by 59 FR 38654; July 29, 1994), the regulation is categorically excluded from further environmental documentation. Appropriate environmental analysis of the Fort Vancouver Fourth of July Fireworks Display will be conducted in conjunction with the marine event permitting process each year. Any environmental documentation required under the National Environmental Policy Act will be completed prior to the issuance of a marine event permit for this event should such a permit be required.

List of Subjects in 33 CFR Part 165

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

Final Regulation

For the reasons set out in the preamble, the Coast Guard amends Part 165 of Title 33, Code of Federal Regulations, 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; CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46.

2. A new section 165.1308 is added to read as follows:

§ 165.1308 Columbia River, Vancouver, WA.

(a) *Location.* The following area is a safety zone: All waters of the Columbia River at Vancouver, Washington, bounded by a line commencing at the northern base of the Interstate 5 highway bridge at latitude 45°37'17" N, longitude 122°40'22" W; thence south along the Interstate 5 highway bridge to latitude 45°37'03" N, longitude 122°40'32" W; thence to latitude 45°36'28" N, longitude 122°38'35" W; thence to Ryan's Point at latitude 45°36'42" N, longitude 122°38'35" W; thence along the Washington shoreline to the point of origin. [Datum: NAD 83].

(b) *Effective dates.* This section is effective annually on July fourth from 9 p.m. to 11 p.m. (PDT) unless otherwise specified by Federal Register notice.

(c) *Regulation.* In accordance with the general regulations in § 165.23 of this part, entry into this safety zone is prohibited unless authorized by the Captain of the Port, Portland, Oregon.

Dated: April 18, 1996.

C.E. Bills,

Captain, U.S. Coast Guard Captain of the Port.

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33 CFR Part 165

[CGD07–95–062]

RIN 2115–AA97

Safety/Security Zone Regulations; Savannah, GA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing safety and security zones to protect life, property, and the environment during the 1996 Olympic Yachting Competition. The anticipated concentration of spectator and participant vessels associated with these races pose safety and security concerns. These regulations are intended to provide security for the Olympic participants and to insure safe navigation on the waters surrounding the Olympic Village located on the Savannah River, the two Olympic Marinas, the racing venues offshore, and the ferrying of athletes and officials between Olympic Marina locations.

EFFECTIVE DATES: This rule is effective from July 4, 1996 until August 4, 1996.

ADDRESSES: Copies of documents referenced in this document are available for inspection or copying from Marine Safety Office, Savannah, 222 W. Ogelthorpe Avenue, Suite 402, Savannah, Georgia between 9 a.m. and 3 p.m. EDT (Eastern Daylight Time), Monday through Friday, except Federal holidays. A copy of the environmental assessment is available from CEU Miami, 909 S.E. 1st Ave., Miami, Florida 33131.

FOR FURTHER INFORMATION CONTACT: BMC P.M. Webber or LT L.L. Fagan, Project Officer for Captain of the Port, Marine Safety Officer, Savannah at (912) 652–4353, between the hours of 7:30 a.m. and 4 p.m. EDT, Monday through Friday, except holidays.

SUPPLEMENTARY INFORMATION: Over 1100 athletes and coaches representing over 80 countries, over 300 competition vessels, as well as approximately 1,000 to 2,000 support and spectator vessels are expected to arrive and participate in the festivities of the 1996 Olympic yachting competition. To ensure the security of the athletes and to ensure the safety of the large volume of recreational vessels expected in the area, the Coast

Guard is establishing these safety/security zones to provide for the safety and security of the Olympic participants and spectators.

Regulatory History

On January 3, 1996, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) entitled "Safety/Security Zone Regulations; Savannah, GA" (CGD 07–95–062) in the Federal Register (61 FR 136). Due to requests, a public meeting, announced in the February 16, 1996 Federal Register (61 FR 6178), was held in Savannah by the Captain of the Port Savannah on February 29, 1996 to gather comments on the rulemaking. The meeting was attended by over 100 individuals. Twenty-six people made comments during the meeting and 17 written comments were submitted prior to closure of the comment period on March 4, 1996. Copies of the comments and an audio tape of the meeting are available for inspection or copying where indicated under **ADDRESSES**. The Coast Guard published a related Notice of Proposed Rulemaking on October 10, 1995 (60 FR 53317), which proposed anchorage areas in the same general area as the safety/security zones during the Olympic Yachting Event. The final rule on the anchorage areas is published elsewhere in today's Federal Register.

Discussion of Comments and Changes

The Coast Guard received forty-three separate comments on the NPRM during the comment period. The commentors fit into the following general categories: concerns from businesses on Bull River, Turner Creek, or Half Moon River; concerns from citizens living on these waterways or with vessels moored in effected areas; and concerns registered by or on behalf of the Atlanta Committee for the Olympic Games (ACOG). The Coast Guard received two comments from private citizens who fully supported the safety/security zones as proposed, stating that the Coast Guard had achieved a good balance between navigational interests and interest in security for the Olympic athletes. The comments which addressed specific proposed safety/security zones are discussed below by zone. General comments which pertain to all of the area are grouped by subject and are discussed following the discussion by specific zones.

The environmentally based constraints that were proposed as part of the NPRM have been incorporated as conditions in the permit issued by the Coast Guard to the ACOG for the water events. As a result, therefore, these restrictions have been eliminated from

the final rule. The Coast Guard has completed an Environmental Assessment, with a finding of no significant impact, for all Olympic activities in the area as discussed in the "Environmental Assessment" section below.

Savannah River; Olympic Torch Moving Safety Zone (Proposed Section 165.T07-077)

No Comments specifically addressed the Olympic Torch proposed moving safety zone. The effective date of the moving safety zone has been changed from July 10 to July 9, 1996. The duration of the effective time of the zone has been reduced from the NPRM, which had proposed an effective zone that lasted from 8 a.m. to 10 p.m. EDT. The moving safety zone will instead be effective from 6 p.m. to 10 p.m. EDT. The exact route of the torch is uncertain at this time. The zone will commence either, on the Savannah River in the vicinity of Coast Guard Station Tybee and continue west up river to the Highway 17A bridge (Talmadge bridge), or at the mouth of the Wilmington River and proceed to the Savannah River via the Intracoastal Waterway (ICW) and thence to the Highway 17A bridge. The Captain of the Port Savannah will announce the exact route for the vessel and its moving safety zone via Broadcast Notice to Mariners prior to the establishment of the zone.

Savannah River; Fireworks Safety Zone (Proposed Section 165.T07-078)

No comments were received on the proposed safety zone for the fireworks display. The effective time of the zone on July 4, 1996 has been moved up from the proposed starting time of 10 p.m. to 9:15 p.m. EDT. The zone will still terminate at 11 p.m. EDT.

Marriot Hotel/Olympic Village (Proposed Section 165.T07-062(1))

No comments specifically addressed the Olympic Village proposed zone and therefore it is being adopted in this final rule as proposed with a minor change in coordinates required to accurately delineate the zone.

Olympic Marina; Wilmington River and Turner Creek (Proposed Section 165.T07-062(2))

The NPRM proposed a zone that included a portion of Turner Creek and extended out to the center of the Wilmington River, surrounding the Olympic Marina and its docks. Olympic athletes will board vessels at the Olympic Marina and be shuttled to the Day Marina in Wassaw Sound. The Day Marina is the staging area for all the

yachting events and is the area where the vessels used in competition will be moored. As proposed, entry into the Olympic Marina zone, including portions of Turner Creek and the Wilmington River, would be prohibited unless permission was granted by the Captain of the Port. The Coast Guard had planned to grant permission for entry to groups of vessels and provide Coast Guard escorts for their transit through the zone, thereby allowing controlled access to the Wilmington River through Turner Creek.

The Olympic Marina zone, as proposed, extended south of the Olympic Marina in the Wilmington River to encompass a number of private docks. To address the access problem this would have caused for the dock owners, the Coast Guard has modified the boundaries of the Olympic Marina zone so that the zone ends just north of the first private dock, thereby allowing free access from these docks to the Wilmington River.

The Coast Guard received a number of comments concerning the anticipated effects of closing Turner Creek and parts of the Wilmington River and concerning the expected delays which would result from the plan to escort groups of vessels through the area. Commentors included two private individuals who live in homes with private docks on the Wilmington River that were encompassed within the proposed Olympic Marina zone and business owners along Turner Creek who were concerned with the impact the delays and lack of access would have on their business.

In their comments, several business owners along Turner Creek expressed concerns with the Coast Guard's proposed plan to escort vessels in groups through Turner Creek to the Wilmington River. The commentors noted that this area experiences a heavy volume of vessel traffic and large delays were anticipated as a result of the restrictions. Based on these comments, and after consultation with the ACOG about the security concerns, the Coast Guard has decided not to escort vessels in groups through this zone. Instead, if vessels desire to transit through the Olympic Marina zone, a vessel may check in with the Coast Guard to receive permission to enter. The Captain of the Port (COTP) may grant permission for vessels to enter the Olympic Marina zone whenever circumstances allow. COTP permission will be granted with the condition that the vessels transit the zone without stopping within the zone.

Two comments at the public meeting and one written comment concerned the designation of this area as a "no wake

zone." The declaration of an area as a "no wake zone" is done by the State of Georgia and not the Coast Guard. Therefore, those comments have been passed to the responsible state officials for their consideration.

Wilmington River and Wassaw Sound (Moving Security Zone) (Proposed Section 165.T07-062(3))

No comments specifically addressed this proposed zone. The description of this zone has been modified to clarify the route that the vessels ferrying the athletes between the Olympic Marina and the Day Marina will take. These vessels will transit from the Olympic Marina in the Wilmington River to Tybee Cut, through Tybee Cut to Half Moon River and into Wassaw Sound where the Day Marina is located. The same route is planned for the return trip.

Bull River (Proposed Section 165.T07-062(4))

This was the most commented on of the proposed zones. The zone, as proposed, would close the southern entrance to Bull River at Pa Cooper Creek and would close Tybee Cut in the event of adverse weather. The proposed zone encompassed the Day Marina and provided for a less crowded route for the ferries shuttling the athletes between the Olympic Marina and the Day Marina.

The Coast Guard received eleven comments from business owners along the Bull River objecting to this proposed zone. These businesses fall into two primary categories; those that operate commercial vessels from dock facilities and those with fixed shore-based operations, such as restaurants or marinas. Most of the comments expressed concern that the Coast Guard was being overly restrictive with regard to access to Wassaw Sound and Bull River. The comments expressed a shared opinion that business in this area would be significantly affected by the proposed closing of the entrance to Bull River during the day. Fixed shore based operations expressed concerns that customers would not be able to reach the businesses and operators of commercial vessels moored at docks in the area expressed concern that they would have to leave the zone early in the day and not return until the evening. The comments pointed out that though there is an alternate route between this portion of the Bull River and Wassaw Sound via the Wilmington River, there are fixed span bridges over the Bull River which limits the size of vessels able to use this route. Hence, the only outlet for vessels with height

restrictions is out the mouth of the Bull River.

Conversely, the ACOG also expressed concerns about the proposed Bull River zone, stating that the zone as proposed was not restrictive enough. The ACOG requested that the Coast Guard also close the Half Moon River northwest of Tybee Cut, thereby including all of Tybee Cut within the zone during all times that the zone was in effect, not just during adverse weather as proposed. In its comments, the ACOG noted that Tybee Cut was chosen for transiting athletes for a number of reasons. Tybee Cut provides a route which is more protected from adverse weather as well as providing a shorter transit that does not interfere with racing in the Alpha race course (located in Wassaw Sound). The ACOG also pointed out that the only alternate route available for ferrying athletes between the Olympic Marina and the Day Marina was down the Wilmington River and then through Wassaw Sound. This route is considered unacceptable by the ACOG. Not only is the route longer and more prone to adverse weather, but more importantly it dramatically increases the athletes' exposure to the large number of commercial and recreational vessels expected to be transiting through, and congregating at, the mouth of the Wilmington River. The comment from the ACOG also noted that the Coast Guard had proposed July 6, 1996 as the starting date for the safety/security zones, but that in the ACOG's opinion, the zones would not be needed until July 8. The ACOG suggested that the Coast Guard delay the effective date for the Bull River zone to July 8, 1996.

The Coast Guard has reviewed the concerns expressed by the businesses and individuals regarding access to Wassaw Sound and Bull River, but must balance their need for access with the need for Olympic athletes' security. The Bull River area will be heavily used by Olympic athlete shuttles and affiliated Olympic vessels. The security zone boundaries and effective dates have been carefully tailored to ensure the need for athlete security is met. The Coast Guard agrees with the ACOG's concerns for security in this area. The Day Marina, which is the center of activity for the Olympic yachting events, consists of a group of barges moored in the water and is exposed on all sides. The vessels participating in the Olympic yachting races will be moored at the marina and will be transiting between the Day Marina and the race courses throughout the day. Large concentrations of athletes will be present at the marina throughout the

day as well. Additionally, as the ACOG commented, because of the high concentration of spectator and commercial vessels expected in the Wilmington River near Wassaw Sound, ferrying athletes out the Wilmington River and into Wassaw Sound from the south will expose the athletes to a higher security risk. The Coast Guard is also concerned with navigational safety in this area. Wassaw Sound consists primarily of shoal waters, which create extremely hazardous conditions if the area becomes congested with vessels. For these reasons it would be extremely difficult to allow unimpeded vessel traffic in this area while still ensuring the safety of the Olympic athletes and of boaters.

In response to these comments, in the final rule the Coast Guard has modified the boundaries and the effective times of the Bull River zone to improve accessibility while still ensuring the need for athlete security is met. Based on the ACOG's concerns for athlete security, a security/safety zone will close all of Tybee Cut and a portion of the Half Moon River to unaffiliated vessels from July 6 until August 2, 1996 from 8 a.m. to 7 p.m. EDT daily. Unaffiliated vessels are defined as all vessels that are not registered with the ACOG or designated as an Official Vessel by the Coast Guard Captain of the Port. However, after internal discussions within the Coast Guard and in consultation with the ACOG, the Coast Guard has decided that from July 6 through 18, 1996, Tybee Cut and parts of the Half Moon River is the only part of the proposed Bull River zone which will be in effect (Tybee Cut/Half Moon River zone). From July 19 through August 2, 1996, the safety/security zone in this area will encompass all of the Tybee Cut/Half Moon River zone plus a portion of the Bull River. However, the boundary proposed in the NPRM across the Bull River has been shifted south in the final rule. The boundary of the proposed Bull River zone ran from Pa Cooper Creek due east to the marsh adjacent to the entrance to Bull River. The new boundary line spans the Bull River farther south, and provides a one hour window, for passage thru Tybee Cut from 1 p.m. to 2 p.m. From July 19 to August 2, Wassaw Sound will be inaccessible from Bull River from 8 a.m. to 7 p.m. EDT daily. Tybee Cut will be used by the Athlete Shuttles and affiliated vessels from 8 a.m. to 1 p.m. EDT and from 2 p.m. to 7 p.m. EDT daily. Unaffiliated vessels will be allowed access to Tybee Cut, the Half Moon River, and the Bull River from 1 p.m. to 2 p.m. EDT daily. However,

unaffiliated vessels will not be allowed to proceed south of the line described in section 165.T07-062(a)(5). This one hour access window may slide to a later time if race delays occur. Additionally, from 7 p.m. to 8 a.m. EDT daily, unrestricted access to Tybee Cut, the Half Moon River and the Bull River will be allowed.

The Olympic yachting events do not begin until July 19, though athletes will be in the area beginning July 6, 1996. The Coast Guard has decided that despite the ACOG's opinion that this zone need not be effective until July 8, it is necessary that a zone encompassing Tybee Cut be effective July 6. Beginning July 6, 1996, all of the waterside venues will be considered as being under the "Olympic umbrella" and athletes will have full access to all venues. Therefore, as athletes will be ferried through Tybee Cut beginning July 6, 1996, that date will remain as the effective date for the Tybee Cut/Half Moon River zone.

Between July 6 and 19, 1996, the eastern boundary of the safety/security zone closing Tybee Cut, the Tybee Cut/Half Moon River zone, will be the eastern entrance of the Half Moon River on the Wassaw Sound. This modification will allow vessels to navigate between the Bull River and Wassaw Sound west of Wassaw Breaker throughout that time period. Access between Bull River and Wassaw Sound, east of Wassaw Breaker, is restricted by the 200 yard fixed safety/security zone around the Day Marina. However, the Coast Guard notes that due to tidal changes in this area, the access between Bull River and Wassaw Sound west of Wassaw Breaker will be a viable alternative for vessel transit only at certain tides. As with the proposed Bull River zone, the Tybee Cut/Half Moon River zone will only be in effect from 8 a.m. to 7 p.m. EDT, thereby allowing free transit of vessels throughout almost all of this area during the evening. This zone is described in § 165.T07-062(a)(4).

In light of the modifications to the proposed Bull River zone discussed above, and to address security concerns in the immediate vicinity of the Day Marina, this final rule contains a new safety/security zone in Wassaw Sound, described in § 165.T07-062(6), which extends in a radius of 200 yards around the Day Marina. This zone will be in effect twenty-four hours a day from 8 a.m. EDT July 6, 1996 through 7 p.m. EDT August 2, 1996. The COTP anticipates granting permission for vessels to transit through this zone from 7 p.m. to 8 a.m. EDT daily, under the condition that vessels remain at a

distance of at least 50 yards from the Day Marina.

The Coast Guard received one comment seeking a dedicated small vessel viewing area within the Bull River zone to allow spectator vessels to view the races. In response to this comment as discussed above, the proposed security zone boundary across the Bull River has been shifted south in the final rule. This modification is in addition to the fact that, as discussed above, access to and from the Bull River west of Wassaw Breaker will not be effected until July 19. The new boundary line spans the Bull River farther south, though the resulting zone (termed the Tybee Cut/Bull River/Half Moon River zone) effectively closes the eastern and western entrance to Half Moon River in addition to closing off access to Tybee Cut. This zone is now described in § 165.T07-062(a)(5). This southern shift in the zone boundary will allow small vessels to get closer to the racing areas without compromising safety or security. The Tybee Cut/Bull River/Half Moon River zone does not prevent small vessels from viewing the event from outside the security zone perimeter. Also as discussed above, Wassaw Sound will be inaccessible from Bull River from July 19 to August 2, 1996, but unaffiliated vessels will be allowed access to Tybee Cut, the Half Moon River, and the Bull River from 1 p.m. to 2 p.m. EDT daily provided unaffiliated vessels do not proceed south of an alternate line described in section 165.T07-062(a)(5). This one hour access window may slide to a later time if race delays occur. The ACOG has agreed not to run ferries through Tybee Cut during this time to allow unimpeded access. This window should allow adequate time for vessels to transit without jeopardizing security. After the Olympic events are completed for the day, from 7 p.m. to 8 a.m. EDT daily, the zone will not be effective and therefore access to Tybee Cut, the Half Moon River and the Bull River will be allowed.

A number of comments expressed concern about the closing of Tybee Cut and the effect on boating safety that may have in regard to vessels seeking to return to port in the case of adverse weather. The Coast Guard is concerned with ensuring vessel safety, but notes that access to Tybee Cut is not required to ensure vessels can reach a safe harbor in case of adverse weather. Although the Coast Guard recognizes that Wassaw Sound can get choppy in adverse weather, once a vessel reaches the vicinity of Cabbage Island, an area outside all of the safety/security zones, calmer water can be found. There are

also marinas available and accessible along the southern end of the Wilmington River at which vessels may moor. Therefore, it is the Coast Guard's opinion that due to available alternatives, Tybee Cut need not remain open to ensure the safety of vessels in the area.

The Coast Guard received one comment from the owner of commercial towing business located on Half Moon River. This individual had purchased property on this waterway due to its proximity to the Olympic venues and was concerned that he would be unable to leave his property. The comment stated that the location was selected partially based on conversations with Coast Guard officials last year who had expressed a need for commercial towing assistance during the Olympics. The Coast Guard notes that the boundaries of the zones in this area, both the Tybee Cut/Half Moon River and Tybee Cut/Bull River/Half Moon River, are carefully tailored to meet the need for security for Olympic athletes and officials. The property which is the subject of the comment is a private residence which provides a convenient area for mooring a tow vessel. Although the Coast Guard realizes that mooring this vessel at another location may be inconvenient, there are a number of available marinas and other areas which may be used by this business as a staging area to provide commercial towing assistance. Access to half Moon River and Tybee Cut is not needed to tow any vessel for safety or repairs. As discussed above, and in part to provide this business with some flexibility while at the same time providing for navigational safety and security, the zones in the Half Moon River area, § 165.T07-062(a)(4), have been revised to open a one hour window of opportunity for accessibility via Tybee Cut and Half Moon River in addition to the 7 p.m. to 8 a.m. EDT accessibility. Businesses with mobile assets such as this, or vessels with draft restrictions, are advised to seek other staging or embarkation points if additional flexibility is needed.

The Coast Guard received several comments at the public meeting and seven written comments which addressed the perceived hardships the proposed zones would have on the charter boat industry and marinas which operate in and around the Bull River. These comments represented the interests of vessel owners whose primary business is fishing charters, vessels that have been chartered to carry spectators, and two marinas on the Bull River that cater to charter vessels and sailboats. The change in effective dates

of the zone, specifically, the opening of access between the Bull River and Wassaw Sound between July 6 through July 18, 1996 should help alleviate many of these businesses concerns. For the period of time when access to the Bull River is closed off or tidal conditions make access between the Bull River and Wassaw Sound difficult for draft restricted vessels, as discussed above, there are several alternate routes vessels may take to transit between the Bull River and Wassaw Sound. The most direct route is directly out the mouth of the Bull River into the Sound, west of Wassaw Breaker. Subject to tidal state, this route will be available from July 6 through 18 as a result of the modifications in this final rule. Under both the proposed and final rule, this route is also available every evening from 7 p.m. to 8 a.m. EDT. A second route is up the Bull River to Turner Creek and then into the Wilmington River. The second option requires a vessel to clear the upstream fixed span Route 80 bridge, which has a vertical clearance of 20 feet spanning the Bull River, en route to the Wilmington River. Three comments noted that any non-direct route between the Bull River and Wassaw Sound would add significant time to each trip, with estimates ranging from one to three hours additional transit time in each direction for vessels transiting between the Bull River and Wassaw Island, a traditional fishing ground. Most of the vessels affected by this rule are either too tall to clear the bridge or can do so only during certain tidal conditions. Additionally, one comment noted that even for vessels that can clear the bridge, the added time would make the normal fishing charter trip, which travels to the southeast of Wassaw Island, unmanageable in a typical eleven hour fishing day. The problem is aggravated by the fact that July and August, the times when the Bull River zone will be effective, is the charter industry's peak season. The marinas also commented that they expected to lose revenues as a result of the loss of charter boat business, loss in fuel sales and loss in dockage fees from sailboats. Restaurants and marina operators also commented that they expect to lose business because of the restrictions imposed by the proposed Bull River zone. Additionally, the marinas anticipated that the loss in dockage fees would continue in the future, citing a perceived trend that once someone changed to a new marina, they seldom return the following year.

The Coast Guard notes that portions of the Bull River, up river from the Tybee Cut/Bull River/Half Moon River

security/safety zone are being designated as a special anchorage area in a separate final rule. As a result, a large increase in smaller vessels and their passengers can be anticipated in the river. Many of these vessels will not be constrained by the limited clearance of the fixed span bridge and will be able to transit between the Bull River and Wilmington River during all times of the day. These vessels will be able to utilize any dock space vacated by the larger vessels. Additionally, the large number of people and vessels expected to use the anchorage area and the Bull River in general during the Olympics should help alleviate some of the lost revenue for businesses along Bull River. Any anticipated future losses are merely speculative. The Coast Guard estimates that overall in the Savannah area there will be an increase of 1000–2000 vessels during the time period when this rule is in effect. The ACOG estimates that each day its vessels and officials alone will use between 7,000 and 10,000 gallons of gasoline, two tons of ice, and eat over 1600 lunches. Those estimates are in addition to the need for similar items for the over 1500 volunteers who will be assisting with the events and for the support boats for the racing teams which will be used through July 19. It is inevitable that with all of the expected vessels, there will also be a large demand for vessel repairs.

In regard to the larger vessels, the Coast Guard is aware of the inconveniences that the operation of the zone will cause, but notes that there are other locations where these vessels can dock or anchor that are not affected by any of the zones. The boundaries of the Tybee Cut/Bull River/Half Moon River zone, as well as all the safety/security zones being adopted by this final rule, have been narrowly tailored to provide adequate security while still providing for the interests of navigation. The Coast Guard notes that access from the Bull River to Wassaw Sound will only be restricted during the days and times that the majority of athletes and officials will be present. This will allow access between the Bull River and Wassaw Sound during the evening and from July 6 to July 18, 1996. Additionally, as discussed above, the Captain of the Port anticipates granting general permission for all vessels to transit between the Bull River and Half Moon River and through Tybee Cut for an hour each afternoon, usually from 1 to 2 p.m. EDT, to allow greater accessibility between Bull River and Wassaw Sound.

Atlantic Ocean and Wassaw Sound Zone (Proposed Section 165.T07–062(5))

The Coast Guard received three comments concerning the Atlantic Ocean/Wassaw Sound zone. The first of these comments suggested that vessels and operators be allowed access to the Atlantic Ocean/Wassaw Sound zone after successfully undergoing a security screen. A second related comment sought access to the northern side of Wassaw Sound for a commercial charter business. The combination of security and safety concerns in the Atlantic Ocean/Wassaw Sound zone area combine to prohibit the entrance of any unaffiliated vessels into this zone. The implementation of a security screen by the Coast Guard would pose significant security and traffic management problems that would far outweigh any benefits that may result. Therefore, the Coast Guard is not adopting that suggestion and is not allowing access into this zone. Due to the over 280 competition vessels and 200 powered support vessels operating and racing in the area, this and the other safety/security zones are expected to experience a high degree of congestion during the Olympic races. The Coast Guard believes that to additionally allow the heavy concentration of recreational and commercial vessels expected as spectators into these zones would create an inherently unsafe condition. Therefore, even if all security concerns could be eliminated, which in and of itself would be a time consuming and intrusive task, the safety concerns are too great to allow this type of controlled access. The Atlantic Ocean/Wassaw Sound zone is located near both the Day Marina, where vessels ferrying Olympic athletes will be moored and race venue “A”, where athletes and numerous vessels will be present. In addition, athlete shuttles will regularly transit the area. As proposed by the ACOG and as discussed below, the only spectator vessels allowed within the zones will be a controlled number of vessels carrying passengers with official Olympic tickets to view the yachting events (ticketed spectator vessels). Those vessels and the passengers on board will undergo extensive security screens prior to entry into the zone and their movement within the zone will be strictly controlled so as not to create a hazard to navigation.

The Coast Guard also received one comment from the operator of a sea kayak business. The business launches kayaks from the south end of Tybee Island and the kayaks then proceed to Myrtle Island. Under the proposed

Atlantic Ocean/Wassaw Sound zone, Myrtle Island and surrounding water would be inaccessible as the area would be encompassed within the zone. The commentor was concerned the impact of the zone would have on his business and asked that the zone be modified so that the zone ended fifty yards offshore off the beach of Myrtle Island. In response to this comment, the Atlantic Ocean/Wassaw sound zone has been slightly modified from the proposal to allow access to the marsh area within 50 yards of Myrtle Island, thereby providing a large area suitable for kayaking without compromising safety or security. Additionally, due to the modifications to the proposed zones, the Atlantic Ocean/Wassaw Sound zone has been renumbered in the final rule and now is described in § 165.T07–062(7).

Ticketed Vessels

The Coast Guard received one comment that suggested the “ticketed” vessels that will operate inside the safety/security zones appear to represent a privileged fleet, particularly given the high price of tickets. The Coast Guard notes that these vessels, as well as their passengers, will be subject to the same security measures that spectators attending shoreside events will undergo. These vessels are merely mobile “bleachers” that will operate within the security envelope subject to strict instructions from the ACOG and the Captain of the Port. Tickets are being sold to all other Olympic events; the yachting events are no different. The cost of these tickets is comparable to the price of tickets for other Olympic events. As noted above, limiting spectator vessel access is necessary to ensure navigational safety and the security of the Olympic athletes and associated vessels.

Impacts on Commercial Fishermen

Several comments from commercial fisherman, commercial crab trappers and bait draggers in the area expressed concerns that they would be unduly impacted by the regulations due to the combination of the limited areas and times authorized for fishing by the safety and security zones and the limitations imposed by their state issued fishing licenses. Crab trappers commented on the inordinate number of buoys lost in the Wilmington River during last summer’s regatta and were concerned that the high volume of traffic during the Olympics would result in the loss of large numbers of traps. A representative for commercial fishermen and shrimpers at the public meeting pointed out that there are usually 150–200 traps out during any given time and

that during a regatta last summer each boat lost nearly 50 traps. Concern was also expressed by a crab trapper on the effect of delays in entering Turner Creek and Wilmington River in combination with the summer heat, which could lead to loss of many crabs after harvesting.

The Coast Guard has reviewed the problems raised by the commercial fishermen which will result from the combination of heavy vessel traffic and restrictions on access due to the safety/security zones. The Coast Guard must balance these concerns against concerns, discussed in detail above, for security and navigational safety. In trying to strike a balance, the Coast Guard has had discussions with the State of Georgia Marine Fisheries Branch of Georgia Department of Natural Resources (DNR) which has been made aware of the concerns of the fishermen. The DNR is giving consideration to changing the authorized locations and/or hours of operation during the period covered by the Olympics. These changes would help alleviate some of the problems mentioned by commercial fishermen by reducing the overlap in times when access to certain areas will be restricted by the safety/security zones and access is permitted by state fishing licenses.

The ACOG has agreed to add a warning to its volunteer training program and to boating information given to the participants highlighting the need to be respectful of crabbers' traps. The Coast Guard also notes, though, that some disturbance of traps is unavoidable and that the representative at the public meeting noted that the impacts expected on trap loss during the Olympics is about the same as that expected on any busy weekend.

Additionally, the Coast Guard notes that the changes in planned operation of the zone in the Turner Creek/Wilmington River area (§ 165.T07-062(2)) to allow direct transit through the zone, as opposed to making vessels wait and escorting those vessels in groups through the zone, should reduce the concerns about loss of crabs due to prolonged exposure to heat. Vessels will be denied immediate transit through this area only in cases of immediate safety or security concerns.

Discussion of Regulations

These regulations are intended to promote secure and safe navigation on the waters surrounding the Olympic Village, Olympic ceremonies, Olympic Marinas, racing venue areas, and athlete waterborne transits, by controlling the traffic entering, exiting and traveling within these waters.

Coast Guard and State Law Enforcement patrol vessels with a Coast Guard representative on board will be on scene to enforce the zones and direct traffic. No persons or vessels will be allowed to enter or operate within the zones while they are in effect, except as may be authorized by the Captain of the Port. These regulations are issued pursuant to 33 U.S.C. 1231 and 50 U.S.C. 191, as set out in the authority citation of all of Part 165.

The effective dates of the individual safety/security zones vary, but overall the zones are in effect from July 6 to August 4, 1996.

Six fixed and one moving safety/security zone are being established in the following areas: (1) Savannah River (Olympic Village area), all the waters around the Marriott Hotel-Olympic Village; (2) Wilmington River/Turner Creek (Olympic Marina area); (3) Wilmington River/Tybee Cut, moving safety/security zones will be placed around all Olympic Athlete Shuttle vessels with athletes on board while transiting between the Olympic Marina and the Day Marina; (4) Tybee Cut/Half Moon River, the western entrance to Tybee Cut and the western and eastern approach to Half Moon River (July 6-18); (5) Tybee Cut/Bull River/Half Moon River, the western entrance to Tybee Cut, the western approach to Half Moon River and southern entrance to the Bull River (July 19-August 2); (6) Wassaw Sound, a fixed security zone will be placed around the Day Marina; and (7) the Atlantic Ocean and Wassaw Sound offshore racing areas, which includes the area from Myrtle Island until the Wilmington River and the area from Wilmington Island until the junction of the Half Moon and Bull Rivers. The following is a detailed description of each zone and its effective times.

Olympic Village: This zone will be in effect 24 hours a day from 8 a.m. EDT July 6 to 12 p.m. EDT August 4, 1996 and will affect the entire width of the Savannah River for a distance of 1,000 yards centered on the Marriott Hotel. Vessels representing the Captain of the Port will be available to escort unaffiliated vessels desiring to transit the area. Unaffiliated vessels are defined as all vessels that are not registered with the ACOG or designated as an Official Vessel by the Coast Guard Captain of the Port. Vessels will be asked to transit along the Northern side of the channel. During periods of heavy recreational traffic, delays should be expected. Priority will be given to commercial traffic. On July 20th, July 29th and August 2nd the zone will be extended 500 yards to the west from 7:30 p.m. to 10:30 p.m. EDT for the opening, medal,

and closing ceremonies. No vessels will be allowed to transit the zone during these times.

Olympic Marina: This zone will be in effect 24 hours a day from 8 a.m. EDT July 6 to 7 p.m. EDT August 2, 1996 and will extend across the mouth of Turner Creek, just east of Sail Harbor. The zone will extend 200 yards west into the Wilmington River from Turner Rock and run south to a point due west of the first private dock, and then easterly to the shore. Vessels will need permission from a Coast Guard official acting for the COTP in the vicinity prior to transiting into or out of Turner Creek. Once permission is granted to transit the zone, unaffiliated vessels will not be allowed to stop or loiter in the vicinity of Sail Harbor or the Sheraton Complex. The COTP anticipates routinely granting permission to transit the zone, but should the number of vessels seeking to transit this area reach a number that compromises athlete security the Coast Guard may escort groups of vessels through the area, require one-way transits, or deny access for short time periods. Delays should be minimal.

Wilmington River/Tybee Cut: A 75 yard moving safety/security zone will be enforced around Athlete Shuttles from 8 a.m. to 7 p.m. EDT daily from July 6 to August 2, 1996 as they transit from the Olympic Marina (Sheraton) to the Day Marina at Beach Hammock. Vessel operators will need to be alert for the approach of these vessels and stand clear. Athlete shuttle vessels will be in continuous operation from 8 a.m. to 7 p.m. EDT and will proceed down the eastern side of the Wilmington River, through Tybee Cut, into Half Moon River and then to the Day Marina located in Wassaw Sound. The same route will be used for return trips.

Tybee Cut/Half Moon River: This safety/security zone closes Tybee Cut to all unaffiliated vessels from 8 a.m. to 7 p.m. EDT daily from July 6 to July 18, 1996. From July 19 through August 2, 1996 the area encompassed by this becomes part of the Tybee Cut/Bull River/Half Moon River zone. As part of this zone, the entrance to the Half Moon River just west of the intersection with Tybee Cut will also be closed. The eastern boundary of this zone will be the eastern entrance of the Half Moon River on Wassaw Sound. Wassaw Sound, west of Wassaw Breaker will be open to vessel traffic during this time. Tybee Cut will be used by the Athlete Shuttles and affiliated vessels from 8 a.m. to 1 p.m. EDT and from 2 p.m. to 7 p.m. EDT. The Captain of the Port, via Broadcast Notice to Mariners, will grant general permission for all vessels to transit between the Bull River and Half

Moon River and between Tybee Cut and Wilmington River. This one hour access window may slide to a later time if race delays occur. Additionally from 7 p.m. to 8 a.m. EDT daily, unrestricted access to Tybee Cut, the Half Moon River and the Bull River will be allowed.

Tybee Cut/Bull River/Half Moon River: This zone is effective from July 19 to August 2. The zone will encompass the entire area of the Tybee Cut/Half Moon River zone described above, including closing Tybee Cut, but the eastern boundary will shift to be across the Bull River at the Northern end of Wassaw Sound. As a result, from July 19 to August 2, Wassaw Sound will be inaccessible from Bull River from 8 a.m. to 7 p.m. EDT daily. Tybee Cut will continue to be used by the Athlete Shuttles and affiliated vessels from 8 a.m. to 1 p.m. EDT and from 2 p.m. to 7 p.m. EDT. Unaffiliated vessels will be allowed access to Tybee Cut, the Half Moon River, and the Bull River from 1 p.m. to 2 p.m. EDT daily. However, unaffiliated vessels will not be allowed to proceed south of an alternate line described in section 165.T07-062(a)(5). This one hour access window may slide to a later time if race delays occur. Additionally from 7 p.m. to 8 a.m. EDT daily, unrestricted access to Tybee Cut, the Half Moon River and the Bull River will be allowed.

Wassaw Sound: A 200 yard safety/security zone will be in effect 24 hours a day from 8 a.m. EDT July 6 to 7 p.m. EDT August 2, 1996 around the Day Marina. No unaffiliated vessels will be allowed access to the zone from 8 a.m. to 7 p.m. EDT. Note that beginning July 19 when the Tybee Cut/Bull River/Half Moon River and Wassaw Sound/Atlantic Ocean safety/security zones are in effect this zone around the Day Marina, is fully encompassed by those zones. From 7 p.m. to 8 a.m. EDT all vessels will be granted permission to transit this zone between Wassaw Sound and the Bull River, under the condition that the vessels may not proceed closer than 50 yards to the Day Marina, and must obtain prior authorization from Coast Guard Vessels patrolling the zone.

Wassaw Sound/Atlantic Ocean: The approximately 14 mile long safety/security zone offshore will be established from July 19 to August 3, 1996 and will be in effect 24 hours a day. From 8 a.m. to 7 p.m. EDT no unaffiliated vessels will be granted permission to enter this zone. Vessels desiring to transit the area from 7 p.m. to 8 a.m. EDT will need to check in with Coast Guard vessels in the vicinity for permission. The Coast Guard expects to grant such permission, provided there

are no immediate safety or security concerns.

The regulations for the offshore racing areas included within this zone will be enforced for the race venues which are located within the navigable waters of the United States. These regulations are necessary to minimize navigational dangers and to ensure the safety and security of Olympic athletes and affiliated vessels operating within the Olympic venue. Nonobligatory guidelines are included in the regulatory language for that portion of the racing venue which falls outside the navigable waters of the United States. Entry into this safety/security zone by other than affiliated vessels will be prohibited without permission of the Captain of the Port or the Olympic Patrol Commander.

Olympic Torch: The Coast Guard is establishing a moving safety zone for the vessel which will carry the Olympic torch to the Savannah waterfront, prior to the commencement of the 1996 Olympic Games. The exact route of the torch is uncertain at this time. The zone will commence either, on the Savannah River in the vicinity of Coast Guard Station Tybee and continue west up river to the Highway 17A bridge (Talmadge bridge), or at the mouth of the Wilmington River and proceed to the Savannah River via the ICW and thence westerly to the Highway 17A bridge. The safety zone is needed for the protection of the vessel carrying the Olympic torch. The Captain of the Port will provide escort vessels and restrict approaching vessel operations in support of the moving safety zone.

Olympic Fireworks: Finally, the Coast Guard is establishing a safety zone for a fireworks display in connection with Olympic festivities, on the Savannah River in the vicinity of Rousakis Plaza. The safety zone is needed to protect vessels, facilities, and personnel from safety hazards associated with the storage, preparation, and launching of fireworks. The Captain of the Port is restricting vessel operations in the safety zone.

Regulatory Evaluation

These regulations are not a significant regulatory action under section 3(f) of Executive Order 12866 and do 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 rule

to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. As discussed in the preamble, the boundaries, effective dates and times of all of the safety/security zones in this rule have been carefully tailored to meet the needs of security for the Olympic athletes while still providing for navigational safety. The 1,000 to 2,000 extra vessels expected to be in the Savannah area for the Olympics will bring a large amount of extra business into the area for many of the businesses affected by this rule.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule will have a significant effect on a substantial number of small entities. "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.

Over 1,100 athletes and coaches representing over 80 countries, over 300 competition vessels, as well as approximately 1,000 to 2,000 support and spectator vessels are expected to arrive and participate in the festivities of the 1996 Olympic yachting competition. To ensure the security of the Olympic athletes and support personnel and to ensure the safety of the large volume of recreational and spectator vessels expected in the area, the Coast Guard is establishing these safety/security zones. The Coast Guard realizes that this rule will have some effect on some small entities, but the rule has been narrowly tailored to provide for security of the athletes and navigational safety on the waterways. The effective dates and times as well as the boundaries of the zones have been examined to ensure that they restrict movement only to the extent necessary to ensure security and navigational safety. Many of the zones are only in effect from 8 a.m. to 7 p.m. EDT when athletes are most likely to be in the areas, providing unlimited access to many areas each evening. As discussed in the preamble, alternate routes to those routes affected by this rule exist for many of the zones. If a vessel needs to transit through a zone, the COTP may grant permission for vessel transit even when the zone is in effect. To help vessels plan transits, the Coast Guard has provided details in this rule as to times and places when the COTP anticipates granting such permission and how vessels may request such

permission. As discussed in the preamble, the Olympic yachting events will bring large numbers of people and vessels into the area. Although the effect of this rule on small business is difficult to quantify, the Coast Guard expects that losses incurred by small entities as a result of this rule may be offset by a large increase in potential customers, albeit temporary.

For the reasons discussed above, including the determination that this rule is not economically significant, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. *et seq.*) that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains 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 rule 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 rule consistent with Section 2.B.2. of Commandant Instruction M16475.1B. In accordance with that section, this action has been environmentally assessed (EA completed), and the Coast Guard has concluded that it will not significantly affect the quality of the human environment. An environmental assessment and finding of no significant impact has been prepared and is available for copying and inspection where indicated under the ADDRESSES section above.

List of Subjects in 33 CFR Part 165

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

Final Regulations

In consideration of the foregoing, Part 165 of Title 33, Code of Federal Regulations, the Coast Guard amends 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), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. A new § 165.T07–062 is added to read as follows:

§ 165.T07–062 Safety/Security Zones: Savannah River, Wilmington River and Turner Creek, Bull River and Wassaw Sound, GA.

(a) *Safety/Security zones.* The following areas are safety/security zones (all coordinates referenced use Datum: NAD 1983):

(1) *Marriott Hotel/Olympic Village.* The safety/security zone is in the following area: from the Marriott Hotel Olympic Village on the Savannah River in position:

32° 04' 48" N, 81° 04' 54" W; thence east to
32° 04' 45" N, 81° 04' 44" W; thence west to
32° 04' 49" N, 81° 05' 05" W.

This zone includes all waters within the above noted area in the Savannah River from shore to shore. This zone is extended an additional 500 yards to the west for opening (July 20, 1996) and closing ceremonies (August 2, 1996) as well as the award ceremonies (July 29, 1996).

(2) *Olympic Marina; Wilmington River and Turner Creek.* The safety/security zone is in the following area for the Olympic Village: On the Wilmington River Commencing at position:

32° 00' 41" N, 81° 00' 16" W; thence west 200 yards to
32° 00' 34" N, 81° 00' 22" W; then southerly to
32° 00' 13" N, 81° 00' 12" W; then east to the shore of Wilmington Island. Shoreside to the entrance of Turner Creek.

The eastern boundary of this zone is established in the following position:

32° 00' 32" N, 80° 59' 55" W; thence north to
32° 00' 37" N, 80° 59' 53" W.

(3) *Wilmington River and Tybee Cut.* A moving safety/security zone is in the following areas:

All waters within a 75 yard radius around all Olympic athlete shuttle vessels with Olympic athletes and officials onboard. These vessels will be transiting the Wilmington River in the area between the Olympic Marina at position:

32° 00' 34" N, 80° 59' 55" W; thence southeast via the Wilmington River and Tybee Cut to,
31° 56' 40" N, 80° 55' 46" W; the Olympic Day Marina.

(4) *Tybee Cut/Half Moon River.* This safety/security zone closes Tybee Cut and the eastern approach to the Half Moon River to all unaffiliated vessels, at the following positions:

(i) *Tybee Cut* from shore to shore across the entrance at position:

31° 57' 06" N, 80° 59' 09" W.

(ii) *Half Moon River (west)* extending from shore to shore from position:

31° 58' 15" N, 80° 57' 46" W;

northeast to

31° 58' 16" N, 80° 57' 36" W.

(iii) *Half Moon River (east)* extending from shore to shore from position:

31° 57' 42" N, 80° 57' 05" W; thence

northerly to

31° 57' 53" N, 80° 57' 00" W.

This zone includes all of Tybee Cut.

(5) *Tybee Cut/Bull River/Half Moon River.* This safety/security zone closes Tybee Cut, the southern entrance to the Bull River, and the eastern approach to the Half Moon River to all unaffiliated vessels, at the following positions:

(i) *Tybee Cut* from shore to shore

across the entrance at position:

31° 57' 06" N, 80° 59' 09" W.

(ii) *Half Moon River* extending from shore to shore from position:

31° 58' 15" N, 80° 57' 46" W;

northeast to

31° 58' 16" N, 80° 57' 36" W.

(iii) *Primary Bull River* the southern most tip of Wilmington Island at position:

31° 57' 50" N, 80° 56' 55" W; east to

Little Tybee Island

31° 57' 35" N, 80° 55' 55" W.

Alternate Bull River from the northeastern most point of Cabbage Island at position:

31° 57' 35" N, 80° 56' 55" W; east to

Little Tybee Island

31° 57' 35" N, 80° 55' 55" W.

This zone includes all of Tybee Cut and establishes the northwestern boundary of the Atlantic safety/security zone described in paragraph (a)(6).

(6) *Day Marina/Wassaw Sound.* This safety/security zone extends in a radius of 200 yards around the Olympic Day Marina located in approximate position 32° 56' 40" N, 81° 55' 52" W.

(7) *Atlantic Ocean and Wassaw Sound.* The following areas are a safety/security zone:

(i) from a position in Wassaw Sound at:

31° 57' 32" N, 80° 56' 31" W; thence east to Little Tybee Island, at 31° 57' 30" N, 80° 51' 45" W following the southern shoreline of Little Tybee Island to 31° 58' 16" N, 80° 51' 45" W thence southeast.

31° 58' 00" N, 80° 50' 48" W; thence southeast

31° 57' 45" N, 80° 50' 08" W; thence southeast

31° 57' 27" N, 80° 49' 21" W; thence south

31° 56' 21" N, 80° 48' 48" W; thence southwest to

31° 55' 34" N, 80° 49' 11" W; thence southwest to

31° 54' 45" N, 80° 49' 34" W; thence

southwest to
 31° 53' 58" N, 80° 49' 55" W; thence
 southwest to
 31° 53' 09" N, 80° 50' 19" W; thence
 west to
 31° 52' 45" N, 80° 52' 00" W; thence
 northwest to
 31° 53' 06" N, 80° 52' 30" W; thence
 northwest to
 31° 53' 36" N, 80° 53' 15" W; thence
 northwest to
 31° 54' 32" N, 80° 54' 27" W; thence
 northwest to
 31° 54' 48" N, 80° 54' 55" W; thence
 west to
 31° 55' 02" N, 80° 56' 20" W; thence
 to a curved line following the outer
 edge of Race Course Circle A
 northwest to 31° 56' 11" N, 80° 58'
 14" W; east northeast to Cabbage
 Patch Island at position 31° 56' 18"
 N, 80° 58' 04" W following the
 southern shoreline of Cabbage Patch
 Island to 31° 57' 30" N, 80° 56' 57"
 W thence east to 31° 57' 32" N, 80°
 56' 31" W. (ii) In Wassaw Sound
 from the southern tip of
 Wilmington Island at the junction
 of the Half Moon and Bull Rivers at
 position:
 31° 57' 47" N, 80° 56' 25" W; thence
 southeast to
 31° 57' 33" N, 80° 55' 55" W; thence
 south including all the waters of
 Wassaw Sound.

(b) *Definitions.*

(1) *Unaffiliated vessels.* All vessels that are not registered with the Atlanta Committee on the Olympic Games (ACOG) or designated as an Official Vessel by the Coast Guard Captain of the Port are unaffiliated vessels.

(2) *The ACOG vessels.* All vessels that are registered with the ACOG.

(3) *Olympic athlete shuttle vessels.* The ACOG vessels ferrying Olympic athletes between the Olympic Marina and the Day Marina.

(4) *Participant.* Any competition vessel or vessel directly supporting competition that is registered with the ACOG while in performance of its official function relative to a given race.

(5) *Competition Vessels.* Any vessel approved and designated by the ACOG for participation in sanctioned racing.

(6) *Official Vessels.* Official Vessels are all U.S. Coast Guard, U.S. Coast Guard Auxiliary, state and local law enforcement, and civilian vessels designated by the Coast Guard Captain of the Port.

(7) *Captain of the Port.* A Captain of the Port has been designated by the Commander, Seventh Coast Guard District. The Captain of the Port has the authority to control the movement of all vessels operating in the regulated areas and may suspend the races at any time

it is deemed necessary for the protection of life and property.

Note: The Captain of the Port may be contacted during the regulatory periods on VHF/FM Channel 16 (156.8 MHz) or Channel 22 (157.1 MHz) by calling "Coast Guard Captain of the Port" or "Coast Guard Marine Safety Office Savannah".

(8) *Coast Guard Vessels.* Any Coast Guard vessel or other vessel with a Coast Guard representative onboard.

(c) *Effective dates.*

(1) *Marriott Hotel/Olympic Village.* The safety/security zone is effective from 8 a.m. EDT July 6, 1996, and terminates at 12 p.m. EDT August 4, 1996. From 7:30 p.m. until 10:30 p.m. EDT on July 20, July 29, and August 2, 1996 the zone is extended 500 yards west for the opening, medals, and closing ceremonies.

(2) *Olympic Marina; Wilmington River and Turner Creek.* This safety/security zone is effective from 8 a.m. EDT July 6, 1996, and terminates at 7 p.m. EDT August 2, 1996.

(3) *Wilmington River/Tybee Cut.* This moving safety/security zone is effective from 8 a.m. to 7 p.m. EDT daily from July 6, 1996 until August 2, 1996.

(4) *Tybee Cut/Half Moon River.* This safety/security zone is effective between 8 a.m. and 7 p.m. EDT daily from July 6, 1996 until July 18, 1996. The Captain of the Port may authorize access to Tybee Cut and Half Moon River between approximately 1 p.m. and 2 p.m. EDT daily.

(5) *Tybee Cut/Bull River/High Moon River.* This safety/security zone is effective between 8 a.m. and 7 p.m. EDT daily from July 19, 1996 until August 2, 1996. The alternate Bull River position granting access to Tybee Cut and Half Moon River is effective between approximately 1 p.m. and 2 p.m. EDT daily, unless otherwise published by the Captain of the Port in the Local Notice to Mariners.

(6) *Day Marina/Wassaw Sound.* This safety/security zone is effective from 8 a.m. EDT July 6, 1996 to 7 p.m. EDT August 2, 1996.

(7) *Atlantic Ocean and Wassaw Sound.* This safety/security zone is effective between the hours of 10 a.m. and 7 p.m. EDT daily, commencing July 19, 1996 to August 2, 1996 on each race date.

The Captain of the Port may elect not to implement the regulations on those race dates when the races are postponed or canceled; announcement to that effect will be made by Broadcast Notice to Mariners.

(d) *Regulations.*

(1) In accordance with the general regulations in § 165.23 and § 165.33 of

this part, entry into the zones established by this regulation is prohibited unless authorized by the Captain of the Port or a Coast Guard commissioned, warrant, or petty officer designated by him. Section 165.33 also contains other general requirements.

(2) For the Atlantic Ocean/Wassaw Sound security/safety zone, described in (a)(7), on those waters within the Olympic offshore race venue which fall within the navigable waters of the United States, i.e., those waters within three nautical miles of the baseline from which the territorial sea is measured, the following regulations apply:

(i) Unaffiliated vessels shall remain outside the course perimeter, as marked by the ACOG vessels and Official Vessels.

(ii) All vessels shall follow the instructions of any Coast Guard, Coast Guard Auxiliary or state law enforcement vessels.

Note: The regulations specified in paragraph (d)(2) apply only within the navigable waters of the United States. In all waters within the Olympic offshore race venue which fall outside the navigable waters of the United States, during the specified dates and times, the following nonobligatory guidelines apply:

(A) All unaffiliated vessels should remain clear of the race venue and avoid interfering with any participant, the ACOG or Official Vessel. Interference with race activities may constitute a safety hazard warranting cancellation or termination of all or part of the race activities by the Captain of the Port.

(B) Any unauthorized entry within the race course perimeter, as marked by the ACOG and Official Vessels, by unaffiliated vessels constitutes a risk to the safety of marine traffic. Such entry will constitute a factor to be considered in determining whether a person has operated a vessel in a negligent manner in violation of 46 U.S.C. 2302.

3. A new temporary § 165.T07-077 is added to read as follows:

§ 165.T07-077 Safety Zone: Savannah River, Savannah, GA.

(a) *Location.* The following area is a moving safety zone: All waters within a 75 yard radius around the vessel that carries the Olympic torch to the Savannah waterfront. The exact route of the vessel carrying the torch will be announced via Broadcast Notice to Mariners before the zone is in effect. The zone commences either, on the Savannah River in the vicinity of Coast Guard Station Tybee (approximate position of 32° 02' 10" N, 80° 54' 16" W) and continue west up river to the Highway 17A bridge (Talmadge bridge) (approximate position 32° 05' 13" N, 81°

05' 47" W), or at the mouth of the Wilmington River and proceed to the Savannah River via the Intracoastal Waterway (ICW) and thence westerly to the Highway 17A bridge. All coordinates referenced use Datum: NAD 1983.

(b) *Effective date.* This section is effective at 6 p.m. and expires at 10 p.m. EDT on July 9, 1996, unless terminated sooner by the Captain of the Port, Savannah, GA.

(c) *Regulations.* In accordance with the general regulations in Section 165.23 of this part, entry into the zone is subject to the following requirements:

(1) This safety zone is closed to all marine traffic, except as may be permitted by the Captain of the Port or his representative.

(2) The "representative of the Captain of the Port" is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Savannah, GA, to act on his behalf regardless of the support platform.

(3) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port or his representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone shall comply with all directions given them by the Captain of the Port or his Representative.

(4) The Captain of the Port may be contacted by telephone via the Command Duty Officer at (912) 652-4353. Vessels assisting in the enforcement of the safety zone may be contacted on VHF-FM channels 16 or 81, or vessel operators may determine the restrictions in effect for the safety zone by coming alongside a vessel patrolling the perimeter of the safety zone.

(5) The Captain of the Port will issue a Marine Safety Information Broadcast Notice to Mariners to notify the maritime community of the safety zone and restrictions imposed. Coast Guard vessels enforcing the zones will have informational handouts. Information will also be available at local marinas.

4. A new temporary § 165.T07-078 is added to read as follows:

§ 165.T07-078 Safety Zone: Savannah River, Savannah, GA.

(a) *Location.* The following area is a safety zone: All waters within a 50 yards radius around a fireworks barge in the vicinity of Rousakis Plaza, Savannah River, Savannah, GA at an approximate position of 32°04'.55 N, 81°05'.27 W. All coordinates referenced use Datum: NAD 1983. The Savannah River will be

closed to all vessel transits, during the actual fireworks display.

(b) *Effective date.* This section is effective at 9:15 p.m. and expires at 11 p.m. EDT on July 4, 1996, unless terminated sooner by the Captain of the Port, Savannah, GA.

(c) *Regulations.* In accordance with the general regulations in Section 165.23 of this part, entry into the zone is subject to the following requirements:

(1) This safety zone is closed to all marine traffic, except as may be permitted by the Captain of the Port or his representative.

(2) The "representative of the Captain of the Port" is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Savannah, GA, to act on his behalf regardless of the support platform.

(3) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port or his representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone shall comply with all directions given them by the Captain of the Port or his representative.

(4) The Captain of the Port may be contacted by telephone via the Command Duty Officer at (912) 652-4353. Vessels assisting in the enforcement of the safety zone may be contacted on VHF-FM channels 16 or 81, or vessel operators may determine the restrictions in effect for the safety zone by coming alongside a vessel patrolling the perimeter of the safety zone.

(5) The Captain of the Port will issue a Marine Safety Information Broadcast Notice to Mariners to notify the maritime community of the safety zone and restrictions imposed. Coast Guard vessels enforcing the zones will have informational handouts. Information will also be available at local marinas.

Dated: April 23, 1996.

Roger T. Rufe, Jr.,

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

[FR Doc. 96-10556 Filed 4-29-96; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IA 003-1003; FRL-5455-4]

Approval and Promulgation of Implementation Plans and Delegation of 112(l); State of Iowa

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: On August 4, 1995, the EPA published a proposed rulemaking to approve Iowa's voluntary operating permit program to serve as an alternative for sources otherwise subject to Title V of the Clean Air Act (the Act). No adverse comments were received on the proposed rulemaking. The EPA is now taking final action to approve this program.

EFFECTIVE DATE: This rule will become effective on May 30, 1996.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the: Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101; and EPA Air & Radiation Docket and Information Center, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Christopher D. Hess at (913) 551-7213.

SUPPLEMENTARY INFORMATION: At 60 FR 39907, dated August 4, 1995, the EPA published a proposed rulemaking to approve Iowa's voluntary operating permit program as part of the State Implementation Plan (SIP) and pursuant to section 112(l) of the Act. This program serves as an alternative for sources which might otherwise be subject to Title V. In Section V of the August 4, 1995, Federal Register document proposing approval of Iowa's program, the EPA cited four regulatory deficiencies for the state to correct in order for EPA to proceed with final rulemaking. These four deficiencies concerned the definition of 12-month rolling period; fugitive emissions; eligibility for a voluntary permit; and a requirement that permit limitations, controls, and requirements be enforceable as a practical matter. The state adopted these changes and submitted them to the EPA under the signature of Larry Wilson, Director, Iowa Department of Natural Resources, on February 16, 1996. For further information on these items, the reader should consult the proposed rulemaking and the technical support document.