

DEPARTMENT OF DEFENSE**Department of the Navy****32 CFR Part 706****Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972**

AGENCY: Department of the Navy, DOD.
ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that CORMORANT (MHC 57) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special functions as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: 08 November 1996.
FOR FURTHER INFORMATION CONTACT: Captain R.R. Pixa, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department,

200 Stovall Street, Alexandria, Virginia, 22332-2400, Telephone Number: (703) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has certified that CORMORANT (MHC 57) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Rule 27(f), pertaining to the display of all-round lights by a vessel engaged in mineclearance operations; and Annex I, paragraph 9(b), prescribing that all-round lights be located as not to be obscured by masts, topmasts or structures within angular sectors of more than six degrees. The Deputy Assistant Judge Advocate General (Admiralty) of the Navy has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

Accordingly, 32 CFR Part 706 is amended as follows:

PART 706—[AMENDED]

1. The authority citation for 32 CFR Part 706 continues to read as follows:

Authority: 33 U.S.C. 1605.

§ 706.2 [Amended]

2. Section 706.2 is amended by adding, in numerical order, the following entry for CORMORANT (MHC 57) to Table Four, paragraph 18: § 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

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Vessel	Number	Obscured angles relative to ship's heading	
		Port	STBD
* * * * *	* * * * *	* * * * *	* * * * *
CORMORANT	MHC 57	59.5° to 78.3°	281.7° to 300.5°
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Dated: November 7, 1996.
 R.R. Pixa,
Captain, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty).
 [FR Doc. 96-30079 Filed 11-25-96; 8:45 am]
 BILLING CODE 3810-FF-P

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 100**

[CGD 95-054]

RIN 2115-AF17

Regattas and Marine Parades

AGENCY: Coast Guard, DOT.
ACTION: Interim rule; delay of effective date.

SUMMARY: The Coast Guard is delaying the effective date of the interim rule on

regatta and marine parades published in the Federal Register on June 26, 1996. The interim rule more precisely identifies those marine events which require a permit, those which require only written notice to the Coast Guard, and those which require neither. A change in the effective date from January 1, 1997, to January 1, 1998, is necessary to allow time to further assess the potential impact, if any, of the interim rule on the environment.

EFFECTIVE DATE: The interim rule published on June 26, 1996 (61 FR 33027) is effective on January 1, 1998.

FOR FURTHER INFORMATION CONTACT:

Mr. Carlton Perry, Office of Boating Safety, (202) 267-0979. A copy of the interim rule and the draft environmental assessment may be obtained by calling the Coast Guard Customer Infoline at 1-800-368-5647 or, in Washington, DC, 267-0780.

SUPPLEMENTARY INFORMATION: On June 26, 1996, the Coast Guard published an interim rule and notice of availability of environmental assessment (CGD 95-054) entitled "Regattas and Marine Parades" in the Federal Register (61 FR 33027). The interim rule, which was to become effective on January 1, 1997, revised the Coast Guard's marine event regulations to eliminate unnecessary requirements while continuing to protect the safety of life. The rule more precisely identifies those events which require a permit, those which require only written notice of the Coast Guard, and those which require neither. The environmental assessment and proposed finding of no significant impact which support this rulemaking were made available to the public.

Approximately 85 comments were received in response to the USCG request for comments and publication of the interim rule and notice of

availability of the Environmental Assessment. Many of these comments raised concerns regarding the reporting requirements placed on the marine event sponsors and the potential environmental effects associated with changing the current regulations on regatta and marine parade permitting procedures. In addition, several comments received in response to a draft Environmental Impact Statement (EIS) entitled "U.S. Coast Guard Atlantic Protected Living Marine Resources Initiative" reiterated concerns raised by the comments on the interim rule. Based upon these comments, and concerns raised during the ongoing consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, the Coast Guard is reconsidering whether to proceed with a revision of the existing regulations on regatta and marine parade permitting procedures, as published, and is postponing the effective date for the interim rule.

Accordingly, in FR Doc. 96-16319 published in the Federal Register on June 26, 1996, at 61 FR 33027, the effective date for the referenced interim rule is changed from January 1, 1997, to January 1, 1998.

Dated: November 19, 1996.

M.F. McCormack,

Captain, U.S. Coast Guard, Acting Assistant Commandant for Operations.

[FR Doc. 96-30065 Filed 11-25-96; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 100

[CGD 05-96-105]

Special Local Regulations for Marine Events; Holidays in the City Boat Parade; Town Point, Elizabeth River, Norfolk, Virginia

AGENCY: Coast Guard, DOT.

ACTION: Notice of implementation.

SUMMARY: This notice implements 33 CFR 100.501 for the Holidays in the City Boat Parade and Fireworks Display, an annual event to be held on November 30, 1996. The event will include a boat parade of approximately 65 vessels and a fireworks display at the conclusion of the parade. These special local regulations are needed to control vessel traffic within the immediate vicinity of the event due to the confined nature of the waterway and expected vessel congestion. The effect will be to restrict general navigation in the area for the safety of participants, spectators, and other vessels transiting the event area.

EFFECTIVE DATE: The regulations in 33 CFR 100.501 are effective from 5 p.m. to 8:30 p.m., November 30, 1996.

FOR FURTHER INFORMATION CONTACT: LTJG R. Christensen, marine events coordinator, Commander, Coast Guard Group Hampton Roads, 4000 Coast Guard Blvd., Portsmouth, VA 23703-2199, (757) 483-8521.

SUPPLEMENTARY INFORMATION: The Downtown Norfolk Council will sponsor the Holidays in the City Boat Parade and Fireworks Display on November 30, 1996. The Boat parade route will run from the Berkeley Bridge to Hospital Point on the Elizabeth River and along the Portsmouth waterfront on the Southern Branch of the Elizabeth River. Approximately 65 vessels are expected to participate in the boat parade. The fireworks display will be launched from Town Point Park. A large number of spectator vessels are expected for both the boat parade and the fireworks display. Therefore, to ensure safety of both participants and spectators, 33 CFR 100.501 will be in effect for the duration of the event. Under the provisions of 33 CFR 100.501, a vessel may not enter the regulated area unless it is registered as a participant with the event sponsor or it receives permission from the Coast Guard patrol commander. These restrictions will be in effect for a limited period and should not result in significant disruption of maritime traffic.

Additionally, 33 CFR 110.72aa and 33 CFR 117.1007(b) will be in effect while 33 CFR 100.501 is in effect. Section 110.72aa establishes special anchorages which may be used by spectator craft. Section 117.1007(b) provides that the draw of the Berkeley Bridge shall remain closed from one hour prior to the scheduled event until one hour after the scheduled event unless the Coast Guard patrol commander allows it to be opened for passage of commercial traffic.

Dated: November 12, 1996.

Kent H. Williams,

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

[FR Doc. 96-30227 Filed 11-25-96; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Los Angeles-Long Beach 96-003]

RIN 2115-AA97

Safety Zone; San Pedro Bay, CA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard has established a moving safety zone around any liquefied hazardous gas tank vessel (LHG T/V) while the vessel is anchored, moored, or underway within the Los Angeles-Long Beach port area. The safety zone will take effect upon the entry of any LHG T/V into the waters within three (3) miles outside of the Federal breakwaters encompassing San Pedro Bay, and will remain in effect until the LHG T/V leaves the said three (3) mile limit. Entry into this zone is prohibited unless authorized by the Captain of the Port Los Angeles-Long Beach. Prohibiting vessel traffic from entering these moving safety zones will reduce the likelihood of a collision or explosion involving a liquefied hazardous gas carrier.

EFFECTIVE DATE: This final rule is effective on October 15, 1996.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Commanding Officer, U.S. Coast Guard Marine Safety Office Los Angeles-Long Beach, 165 N. Pico Avenue, Long Beach, CA 90802 between 8 a.m. and 4 p.m. Monday through Friday, except Federal holidays. The telephone number is (310) 980-4454.

FOR FURTHER INFORMATION CONTACT: Lieutenant Keith T. Whiteman, Chief, Port Safety and Security Division, Marine Safety Office Los Angeles-Long Beach, 165 N. Pico Avenue, Long Beach, CA 90802; phone: (310) 980-4454 or fax: (310) 980-4415.

SUPPLEMENTARY INFORMATION:
Regulatory History

On April 17, 1996, the Coast Guard published an NPRM entitled Safety Zone; San Pedro Bay, CA in the Federal Register (61 FR 37714). The Coast Guard received no letters commenting on the proposal. No public hearing was requested, and none was held.

Background and Purpose

Liquefied hazardous gas tank vessels (LHG T/V) periodically transit and moor in Los Angeles-Long Beach port areas to load butane at the AmeriGas facility at Los Angeles Berth 120. For each LHG T/V arrival and departure, the Captain of the Port Los Angeles-Long Beach has exercised his authority and established a temporary safety zone around the vessel. These transits are occurring with increasing frequency. To limit the administrative burden of creating a temporary final rule for each vessel, the Captain of the Port created a regulation which establishes a moving safety zone around each LHG T/V while it is in the