

604(b) that this rulemaking will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This final 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 this rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this final rule and concluded that under paragraph 2.B.2.g(5) of Commandant Instruction M16475.1B, this rulemaking is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Section 117.433 is revised to read as follows:

§ 117.433 Bonfouca Bayou.

The draw of the S433 bridge, mile 7.0, at Slidell, shall operate as follows:

(a) The draw need not open for passage of vessels from 7 a.m. to 8 a.m. and from 1:45 p.m. to 2:45 p.m., Monday through Friday except Federal Holidays.

(b) The draw need open only on the hour and half-hour from 6 a.m. to 7 a.m. and from 3 p.m. to 6 p.m., Monday through Friday except Federal holidays.

(c) The draw shall open a signal from 9 p.m. to 5 a.m., if at least 4 hours notice is given to the Louisiana Department of Transportation and Development Security Service at (504) 375–0100.

(d) At all other times the draw shall open on signal.

Dated: March 7, 1997.

T.W. Josiah,

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

[FR Doc. 97–7730 Filed 3–26–97; 8:45 am]

BILLING CODE 4910–14–M

33 CFR Part 162

[CGD09–97–005]

Temporary Speed Limits for the St. Marys River

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is making a temporary amendment to the speed limits for the St. Marys River during the 1996–97 icebreaking season. This amendment reduces the speed limit by 2 miles per hour through that part of the system, between Munuscong Channel Lighted Buoy 8 (LLNR 13065) and Lake Nicolet Light 80 (LLNR 13465) upbound and between Lake Nicolet Light 80 (LLNR 13465) and West Neebish Channel Light 9 (LLNR 13715) downbound. These temporary changes to the speed regulations are a precautionary measure to minimize any possible damage to the environment due to movement of large commercial vessels through the ice.

DATES: This regulation is effective from March 13, 1997, through April 15, 1997.

FOR FURTHER INFORMATION CONTACT: Lieutenant (Junior Grade) John Marian, U.S. Coast Guard, Group Sault Ste. Marie, 337 Water Street, Sault Ste. Marie, Michigan, 49783, (906) 635–3303.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a Notice of Proposed Rulemaking has not been published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Publication of a notice of proposed rulemaking and delay in the effective date would be contrary to the public interest because immediate action is necessary to prevent possible damage to the environment.

Discussion of Proposed Regulation

In a letter received on February 26, 1993, the Michigan Department of Natural Resources advised the Commander of the Ninth Coast Guard District of concerns over the environmental impact of ship transits through the St. Marys River during the period of March 21 to April 1. March 25 is the fix date for the opening of the locks at Sault Ste. Marie, which allows large commercial shipping access to the

St. Marys River from Lake Superior. In accordance with an agreement reached on June 29, 1993, with the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service and the Michigan Department of Natural Resources, the Commander of the Ninth Coast Guard District is making this temporary change to the speed regulations during periods when ice breaking is being conducted in the vicinity of Neebish Island, St. Mary's River, Michigan. This speed reduction is a precautionary measure to minimize possible damage to the environment. The speed limit is being reduced by 2 statute miles per hour in the area between Munuscong Channel Lighted Buoy 8 (LLNR 13065) and Lake Nicolet Light 80 (LLNR 13465), upbound, and between Lake Nicolet Lighted Buoy 80 (LLNR 13465) and West Neebish Channel Light 9 (LLNR 13715), downbound. The West Neebish Channel Light 9 checkpoint has been added to extend the reduced speed limit area past Winter Point, thereby protecting the sensitive environment between Winter Point and West Neebish Channel Light 9. Speed limits apply to the average speed between established reporting points.

Federalism Implications

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

A recent environmental impact study by the United States Army Corps of Engineers indicated that March 21 is the optimal opening date of the locks at Sault Ste. Marie. [see U.S. Army Corps of Engineers Draft Environmental Impact Statement, Opening Operations of the Lock Facilities on March 21 (February 1993), Supplement III to the Final Environmental Impact Statement, Operations, Maintenance, and Minor Improvements of the Federal Facilities at Sault Ste. Marie, Michigan (July 1997)]. The same study by the Corps of Engineers indicates that there is no significant impact on fish populations due to movement of large commercial vessels through the ice. However, the Michigan Department of Natural Resources asserts that there may be such an impact during the early period of March 21 to April 1. The Ninth Coast Guard District has adopted the U.S. Army Corps of Engineers EIS, EIS Supplements, and EIS studies on Operations, Maintenance, and Minor Improvements of the Federal Facilities

at Sault Ste. Marie, Michigan. In addition, the Coast Guard is preparing a supplement for the 1974 Ninth Coast Guard District EIS regarding icebreaking activity on the Great Lakes.

Economic Assessment and Certification

This regulation is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of the DOT is unnecessary.

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 economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This regulation will impose no collection of information requirements under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

List of Subjects in 33 CFR Part 162

Harbors, Navigation (water), Reporting and recordkeeping requirements, Vessels, Waterways.

Final Regulation

In consideration of the foregoing, the Coast Guard amends Part 162 of Title 33, Code of Federal Regulations, as follows:

PART 162—INLAND WATERWAYS NAVIGATION REGULATIONS

1. The authority citation for 33 CFR Part 162 continues to read as follows:

Authority: 33 U.S.C. 1231; 49 CFR 1.46.

2. Section 162.117 is amended by adding a new paragraph (g)(3) effective

from March 13, 1997, through April 17, 1997, to read as follows:

§ 162.117 St. Marys River, Sault Ste. Marie, Michigan.

* * * * *

(g) * * *

(3) *Speed rules.* From March 13, 1997, through April 15, 1997, the following speed limits indicate the average speed over the ground between reporting points:

The speed limit between	Speed limit	
	Mph	Kts
De Tour Reef Light and Sweets Point Light	14	12.2
Round Island Light and Point Aux Frenes Light 21	14	12.2
Munuscong Channel Lighted Buoy 8 and Evers Point ..	10	8.7
Evers Point and Reed Point	7	6.0
Reed Point and Lake Nicolet Lighted Buoy 62	8	7.0
Lake Nicolet Lighted Buoy 62 and Lake Nicolet Light 80	10	8.7
Lake Nicolet Lighted Buoy 80 and West Neebish Channel Light 9 (downbound, West Neebish Channel)	8	7.0
Lake Nicolet Light 80 and Winter Point (West Neebish Channel)	8	7.0
Lake Nicolet Light 80 and Six Mile Point Range Rear Light	10	8.7
Six Mile Point Range Rear Light and lower limit of the St. Marys Falls Canal:		
Upbound	8	7.0
Downbound	10	8.7
Upper limit of the St. Marys Falls Canal and Point Aux Pins Main Light	12	10.4

* * * * *

Dated: March 13, 1997.

T.A. Trosvig,

Captain, U.S. Coast Guard, Commanding Officer, C.G. Group Sault.

[FR Doc. 97-7729 Filed 3-26-97; 8:45 am]

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33 CFR Part 165

[COTP MIAMI-97-009]

RIN 2115-AA97

Safety Zone Regulations; Government Cut, Miami, FL

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone, in the vicinity of Government Cut, Miami, FL. The safety zone is needed to ensure the safety of mariners as well as the construction crew involved in drilling

operations associated with the replacement of sewage lines buried beneath Government Cut. Entry into this zone by vessels 280 feet in length or larger is prohibited, unless specifically authorized by the Captain of the Port.

EFFECTIVE DATES: Effective dates and times are as follows. All times are local Eastern Standard Time or Eastern Daylight Savings Time, as appropriate. The regulations will be in effect from 6 p.m. on March 18, 1997 to 6 a.m. to March 19, 1997; from 6 p.m. on March 25, 1997 to 6 a.m. on March 26, 1997; from 6 p.m. on April 1, 1997 to 6 a.m. on April 2, 1997.

FOR FURTHER INFORMATION CONTACT: LT Carlos A. Torres, Coast Guard Marine Safety Office Miami, at (305) 535-8744.

SUPPLEMENTARY INFORMATION:

Background and Purpose

The Miami-Dade Water and Sewer Department is proposing to construct a new 60" sanitary sewer force main under Government Cut. The proposed construction technique is microtunneling. This technique will allow the force main to be built as a tunnel, thereby minimizing future disruption of marine traffic in Government Cut. The project consists of 10 geotechnical borings, 90 feet in depth, in alignment between south Miami Beach, FL and Fisher Island, FL. This safety zone is established in the Port of Miami's Government Cut navigation channel, and consists of the area west of buoy #14 and east of buoy #16. The safety zone is needed to ensure the safety of mariners as well as construction crew involved in drilling operations associated with the replacement of sewage lines buried beneath Government Cut. Entry into this safety zone for vessels 280 feet in length or larger is prohibited, unless specifically authorized by the Captain of the Port.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Less than 60 days advance notice was provided to the Coast Guard concerning the planned drilling operations. Publishing a NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to ensure the safe development of the project.

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