

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under section 2.b.2.e(34)(h) of Commandant Instruction M16475.1b (as amended, 61 FR 13564; 27 March 1996), this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

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

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

PART 100—[AMENDED]

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

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. Section 100.501 is amended by revising paragraph (c) and adding Table 1 to read as follows:

§ 100.501 Norfolk Harbor, Elizabeth River, Norfolk, Virginia and Portsmouth, Virginia.

* * * * *

(c) *Effective periods.* This section is effective annually for the duration of each marine event listed in Table 1, or as otherwise specified in the Coast Guard Local Notice to Mariners and a Federal Register notice. The Coast Guard Patrol Commander will announce by Broadcast Notice to Mariners the specific time periods during which the regulations will be enforced.

TABLE 1 OF § 100.501

Harborfest:
Sponsor: Festevents, Ltd.
Date: First Friday, Saturday, and Sunday in June
Great American Picnic:
Sponsor: Festevents, Ltd.
Date: July 4
Cock Island Race:
Sponsor: Ports Events, Inc.
Date: Third Saturday in July
Rendezvous at Zero Mile Marker:
Sponsor: Ports Events, Inc.
Date: Third Saturday in August
US Navy Fleet Week Celebration:
Sponsor: U.S. Navy
Date: Second Friday in October
Holidays in the City:

TABLE 1 OF § 100.501—Continued

Sponsor: Festevents, Ltd.
Date: Fourth Saturday in November
New Years Eve Fireworks Display:
Sponsor: Festevents, Ltd.
Date: December 31
Dated: May 30, 1997.
Roger T. Rufe, Jr.,
Vice Admiral, U.S. Coast Guard Commander,
Fifth Coast Guard District.
[FR Doc. 97-23445 Filed 9-3-97; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01-97-089]

RIN 2115-AA97

Safety Zone: Harbor Festival Fireworks Display, Greenport, NY

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone, September 27, 1997, for the Harbor Festival Fireworks Display to be held in Greenport Harbor, Greenport, NY. This temporary safety zone is needed to protect persons, facilities, vessels and others in the maritime community from the safety hazards associated with this fireworks display. Entry into this safety zone is prohibited unless authorized by the Capital of the Port or the Coast Guard Patrol Commander.

EFFECTIVE DATE: This regulation is effective September 27, 1997, from 8:45 p.m. until 10:15 p.m.

ADDRESSES: Documents relating to this temporary final rule are available for inspection and copying at U.S. Coast Guard Group Long Island Sound, 120 Woodward Ave., New Haven, CT 06512. Normal office hours are between 8:00 a.m. and 4:00 p.m., Monday through Friday, except holidays. Comments may also be faxed to this address. Our fax number is (203) 468-4445.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander T.J. Walker, Chief of Port Operations, Captain of the Port, Long Island Sound at (203) 468-4444.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, good cause exists for not publishing a notice of proposed rulemaking (NPRM) and for making this rule effective in less than 30

days after Federal Register publication. The sponsor of the event did not provide the Coast Guard with the final details for the event in sufficient time to publish a NPRM or a final rule 30 days in advance. The delay encountered if normal rulemaking procedures were followed would effectively cancel the event. Cancellation of this event is contrary to the public interest since the fireworks display is for the benefit of the public.

Background and Purpose

The sponsor, East End Maritime Museum, of Greenport, NY, requested that a fireworks display be permitted in Greenport Harbor, Greenport, NY. This regulation establishes a temporary safety zone in all waters of Greenport Harbor within a 600 foot radius of the fireworks barges. The safety zone is in effect on September 27, 1997, from 8:45 p.m. until 10:15 p.m. and is necessary to protect the maritime community from the safety hazards associated with this fireworks display. Entry into or movement within this zone will be prohibited unless authorized by the Captain of the Port or the Coast Guard Patrol Commander.

Regulatory Evaluation

This temporary final rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order.

It has not been reviewed 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. Entry into this zone will be restricted for a brief period of time on September 27, 1997, the effect of this regulation will not be significant for several reasons: the duration of the event is limited; the event is at a late hour; and extensive, advance maritime advisories will be made.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard considers whether this proposal 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 less than 50,000.

For the reasons addressed under the Regulatory Evaluation above, the Coast Guard finds that this rule will not have a significant 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

The Coast Guard has analyzed this action under the principles and criteria contained in Executive Order 12612, and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this rule and concluded that under section 2.B.2.e. of Commandant Instruction M16475.1B, as revised by 59 FR 38654, July 29, 1994, this rule is categorically excluded from further environmental documentation.

A Categorical Exclusion Determination and an Environmental Analysis Checklist are included in the docket and are available for inspection or copying at the location indicated under **ADDRESSES**. An appropriate environmental analysis of the fireworks program will be conducted in conjunction with the marine event permitting process.

List of Subjects in 33 CFR Part 165

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

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

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 temporary § 165.T01–089, is added to read as follows:

§ 165.T01–089 Harbor Festival Fireworks Display, Greenport, NY.

(a) *Location.* The safety zone includes all waters of Greenport Harbor, within an 600 foot radius of the fireworks barges, located in Greenport Harbor, Greenport, NY, at approximate position 41°02.6' N, 072°21.3' W. (NAD 1983)

(b) *Effective date.* This section is effective on September 27, 1997, from 8:45 p.m. until 10:15 p.m., unless

terminated sooner by the Captain of the Port Long Island Sound.

(c) *Regulations.* The general regulations contained in § 165.23 apply.

Dated: August 8, 1997.

P.K. Mitchell,

Captain, U.S. Coast Guard, Captain of the Port, Long Island Sound.

[FR Doc. 97–23443 Filed 9–3–97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Honolulu 97–003]

RIN 2115–AA97

Safety Zone: Waimanalo Bay, Oahu, Hawaii

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone offshore of Bellows Air Force Base (AFB) in Waimanalo Bay on the island of Oahu, Hawaii. The safety zone is a square box approximately 4000 yards wide by 4000 yards long. This zone is needed to protect mariners and observers from possible safety and navigational hazards associated with a joint U.S. Navy and U.S. Marine Corps (USMC) amphibious landing of the USMC Thirteenth Marine Expeditionary Unit (MEU). Entry of vessels or persons into this temporary zone is prohibited unless authorized by the Captain of the Port (COTP).

DATES: This regulation is effective from September 3, 1997 through September 4, 1997.

ADDRESSES: Marine Safety Office, Honolulu, Hawaii 96813.

FOR FURTHER INFORMATION CONTACT: Lieutenant Michael Heisler, Port Safety and Security Branch, Marine Safety Office, Honolulu, Hawaii, (808) 522–8260.

SUPPLEMENTARY INFORMATION:

Background and Purpose

A joint U.S. Navy and U.S. Marine Corps (USMC) amphibious landing of the USMC Thirteenth Marine Expeditionary Unit (MEU) will take place at Bellows AFB, Oahu, Hawaii. Four large U.S. Navy vessels will maintain station within the safety zone while launching and recovering various amphibious craft and vehicles to transport the Marines to Bellows AFB. This regulation is intended to minimize

the risk to mariners and observers from the amphibious landing operations by keeping vessels and spectators at a safe distance. The zone will be seaward of Bellows AFB bounded by the coordinates: water's edge at approximately 21°22.8'N, 157°40.4'W; 21°22.8'N, 157°42.3'W; 21°20.8'N, 157°40.4'W; water's edge at approximately 21°20.8'N, 157°42.2'W.

The safety zone will be enforced only as long as is required for the landing operations. The public will be advised of the exact dates and times via broadcast notice to mariners.

In accordance with 5 U.S.C. 553, a notice of proposed rule making was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. This rule is effective in less than 30 days because it would be impracticable to delay the effective date as the U.S. Coast Guard was notified of the event less than 30 days prior to the occurrence of the event.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), the Coast Guard considered whether this rule will have a significant 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. This regulation will be in effect for only a short period and within a limited area. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601–612) that this final rule will not have a significant economic impact on a substantial number of small entities.

Assistance for Small Entities

In accordance with section 213(a) of the Small Business Regulatory