

FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

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AWP CA E5 Santa Rosa, CA [Revised]

That airspace extending upward from 700 feet above the surface beginning at lat. 38°56'00"N, long. 123°02'04"W; to lat. 39°15'00"N, long. 123°02'04"W; to lat. 39°15'00"N, long. 122°49'04"W; to lat. 38°47'30"N, long. 122°49'04"W; to lat. 38°23'00"N, long. 122°38'04"W; to lat. 38°18'00"N, long. 122°48'04"W; to lat. 38°56'00"N, long. 123°16'30"W., thence to the point of beginning.

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Issued in Los Angeles, California, on May 20, 1999.

John Clancy,

Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 99–14215 Filed 6–4–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01–99–055]

RIN 2115–AA97

Safety Zone: Hospitalized Veterans Cruise, Boston Harbor, Boston, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The U.S. Coast Guard will establish a moving safety zone around vessels participating in the Hospitalized Veterans Cruise and in the main navigation channel for the event. As the vessels approach Boston Inner Harbor, a one hundred (100) yard safety zone will surround each flotilla as the vessels involved transit into Boston Harbor, turn around in the vicinity of the mooring of the USS Constitution, and then depart the harbor. The safety zone is needed to ensure the safety of the maritime public during this marine event. No vessel may enter this safety zone without the permission of the COTP.

EFFECTIVE DATE: This rule is effective from 11:00 a.m. until 1:30 p.m. local time on June 27, 1999.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at Coast Guard Marine Safety Office Boston, 455 Commercial Street, Boston, Massachusetts 02109, between 8:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223–3000.

FOR FURTHER INFORMATION CONTACT: ENS Montleon, Waterways Management and Planning Division, Coast Guard Marine Safety Office Boston, (617) 223–3000.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation and regulation and good cause exists for making it effective in less than 30 days after Federal Register publication. Details for the marine event were not provided to the Coast Guard until April 13, 1999 making it impossible to publish a NPRM or a final rule 30 days in advance. Publishing a NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to prevent injury and damage to persons and vessels involved.

Background and Purpose

On April 13, 1999 the sponsors of the event, Old Colony Yacht Club, requested that the Coast Guard create a safety zone to protect the vessels participating in the Hospitalized Veterans Cruise in Boston Harbor. This safety zone is necessary in order to protect the boating public and participating vessels from the danger of collision. The safety zone extends one hundred (100) yards in all directions around the participating vessels and assisting tugs from the time event participants enter Boston Harbor, until all participating vessels have safely departed Boston Harbor.

Regulatory Evaluation

This rule is not a significant 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. Deep draft vessel traffic, fishing vessels and tour boats may experience minor delays in departures or arrivals due to the safety zone. Costs to the shipping industry from these regulations, if any, will be minor and have no significant adverse financial effect on vessel operators. Due to the limited duration and scope of the event, the Coast Guard expects the economic impact of this regulation to be so minimal that a Regulatory Evaluation is unnecessary.

Collection of Information

This proposal contains no collection of information requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking

is required. "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.

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. If, however, you think that your business or organization qualifies as a small entity and that this rule will have a significant impact on your business or organization, please submit a comment explaining why you think it qualifies and in what way and to what degree this rule will economically affect it.

Environment

The Coast Guard has considered the environmental impact of this proposed rule and concluded that, under Figures 2-1, paragraph 34(g), of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 165

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

Regulation

For reasons set out in the preamble, the Coast Guard proposes to amend 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), 6.04-6, 160.5; 49 CFR 1.46. Section 165.100 is also issued under authority of Sec. 311, Pub. L. 105-383.

2. Add temporary § 165.T01-055 to read as follows:

§ 165.T01-055 Safety Zone; Hospitalized Veterans Cruise, Boston Harbor, Boston, MA.

(a) *Location.* The following is a safety zone:

(1) One hundred (100) yards in all directions around vessels participating in the Hospitalized Veterans Cruise as they approach Boston Inner Harbor, turn around in the vicinity of the mooring of the USS Constitution, and then depart the harbor. No vessel may enter this safety zone without the permission of the COTP.

(b) *Effective Date.* This section is effective from 11:00 a.m. until 1:30 p.m. on June 27, 1999.

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

(2) All persons and vessels shall comply with the instructions of the COTP or the designated on-scene U.S. Coast Guard patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(3) The general regulations covering safety zones in § 165.23 of this part apply.

Dated: May 21, 1999.

J.L. Grenier,

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

[FR Doc. 99-14285 Filed 6-4-99; 8:45 am]

BILLING CODE 4910-15-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01-99-062]

RIN 2115-AA97

Safety Zone; Marblehead, MA to Halifax, Nova Scotia Ocean Race

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone around the start area for the Marblehead, MA to Halifax, Nova Scotia Ocean Race. The safety zone will be in effect Sunday, July 11, 1999, from 12:00 p.m. to 3:30 p.m. The safety zone is needed to protect the vessels participating in the race, spectator craft, and others in the maritime community from the safety hazards associated with the start of a major ocean sailing race in extremely congested waters. Entry into the safety zone is prohibited unless authorized by the Captain of the Port Boston.

DATES: This rule is effective from 12:00 p.m. to 3:30 p.m. Sunday, July 11, 1999.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at Coast Guard Marine Safety Office Boston, 455 Commercial Street, Boston, Massachusetts 02109, between 8:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223-3000.

FOR FURTHER INFORMATION CONTACT: ENS Rebecca Montleon, U.S. Coast Guard Marine Safety Office, Boston, MA, at (617) 223-3000.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, a Notice of Proposed Rulemaking (NPRM) was not published for this regulation. Due to the complex planning and coordination involved, details for the race were not finalized until May 6, 1999, making it impossible to publish a NPRM in advance. Any delay encountered in this regulation's effective date would be contrary to public interest, since immediate action is needed to close a portion of the waterway and protect the maritime public from the hazards associated with the limited maneuverability of vessels participating in the event.

Background and Purpose

This regulation establishes a safety zone encompassing the area bounded by a line beginning at coordinates 42-29.066N 70-48.361W, then running south to the southeast corner located at 42-28.594N 70-48.665W, then running west to the southwest corner located at 42-28.446N 70-49.535W, then running north to the northwest corner located at 42-28.852N 70-49.206W, then running east back to the northeast corner located at 42-29.066N 70-48.361W. All coordinates are NAD 1983. The safety zone is effective on July 11, 1999, from 12:00 p.m. to 3:30 p.m.

Regulatory Evaluation

This 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. This finding is based on the fact that the safety zone is limited in duration and will not restrict the entire harbor, allowing traffic to continue without obstruction, and advance marine advisories will be made of the safety zone to minimize the effect on recreational and commercial vessel traffic.