

from the water's edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 700 feet from the water's edge into the river as measured from the LWRP.

(30) *Baton Rouge General Anchorage.* An area 1.5 miles in length along the right descending bank of the river, 1,400 feet wide, extending from mile 225.8 to mile 227.3 above Head of Passes.

*Caution:* Two wrecks are located within the boundaries of this anchorage. Mariners are urged to use caution in this anchorage.

(31) *Lower Baton Rouge Anchorage.* An area 0.5 miles in length near mid-channel between mile 228.5 and mile 229.0 above Head of Passes with the west limit 1,100 feet off the right descending bank and having the width of 700 feet at both the upper and lower limits.

(32) *Middle Baton Rouge Anchorage.* An area 0.2 miles in length near mid-channel between mile 229.6 and mile 229.8 above Head of Passes with the west limit 1,100 feet off the right descending bank and having a width of 700 feet at both the upper and lower limits.

(33) *Upper Baton Rouge Anchorage.* An area 0.4 miles in length near mid-channel between mile 230.6 and mile 231.0 above Head of Passes with the west limit 1,100 feet off the right descending bank and having a width of 1,075 feet at the upper limit and 1,200 feet at the lower limit.

(b) *Temporary Anchorages.* Temporary anchorages are non-permanent anchorages established by the Commander, Eighth Coast Guard District to provide additional anchorage space. Establishment of temporary anchorages is based on recommendations by the Captain of the Port.

(2) Each vessel using temporary anchorages shall anchor as prescribed by the Captain of the Port.

(3) Establishment of each temporary anchorage and any requirement for the temporary anchorage will be published in the Local Notice of Mariners.

(4) Each person who has notice of any requirement prescribed for a temporary anchorage shall comply with that requirement.

(c) *The Regulations.* (1) Anchoring in the Mississippi River below Baton Rouge, LA., including South and Southwest Passes is prohibited outside of established anchorages except in cases of emergency. In an emergency, if it becomes necessary to anchor a vessel outside an established anchorage, the vessel shall be anchored so that it does not interfere with or endanger any

facility or other vessel. The master or person in charge of the vessel shall notify the Captain of the Port of the location of the emergency anchoring by the most expeditious means and shall move the vessel as soon as the emergency is over.

(2) In an emergency, if it becomes necessary to anchor a vessel in South Pass or Southwest Pass, the vessel shall be positioned as close to the left descending bank as possible.

(3) No vessel may be anchored unless it maintains a bridge watch, guards and answers Channel 16 FM (or the appropriate VTS New Orleans sector frequency), maintains an accurate position plot and can take appropriate action to ensure the safety of the vessel, structure, and other vessels.

(4) When anchoring individually, or in fleets, vessels shall be anchored with sufficient anchors, or secured with sufficient lines, to ensure their remaining in place and withstanding the actions of winds, currents and the suction of passing vessels.

(5) No vessel may be anchored over revetted banks of the river or within any cable or pipeline area. The locations of revetted areas and cable and pipeline areas may be obtained from the District Engineer, Corps of Engineers, New Orleans, LA.

(6) The intention to transfer any cargo while in an anchorage shall be reported to the Captain of the Port, giving particulars as to name of ships involved, quantity and type of cargo, and expected duration of the operation. The Captain of the Port shall be notified upon completion of operations. Cargo transfer operations are not permitted in the New Orleans General or Quarantine Anchorages. Bunkering and similar operations related to ship's stores are exempt from reporting requirements.

*Note:* Activities conducted within a designated anchorage (e.g. cargo transfer, tank cleaning, stack blowing, etc.) may be restricted by other Federal, State or local regulations. Owners, or persons in charge of any vessel should consider all safety and/or environmental regulations prior to engaging in any activity within designated anchorages.

(7) Nothing in this section relieves the owner or person in charge of any vessel from the penalties for obstructing or interfering with navigational aids or for failing to comply with the navigation laws for lights, day shapes, or fog signals and any other applicable laws and regulations.

Dated: March 27, 1996.

C.B. Newlin,

*Captain, U.S. Coast Guard, Acting Commander, 8th Coast Guard District.*

[FR Doc. 96-9433 Filed 4-16-96; 8:45 am]

BILLING CODE 4910-14-M

### 33 CFR Part 165

[CGD 05-96-015]

RIN 2115-AA97

#### **Safety Zone: Elizabeth and York Rivers, VA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary rule.

**SUMMARY:** The Coast Guard is establishing a temporary moving safety zone during the movement of a bridge span to be used in the replacement of the Coleman Bridge. The safety zone will consist of all waters area within 500 yards of the tugs and tow moving the bridge span as they transit the thirty miles between Norfolk International Terminals (NIT) on the Elizabeth River and the Coleman Bridge on the York River. The safety zone is needed to ensure the safety of mariners operating in the vicinity and to ensure the safety of all personnel involved with the movement of the bridge spans.

**EFFECTIVE DATES:** This rule is effective from March 26, 1996 to April 24, 1996 unless sooner terminated by the Captain of the Port, Hampton Roads, Virginia.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Katherine Weathers, Chief, Port Safety and Security Branch, (804) 441-3290.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 553, a Notice of Proposed Rule Making (NPRM) was not published for this rule and good cause exists for making it effective less than 30 days after Federal Register publication. Publishing an NPRM and delaying its effective date would be contrary to the public interest since the safety zone is necessary to protect those in the maritime community operating in vicinity of this tow and those taking part in the operation. Due to structural design and time restrictions, it was determined by the contractor that the new south suspended span of the Coleman Bridge should be moved to the existing bridge site and anchored in the York River earlier than previously scheduled. The Coast Guard's decision to establish this moving safety zone without an NPRM and less than 30 days after its publication in the Federal Register was based upon this recent change in the contractor's schedule. In a related rulemaking, an NPRM was

published on March 14, 1996 in the Federal Register (61 FR 10493) discussing proposed safety zones for other parts of the Coleman Bridge Replacement Project to begin April 27, 1996.

#### Background and Purpose

The Coleman Bridge, which crosses the York River, connecting Yorktown, Virginia to Gloucester, Virginia, is scheduled to be dismantled and replaced during April and May 1996. The new bridge is being constructed in six sections at Norfolk International Terminal. These six spans will then be transported via barge thirty miles to the existing bridge site. Prepositioning of these new spans at the bridge site in the York River will help reduce the amount of time the bridge will be closed to vehicle traffic. The bridge spans range between 210 feet long and 559 feet long and will be resting perpendicular to the barges transporting them. On March 26, 1996, the first new bridge section, a 210-foot suspended span, is scheduled to be moved from NIT to the existing bridge site via barge where it will be anchored until May when the bridge is dismantled and replaced. Due to the size of the tow, the distance to be covered, and the busy port area in which the tow will be transiting, a moving safety zone around the bridge span while in transit is necessary to protect those in the maritime community operating in the vicinity and those taking part in the project.

#### Discussion of Temporary Rule

The Coast Guard is establishing a 500-yard moving safety zone around the tugs and tows transporting the first span, a 210-foot suspended span, to be used in the Coleman Bridge Replacement Project. A tow consisting of two 180-foot barges rigidly connected in a catamaran configuration will be pushed by two tugs. The bridge span will sit perpendicular to the barges atop steel towers simulating the height of the bridge piers. The barges are specially configured for the carriage of this span and will be severely restricted in their ability to maneuver and susceptible to wake damage. Therefore, this moving safety zone will be in effect during the entire thirty mile transit between NIT and the Coleman Bridge until the barges are anchored at their destination in the York River.

#### Regulatory Evaluation

This temporary 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 temporary rule 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 *et seq.*), the Coast Guard must consider whether this temporary rule will have a significant economic impact 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. Because it expects the impact of this temporary rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this temporary rule, if adopted, will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This temporary 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 temporary rule under the principles and criteria contained in Executive Order 12612 and has determined that this temporary 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 temporary rule and concluded that under paragraph 2.B.2.e.(34) of Commandant Instruction M16475.1B (as revised by 59 FR 38654; July 29, 1994), this temporary rule is categorically excluded from further environmental documentation.

#### List of Subjects in 33 CFR Part 165

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

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 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. Temporary § 165.T05–015 is added to read as follows:

**§ 165.T05–015 Safety Zone: James River, Elizabeth River, Chesapeake Bay, Port of Hampton Roads, VA.**

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

(1) All waters within 500 yards of any tug and tow involved in moving the 210-foot suspended span to be used in the replacement of the Coleman Bridge while this tow transits between Norfolk International Terminals (NIT) located on the Elizabeth River at the Norfolk Harbor Reach and the Coleman Bridge, which crosses the York River connecting Yorktown, Virginia with Gloucester Point, Virginia.

(b) *Definitions*:

*Captain of the Port* means the Captain of the Port of Hampton Roads, VA or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port Hampton Roads to act on his behalf.

(c)(1) In accordance with the general provisions in §§ 165.23 and 165.501 of this part, entry into the zones described in paragraph (a) of this section is prohibited unless authorized by the Captain of the Port. The general requirements of §§ 165.23 and 165.501 also apply to this section.

(2) Persons or vessels requiring entry into a passage through this safety zone must first request authorization from the Captain of the Port. The Coast Guard vessels enforcing the safety zone can be contacted on VHF Marine Band Radio, channels 13 and 16. The Captain of the Port may be contacted at telephone number (804) 441–3314 or at the Marine Safety Office, Hampton Roads, VA.

(d) The Captain of the Port will notify the public of the safety zone and changes in the status of this zone by Marine Safety Broadcast on VHF Marine Band Radio, Channel 22 (157.1 MHz).

Dated: March 25, 1996.

Dennis A. Sande,

*Captain, Captain of the Port.*

[FR Doc. 96–9435 Filed 4–16–96; 8:45 am]

BILLING CODE 4910–14–M