

arisen from recreational vessels anchoring in these areas.

Ashley River Anchorage Number One is located on the waters lying within an area across the Ashley River Channel from the George M. Lockwood Municipal Marina bounded by the southwest side of the channel beginning at latitude 32°46'43.7" N, longitude 079°57'19.3" W; thence to latitude 32°46'38.0" N, longitude 079°57'24.0" W; thence to latitude 32°46'32.0" N, longitude 079°57'15.5" W; thence to latitude 32°46'29.0" N, longitude 079°57'00.9" W; thence back to the beginning following the southwest boundary of the Ashley River Channel. All coordinates referenced use datum: NAD 1983.

Ashley River Anchorage Number Two is located on the waters lying within an area across the Ashley River Channel from the Ashley Marina bounded by the southwest side of the channel beginning at latitude 32°46'53.0" N, longitude 079°57'34.5" W; thence to latitude 32°46'50.5" N, longitude 079°57'40.5" W; thence to latitude 32°46'46.0" N, longitude 079°57'34.5" W; thence to latitude 32°46'49.0" N, longitude 079°57'28.7" W; thence back to the beginning following the southwest boundary of the Ashley River Channel. All coordinates referenced use datum: NAD 1983.

These anchorage areas provide that vessels no more than sixty-five feet in length when anchored in the anchorage areas shall not be required to carry or exhibit the white anchor lights required by the Navigation Rules.

#### 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 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. These anchorage areas described in this notice are currently being used by recreational vessels as overflow from the existing anchorage.

Since the impact of this is expected to be minimal, the Coast Guard certifies that it will not have a significant economic 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

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.

#### Environmental Assessment

The Coast Guard has considered the environmental impact of this rule and has determined pursuant to Section 2.B.2. of Commandant Instruction M16475.1B, that this action is categorically excluded from further environmental documentation. A Categorical Exclusion Determination and Environmental Analysis Checklist are available in the docket for inspection or copying at the same location listed in ADDRESSES.

#### List of Subjects in 33 CFR Part 110

Anchorage grounds.

#### Regulations

In consideration of the foregoing, the Coast Guard amends Part 110 of Title 33, Code of Federal Regulations as follows:

#### **PART 110—[AMENDED]**

1. The authority citation for Part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 2030, 2035 and 2071; 49 CFR 1.46 and 33 CFR 1.05–1(g). Section 110.1a and each section listed in 110.1a are also issued under 33 U.S.C. 1223 and 1231.

2. Section 110.72d is revised to read as follows:

#### **§ 110.72d Ashley River anchorage areas, SC.**

The following locations are special anchorage areas:

(a) Ashley River Anchorage 1. The waters lying within an area across the Ashley River Channel from the George M. Lockwood Municipal Marina bounded by the southwest side of the channel beginning at latitude 32°46'43.7" N, longitude 079°57'19.3" W; thence to latitude 32°46'38.0" N, longitude 079°57'24.0" W; thence to latitude 32°46'32.0" N, longitude 079°57'15.5" W; thence to latitude 32°46'29.0" N, longitude 079°57'00.9" W; thence back to the beginning following the southwest boundary of the Ashley River Channel. All coordinates referenced use datum: NAD 1983.

(b) Ashley River Anchorage 2. The waters lying within an area across the Ashley River Channel from the Ashley Marina bounded by the southwest side of the channel beginning at latitude 32°46'53.0" N, longitude 079°57'34.5" W; thence to latitude 32°46'50.5" N, longitude 079°57'40.5" W; thence to latitude 32°46'46.0" N, longitude 079°57'34.5" W; thence to latitude 32°46'49.0" N, longitude 079°57'28.7" W; thence back to the beginning following the southwest boundary of the Ashley River Channel. All coordinates referenced use datum: NAD 1983.

Dated: July 22, 1996.

John W. Lockwood,

*U.S. Coast Guard, Commander, Seventh Coast Guard District.*

[FR Doc. 96–20018 Filed 8–6–96; 8:45 am]

BILLING CODE 4910–14–M

### **33 CFR Part 165**

[CGD13–96–015]

RIN 2115–AA97

#### **Safety Zone Regulation; Seafair's U.S. Navy Blue Angels Air Show, Elliott Bay, Seattle, WA**

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is adopting a temporary safety zone regulation for the U.S. Navy Blue Angels Air Show sponsored by Seafair Incorporated on 8, 9, 10, and 11 August, 1996, over Elliott Bay, Seattle, Washington. The Captain of the Port Puget Sound, Seattle, Washington, is taking this action to safeguard watercraft and their occupants from the safety hazards associated with high performance aircraft conducting difficult maneuvers at low altitudes. The safety zone will encompass the area of Elliott Bay over which the air show will take place. Entry into this safety zone will be prohibited unless authorized by the Captain of the Port.

**EFFECTIVE DATES:** This regulation becomes effective on the following dates and times: commencing August 8, 1996, at 1 p.m. (PDT) and terminating August 8, 1996, at 4 p.m. (PDT); commencing August 9, 1996, at 2 p.m. (PDT) and terminating August 9, 1996, at 4 p.m. (PDT); commencing August 10, 1996, at 2 p.m. (PDT) and terminating August 10, 1996, at 4 p.m. (PDT); and commencing August 11, 1996, at 2 p.m. (PDT) and terminating August 11, 1996, at 4 p.m. (PDT). The Captain of the Port may

sooner terminate this safety zone each day if it becomes unnecessary.

**ADDRESSES:** Documents referred to in this preamble are available for inspection or copying at U.S. Coast Guard Marine Safety Office Puget Sound, 1519 Alaskan Way South, Building One, Seattle, WA 98134. Normal office hours are between 7 a.m. and 5 p.m., Monday through Friday, except federal holidays.

**FOR FURTHER INFORMATION CONTACT:** LTJG A. Baribeau, c/o Captain of the Port Puget Sound, 1519 Alaskan Way South, Seattle, Washington 98134, (206) 217-6232.

**SUPPLEMENTARY INFORMATION:**

**Regulatory History**

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation. However, good cause exists for not following normal rulemaking procedures. Publishing a NPRM would be contrary to the public interest since immediate action is necessary to ensure the safety of vessels and spectators operating in the area of the Air Show. Due to the complex planning and coordination involved, the sponsor of the event, Seafair Incorporated, was unable to provide the Coast Guard with the final details for the show until 60 days prior to the event. Therefore, sufficient time was not available to publish a proposed rule in advance of the event. Following normal rulemaking procedures in this case would be impracticable.

**Background and Purpose**

The Coast Guard is adopting a temporary safety zone regulation for the U.S. Navy Blue Angels Air Show sponsored by Seafair, Incorporated. The safety zone encompasses all waters of Puget Sound bounded by a line beginning at position latitude 47° 37.48.0' N, longitude 122° 25.11.4' W; thence to latitude 47° 37.21.7' N, longitude 122° 25.31.6' W; thence to latitude 47° 36.05.8' N, longitude 122° 21.55.1' W; thence to latitude 47° 36/47.9' N, longitude 122° 21.22.8' W; and thence returning to the point of origin (NAD 83). The zone is needed to protect watercraft and their occupants from safety hazards associated with high performance aircraft conducting complex maneuvers at high speeds and low altitudes. Many onlookers may attempt to view the air show at close range, thereby increasing their exposure to these hazards. Entry into the safety zone will be prohibited during the air show and practice sessions. This safety zone will be enforced by representatives of the Captain of the Port Puget Sound,

Seattle, Washington. The Captain of the Port may be assisted by other federal agencies.

**Regulator 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 proposal to be so minimal that a full regulatory evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The regulated area established by the proposed regulation would encompass approximately 4.75 square miles in Elliott Bay from Magnolia Bluff across the Bay to the Coleman Dock on the Seattle waterfront. Entry into the regulated area would be restricted for less than four hours during each of the four days during the performances. Maritime commerce can plan the transits of the area around the scheduled event.

**Federalism**

The Coast Guard has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the proposed rulemaking 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 whether this proposal will have a significant economic impact on a substantial number of small entities. For the reasons set forth above the impacts of this proposal are expected to be minimal, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this proposal will not have a significant impact on a substantial number of small entities.

**Environment**

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

Appropriate environmental analysis of the U.S. Navy Blue Angels Air Show sponsored by Seafair Incorporated will be in conjunction with the marine event permitting process. Any environmental documentation required under the National Environmental Policy Act will be completed prior to the issuance of a marine event permit for this event.

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

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

**Regulation**

For the reasons set out in the preamble, the Coast Guard amends Part 165 of Title 33, Code of Federal Regulations, 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. A new Section 165.T-3009 is added to read as follows:

**§ 165.T1-3009 Safety Zone: Elliott Bay, Seattle, Washington.**

(a) *Regulated Area.* The following area is a safety zone: All waters of Elliott Bay, Seattle, Washington bounded by a line beginning at position latitude 47°37.48.0'N, longitude 122°25.11.4'W; thence to latitude 47°37.21.7'N, longitude 122°25.31.6'W; thence to latitude 47°36.05.8'N, longitude 122°21.55.1'W; thence to latitude 47°36.47.9'N, longitude 122°21.22.8'W; thence returning to the point of origin.

(NAD 83) (b) *Definitions.* The designated representative of the Captain of the Port is any Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port Puget Sound, to act on his behalf. The following officers have or will be designated by the Captain of the Port: The Commissioned, warrant, and petty officers assigned to Coast Guard Station Seattle, USCGC CUTTYHUNK, and USCGC POINT RICHMOND.

(c) *Regulations.* 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 or his designated representatives.

(d) *Effective Dates.* This regulation is effective on the following dates and times: commencing August 8, 1996, at 1 p.m. (PDT) and terminating August 8, 1996, at 4 p.m. (PDT); commencing August 9, 1996, at 2 p.m. (PDT) and

terminating August 9, 1996, at 4 p.m. (PDT); commencing August 10, 1996, at 2 p.m. (PDT) and terminating August 10, 1996 at 4 p.m. (PDT); and commencing August 11, 1996, at 2 p.m. (PDT) and terminating August 11, 1996, at 4 p.m. (PDT). The Captain of the Port may sooner terminate this safety zone each day if it becomes necessary.

Dated: July 3, 1996.

Myles S. Boothe,

*Captain, U.S. Coast Guard, Captain of the Port Puget Sound.*

[FR Doc. 96-20019 Filed 8-6-96; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### 36 CFR Part 31

RIN 1024-AC51

#### Indiana Dunes National Lakeshore: Zoning Standards

AGENCY: National Park Service, Interior.

ACTION: Final rule.

**SUMMARY:** The National Park Service (NPS) is deleting Part 31 of Title 36 of the Code of Federal Regulations (CFR), Zoning Standards for Indiana Dunes National Lakeshore. This deletion is necessary because Section 5 of the enabling legislation for the National Lakeshore, which authorized the Secretary of the Interior to promulgate minimum zoning standards, which, if complied with by local governments, would exempt private property within the boundaries of Lakeshore from condemnation by the United States, has been repealed. Therefore, 36 CFR part 31 is no longer needed.

**EFFECTIVE DATE:** The rule will become effective on August 7, 1996.

**FOR FURTHER INFORMATION CONTACT:** Superintendent, Indiana Dunes National Lakeshore, 1100 N. Mineral Springs Road, Porter, IN 46304. Telephone 219-926-7561.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 5 of the enabling legislation for Indiana Dunes National Lakeshore of November 5, 1966 (80 Stat. 1309), authorized the Secretary of the Interior to promulgate minimum zoning standards which, if complied with by local governments, would exempt private property within the boundaries of the National Lakeshore from condemnation by the United States.

Section 1(9) of the Act of October 18, 1976 (90 Stat. 2533), repealed Section 5 of the enabling legislation. Therefore, 36 CFR part 31 is no longer in effect.

The purpose of this action is to delete the zoning standards for Indiana Dunes National Lakeshore because they are no longer valid. The regulations in this part were originally established in accordance with the enabling legislation for the National Lakeshore in 1966 to assist in administering, preserving and developing the unit. Subsequent legislation passed in 1976 made these regulations obsolete.

#### Administrative Procedure Act

In accordance with the Administrative Procedure Act (5 U.S.C. 553(b)(B)), the NPS is promulgating this rule under the "good cause" exception of the Act from general notice and comment rulemaking. As discussed above, the NPS believes this exception is warranted because the existing rules are no longer in effect. This final rule will not impose any additional restrictions on the public and comments on this rule are deemed unnecessary. Based upon this discussion, the NPS finds pursuant to 5 U.S.C. 553(b)(B) that it would be contrary to the public interest to publish this rule through general notice and comment rulemaking.

The NPS also believes that publishing this final rule 30 days prior to the rule becoming effective would be counterproductive and unnecessary for the reasons discussed above. A 30-day delay in this instance would be unnecessary and contrary to the public interest. Therefore, under the "good cause" exception of the Administrative Procedure Act (5 U.S.C. 553(d)(3)), it has been determined that this final rulemaking is exempted from the 30-day delay in the effective date and will therefore become effective on the date published in the Federal Register.

#### Drafting Information

The primary author of this rule is Dennis Burnett, Washington Office of Ranger Activities, National Park Service.

#### Paperwork Reduction Act

This final rule does not contain collections of information requiring approval by the Office of Management and Budget under the Paperwork Reduction Act of 1995.

#### Compliance With Other Laws

This rule was not subject to Office of Management and Budget review under Executive Order 12866. The Department of the Interior determined that this

document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The economic effects of this rulemaking are nonexistent.

The Service has determined and certifies pursuant to the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.*, that this proposed rule will not impose a cost of \$100 million or more in any given year on local, State, or tribal governments or private entities.

The NPS has determined that this interim rule will not have a significant effect on the quality of the human environment, health and safety because it is not expected to:

- (a) Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it;
- (b) Introduce non-compatible uses which compromise the nature and characteristics of the area, or cause physical damage to it;
- (c) Conflict with adjacent ownerships or land uses; or
- (d) Cause a nuisance to adjacent owners or occupants.

Based on this determination, this final rule is categorically excluded from the procedural requirements of the National Environmental Policy Act (NEPA) by Departmental regulations in 516 DM 6 (49 FR 21438). As such, neither an Environmental Assessment (EA) nor an Environmental Impact Statement (EIS) has been prepared.

#### List of Subjects in 36 CFR Part 31

National parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, the NPS is amending 36 CFR Chapter I as follows:

#### PART 31—INDIANA DUNES NATIONAL LAKESHORE: ZONING STANDARDS

1. The authority citation for part 31 continues to read as follows:

Authority: Sec. 5, 80 Stat. 1309, sec. 3, 39 Stat. 535; 16 U.S.C. 3, 460u.

#### PART 31—[REMOVED]

2. 36 CFR Part 31 is removed.

Dated: July 18, 1996.

George T. Frampton, Jr.,  
*Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 96-19958 Filed 8-6-96; 8:45 am]

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