

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]

BILLING CODE 4910–14–M

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

Enforcement Fairness Act of 1996 (Pub. L. 104-121), the Coast Guard will assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process. If you need assistance in understanding this rule contact the Coast Guard where indicated under **FOR FURTHER INFORMATION CONTACT**.

Collection of Information

This rule contains no information collection requirements under the Paperwork Reduction Act (44 U.S.C. 3501-3520).

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.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104-4 (109 Stat. 48), requires Federal agencies to assess the effects of certain regulatory actions on State, local, and tribal governments and the private sector. Under sections 202 and 205 of the UMRA, the Coast Guard generally must prepare a written statement of economic and regulatory alternatives for proposed and final rules that contain Federal mandates. The Act applies if those mandates cause State, local, and tribal governments, or the private sector, to spend, in the aggregate, \$100 million or more in any one year.

Because this action does not impose new or additional enforceable duties on any State, local or tribal government or the private sector, it does not contain a "Federal mandate." Even if the requirements in this proposed action were found to be Federal mandates, they will not result in annual expenditures of \$100 million or more. Therefore, section 202 and 205 do not apply.

Section 203 of the UMRA also requires the Coast Guard to develop a small government agency plan before the Coast Guard establishes any regulatory requirements that may significantly or uniquely affect small governments. Because this rule contains no regulatory requirements that might significantly or uniquely affect small governments, Section 203 of the UMRA does not apply.

Environment

The Coast Guard considered the environmental impact of this rule and

concluded that, under paragraph 2.B.2e(34)(g) 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" 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, Vessels, 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; and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. A new temporary section is added to read as follows:

§ 165.T14-002 Safety Zone; Waimanalo Bay, Oahu, Hawaii

(a) Location. A safety zone is established within an area bounded by a line drawn between the following points: 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.

(b) Effective date. This regulation is effective from September 3, 1997 through September 4, 1997.

(c) Regulations. In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited, except as authorized by the Captain of the Port, or the patrol commander, via marine radio channel 16, VHF-FM.

Dated: August 27, 1997.

Frank L. Whipple,

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

[FR Doc. 97-23637 Filed 9-2-97; 1:50 pm]

BILLING CODE 4910-14-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 28

[CGD 96-046]

RIN 2115-AF35

Commercial Fishing Industry Vessel Regulations

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is adopting with some changes, as final, the interim rule which established requirements for safety equipment and vessel operating procedures on commercial fishing industry vessels. The Coast Guard issued these regulations to improve the overall safety of U.S. Commercial Fishing Industry Vessels pursuant to the Commercial Fishing Industry Vessel Safety Act of 1988.

DATES: This final rule is effective on October 6, 1997.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at the office of the Executive Secretary, Marine Safety Council (G-LRA/3406), U.S. Coast Guard Headquarters, 2100 Second Street, SW., room 3406, Washington, DC 20593-0001, between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-267-1477.

FOR FURTHER INFORMATION CONTACT: Commander John J. Davin, Office of Operating and Environmental Standards (G-MSO), telephone 202-267-1181, fax 202-267-4570.

SUPPLEMENTARY INFORMATION:

Regulatory History

Commercial Fishing Industry Vessel Safety Act of 1988

On September 9, 1988, title 46 United States Code, was amended in chapter 45 (Uninspected Commercial Fishing Industry Vessels, sections 4501 through 4508) by the Commercial Fishing Industry Vessel Safety Act of 1988, Public Law 100-424 ("the Act"). The Act requires the Secretary of Transportation to prescribe regulations for safety equipment and vessel operating procedures on commercial fishing industry vessels. The Secretary further delegated the authority to regulate commercial fishing vessels to the commandant of the Coast Guard. This rulemaking was initiated to implement certain provisions of the Act. This rulemaking does not include requirements pertaining to immersion