

**Table 1—Fireworks Displays***September*

## 1. Grand Fiesta Italiana

*Date:* September 6, 1997*Time:* 9:00 p.m. to 10:30 p.m.*Location:* Bar Beach, Hempstead Harbor, Hempstead, NY*Lat:* 40°49'52"N, *Long:* 073°39'10"W (NAD 1983)

## 2. Taste of Italy

*Date:* September 6, 1997*Rain date:* September 7, 1997*Time:* 8:00 p.m. to 10:30 p.m.*Location:* Norwich Harbor, off Norwich Marina, Norwich, CT*Lat:* 41°31'20"N, *Long:* 072°06'48"W (NAD 1983)

## 8. Rensselaer Festival

*Date:* September 20, 1957*Time:* 8:45 p.m. to 10:15 p.m.*Location:* Hudson River, below Dunn Memorial Bridge, Rensselaer, NY*Lat:* 42°38'23"N, *Long:* 073°45'0"W (NAD 1983)

## 9. Deepavali Festival

*Date:* October 5, 1997*Time:* 6:45 p.m. to 8:15 p.m.*Location:* East River, below the

Brooklyn Bridge, Manhattan, NY

*Lat:* 40°43'10"N, *Long:* 074°0'0"W (NAD 1983)

Dated: August 29, 1997.

**R. M. Larrabee,***Rear Admiral, U.S. Coast Guard Commander, First Coast Guard District.*

[FR Doc. 97-24601 Filed 9-16-97; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Part 100**

[CGD08-97-034]

RIN 2115-AE46

**Special Local Regulations; Ducks on the Ohio; Ohio River Mile 792.0-793.0, Evansville, Indiana****AGENCY:** Coast Guard, DOT.**ACTION:** Temporary final rule.

**SUMMARY:** Special local regulations are being adopted for the Ducks on the Ohio. This event will be held on September 13, 1997 from 1 p.m. until 4 p.m. at Evansville, Indiana. These regulations are needed to provide for the safety of life on navigable waters during the event.

**EFFECTIVE DATE:** These temporary regulations are effective from 1 p.m. until 4 p.m., on September 13, 1997.

**FOR FURTHER INFORMATION CONTACT:** LT Jeffrey W. Johnson, Chief, Port Operations Department, USCG Marine Safety Office, Louisville, Kentucky at (502) 582-5194, ext. 39.

**SUPPLEMENTARY INFORMATION****Regulatory History**

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking for these regulations has not been published, and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rulemaking procedures would be impracticable. The details of the event were not finalized in sufficient time to publish proposed rules in advance of the event or to provide for a delayed effective date.

**Background and Purpose**

The marine event requiring this regulation is a charity fund raising event involving a race of non-toxic vinyl plastisol ducks. The navigational channel will be used for the duration of the race. The event is sponsored by Evansville Goodwill Industries, Inc.

**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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because of the event's short duration.

**Small Entities**

The Coast Guard finds that the impact on small entities, if any, is not substantial. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this temporary rule will not have a significant economic impact on a substantial number of small entities because of the event's short duration.

**Collection of Information**

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

**Federalism Assessment**

The Coast Guard has analyzed this action in accordance with the principles

and criteria of Executive Order 12612 and has determined that this rule does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

**Environmental Assessment**

The Coast Guard considered the environmental impact of this rule and concluded that under section 2.B.2e(34)(h) of Commandant Instruction M16475.1B, (as revised by 61 FR 13563; March 27, 1996) this rule is excluded from further environmental documentation.

**List of Subjects in 33 CFR Part 100**

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

**Temporary Regulations**

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended 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. A temporary section 100.35-T08-034 is added to read as follows:

**§ 100.35-T08-034 Ohio River at Evansville, Indiana**

(a) *Regulated Area:* Ohio River Mile 792.0-793.0.

(b) *Special Local Regulation:* All persons and/or vessels not registered with the sponsors as participants or official patrol vessels are considered spectators. "Participants" are those persons and/or vessels identified by the sponsor as taking part in the event. The "official patrol" consists of any Coast Guard, public, state or local law enforcement and/or sponsor provided vessel assigned to patrol the event. The Coast Guard "Patrol Commander" is a Coast Guard commissioned, warrant, or petty officer who has been designated by Commanding Officer, Coast Guard Marine Safety Office Louisville.

(1) No vessel shall anchor, block, loiter in, or impede the through transit of participants or official patrol vessels in the regulated area during effective dates and times, unless cleared for such entry by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, a spectator shall come to an immediate stop. Vessels shall comply with all directions given; failure to do so may result in a citation.

(3) The Patrol commander is empowered to forbid and control the

movement of all vessels in the regulated area. The Patrol Commander may terminate the event at any time it is deemed necessary for the protection of life and/or property and can be reached on VHF-FM Channel 16 by using the call sign "PATCOM".

(c) *Effective Date:* These regulations will be effective from 1 p.m. to 4 p.m. on September 13, 1997.

Dated: September 3, 1997.

**Paul J. Prokop,**

*Captain, U.S. Coast Guard Commander,  
Eighth Coast Guard District Acting.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 100

[CGD 05-97-069]

RIN 2115-AE46

#### Special Local Regulations for Marine Events; Chesapeake Airshow, Frog Mortar Creek, Essex, Maryland

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** Special local regulations are being adopted for the Chesapeake Airshow to be held over Frog Mortar Creek, Essex, Maryland. These special local regulations are necessary to provide for the safety of life and property on U.S. navigable waters during the event. The effect will be to restrict general navigation in the regulated area for the safety of spectators and participants.

**EFFECTIVE DATES:** This temporary regulation is effective from 10 a.m. to 5:30 p.m. EDT (Eastern Daylight Time) on September 13 and September 14, 1997.

**FOR FURTHER INFORMATION CONTACT:** Chief Warrant Officer R. Houck, Marine Events Coordinator, Commander, Coast Guard Activities Baltimore, 2401 Hawkins Point Road, Baltimore Maryland, 21226-1791, telephone number (410) 576-2674.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impractical. The request to hold the event was not received until August 18, 1997. Publishing a notice of proposed rulemaking and delaying its

effective date would be contrary to safety interests, since immediate action is needed to protect vessel traffic from the potential hazards associated with the airshow.

#### Discussion of Regulations

On September 13 and 14, 1997, the Essex-Middle River Chamber of Commerce will sponsor the Chesapeake Airshow. The event will consist of 15 aircraft flying at low altitudes in various formations over Frog Mortar Creek. These regulations are necessary to control spectator craft and provide for the safety of life and property on navigable waters during 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 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 procedures of DOT is unnecessary. Entry into the regulated area will only be prohibited while the aircraft are actually performing. Since vessels will be allowed to transit the event area between performances, the impacts on routine navigation are expected to be minimal.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). The Coast Guard certifies under Section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this temporary final rule will not have a significant economic impact on a substantial number of small entities, because the regulations will only be in effect for a short duration in a limited area.

#### Collection of Information

These regulations contain 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.

#### 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; March 27, 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.

#### Temporary Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations is amended 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. A temporary Section 100.35T-05-069 is added to read as follows:

#### § 100.35T-05-069 Frog Mortar Creek, Essex, Maryland

(a) *Definitions:*

(1) *Regulated area:* The waters of Frog Mortar Creek enclosed by:

<i>Latitude</i>	<i>Longitude</i>
39°19'54.0" North	76°24'36.0" West
39°19'48.0" North	76°24'36.0" West
39°19'24.0" North	76°24'00.0" West
39°19'18.0" North	76°24'12.0" West

All coordinates reference Datum: NAD 1983.

(2) *Coast Guard Patrol Commander.* The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(b) *Special Local Regulations:*

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in this area shall:

(i) Stop the vessel immediately when directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.