

Captain of the Port assigned to enforce this safety zone may authorize commercial vessels to pass through the safety zone on a case-by-case basis.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this final 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). For the reasons outlined in the Regulatory Evaluation above, the Coast Guard expects the impact of this final rule to be minimal on all entities. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This final 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 proposed 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 final rule and has concluded that, under section 2.B.2.c. of Commandant Instruction M16475.1B, it is categorically excluded from further environmental documentation. A Categorical Exclusion Determination will be made available in the rulemaking docket.

List of Subjects in 33 CFR Part 165

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

Final 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 temporary section 165.T13020 is added to read as follows:

§ 165.T13020 Safety Zone: Columbia River, Vancouver, WA.

(a) *Location:* The following area is a safety zone: All waters of the Columbia River in the vicinity of Vancouver, Washington, extending approximately 500 feet on both sides of the I–5 bridge from the Washington shore to the alternate barge channel. More specifically, this area is all waters of the Columbia River bounded by a line commencing at the Washington shore position 45°37.307'N latitude, 122°40.573'W longitude; thence to position 45°37.268'N latitude, 122°40.599'W longitude; thence to position 45°37.166'N latitude, 122°40.544'W longitude; thence to position 45°37.131'N latitude, 122°40.415'W longitude; thence to position 45°37.202'N latitude, 122°40.316'W longitude; thence to the Washington shore at position 45°37.240'N latitude, 122°40.293'W longitude; thence returning along the Washington shoreline to the point of origin.

(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 Portland, to act on his behalf. The following officers have or will be designated by the Captain of the Port: The Coast Guard Patrol Commander, the senior boarding officer on each vessel enforcing the safety zone, and the Duty Officer at Coast Guard Group, Portland, Oregon.

(c) *Regulations:* (1) In accordance with the general regulations in § 165.23, entry into this safety zone is prohibited unless authorized by the Captain of the Port or his designated representatives.

(2) A succession of sharp, short signals by whistle, siren, or horn from vessels patrolling or by the person acting under the area under the direction of the Patrol Commander shall serve as a signal to stop. Vessels or persons signalled shall stop and comply with the orders of the patrol vessels; failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(d) *Effective Dates:* This section is effective on September 16, 1997, at 5 a.m. (PDT) and terminates on October 8, 1997, at 1 p.m. (PDT), unless sooner terminated by the Captain of the Port.

Dated: September 4, 1997.

M.J. Hall,

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

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[[COTP] Tampa 97–046]

RIN 2115–AE84

Regulated Navigation Area; Egmont Channel, Tampa Bay, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This final rule removes the regulated navigation area on the Egmont Channel. The Channel has been dredged and the restriction of one way vessel movement for vessels with drafts in excess of 36 feet are no-longer required.

DATES: This rule is effective on November 3, 1997.

ADDRESSES: Documents referred to in this preamble are available for inspection and copying at U.S. Coast Guard Marine Safety Office Tampa, 155 Columbia Drive, Tampa, FL 33606 between 7:30 a.m. and 3:30 p.m. Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: LT Murk, Project Manager, Coast Guard Marine Safety Office Tampa, at (813) 228–2189.

SUPPLEMENTARY INFORMATION:

Background and Purpose

This final rule cancels the Regulated Navigation Area on the Egmont Channel. Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking has not been published for this regulation. This Regulated Navigation Area was created because of shoaling in the channel that posed possible impediments for vessels with drafts in excess of 36 feet when meeting or passing in the channel. The channel has been dredged, and no-longer poses a danger for vessels with drafts in excess of 36 feet. Consequently, the regulated navigation area is no-longer required.

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) (44FR 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 10(e) of the regulatory policies and procedures of DOT is unnecessary. This rule reduces the regulatory burdens on shipping in the area by canceling a regulated navigated area.

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" may include (1) small businesses and not-for-profit organizations that are independently owned and operated are not dominant in their fields and (2) governmental jurisdiction with populations of less than 50,000. For the reasons stated above the Coast Guard finds that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This proposal 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 proposal in accordance with the principals and criteria contained in Executive Order 12612 and has determined that this proposal 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 action, and has determined pursuant to section 2.B.2.e. (34)(g) of Commandant Instruction M16475.1B, that this action is categorically excluded from further environmental documentation. A Categorical Exclusion Determination is available in the docket for inspection or copying.

Lists of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation, (water), Reports and record keeping requirements, Security Measures, Waterways.

Regulations

For the reasons stated above, 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, 6.04–4, and 160.5; 49 CFR 1.46.

§ 165.709 [Removed]

2. Remove section 165.709.

Dated: September 23, 1997.

R.C. Olsen, Jr.,

Captain, U.S. Coast Guard, Acting Commander, Seventh Coast Guard District.

[FR Doc. 97–26335 Filed 10–2–97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP San Diego, CA; 97–004]

RIN 2115–AA97

Safety Zone: San Diego Bay, CA

AGENCY: Coast Guard, DOT.

ACTION: Interim rule with request for comments.

SUMMARY: The Coast Guard is establishing a moving safety zone encompassing all navigable waters within 75 yards on all sides of the dredge FLORIDA while the FLORIDA is in the waters of San Diego Bay, California. This regulation is needed to restrict vessel traffic in the regulated area so as to prevent collisions, grounding or other navigational mishaps during the San Diego Channel project. Entry into, transit through, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port San Diego, CA, or a designated representative thereof.

DATES: This interim rule is effective from 6 a.m. PDT on September 9, 1997 until 11:59 p.m. PDT on December 15, 1997. Comments on this interim rule must be received on or before November 3, 1997.

ADDRESSES: Comments should be mailed to Commanding Officer, Coast Guard Marine Safety Office, 2716 N. Harbor Dr., San Diego, CA 92101. Comments received will be available for inspection and copying within the Port Safety Division at Marine Safety Office San Diego. Normal office hours are 7 a.m. to 4 p.m., PDT, Monday through Friday, except federal holidays.

The Marine Safety Office maintains the public docket for this rulemaking. Comments, and any documents referenced in this preamble, will become part of this docket and will be available for inspection and copying at the Marine Safety Office between 7 a.m. PDT and 4 p.m. PDT, Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant Mike Arguelles, Chief, Port Safety and Security Division, Marine Safety Office San Diego, 2716 N. Harbor Dr., San Diego, CA 92101; (619) 683–6484.

SUPPLEMENTARY INFORMATION:

Request for Comments

Although this regulation is published as an interim rule without prior notice, an opportunity for public comment is nevertheless desirable to ensure the regulation is both reasonable and workable. Accordingly, the Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should send them to the office listed under **ADDRESSES** in this preamble. Those providing comments should identify the docket number (COPT San Diego, CA; 97–004) for the regulation, and the specific section of this document to which each comment applies. Also include your name, address, and the reason(s) for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8.5 by 11 inches, suitable for copying and electronic filing. Persons wishing acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. Based upon the comments received, the scope of the regulation may be changed.

The Coast Guard plans no public meetings. Persons may request a public meeting by writing to Marine Safety Office San Diego at the address listed under **ADDRESSES** in this preamble. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

Regulatory 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