

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 and 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]

BILLING CODE 4910–14–M

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

less than 30 days after **Federal Register** publication. Following normal rulemaking procedures could not be done in a timely fashion because the full parameters of the safety zone necessary to accommodate the dredging for the San Diego Channel project were not known until a date fewer than 30 days prior to the project start date. For these reasons, the Coast Guard finds good cause, under 5 U.S.C. 553(b)(B) and (d)(3), that notice, and public procedure on the notice, before the effective date of this rule are unnecessary and that this rule should be made effective in less than 30 days after publication.

Background and Purpose

Dredging for the San Diego Channel project officially begins on September 9, 1997. This safety zone is necessary for safeguarding recreational and commercial vessels from the dangers of the dredging activities in the project area and to prevent interference with vessels and barges engaged in these operations.

Discussion of Interim Rule

This rule creates a safety zone pursuant to the Ports & Waterways Safety Act, 33 U.S.C. 1221 *et seq.* All persons and vessels are prohibited from entering into, transmitting through or anchoring within the safety zone unless authorized by the Captain of the San Diego, CA, or a designated representative thereof.

Regulatory Evaluation

This interim 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 regulation to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of the Department of Transportation is unnecessary. Only minor delays to mariners are foreseen as vessel traffic can be easily diverted around the area of the safety zone.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considers the economic impact on small entities of each rule for which a general notice of proposed rulemaking is required. 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 rule does not require a general notice of proposed rulemaking and, therefore, is exempt from the requirements of the Regulatory Flexibility Act. Although this rule is exempt, the Coast Guard has reviewed it for potential economic impact on small entities and determined that the rule is not expected to have a significant economic impact on any entity regardless of its size.

Therefore, the Coast Guard believes that this rule will not have a significant economic impact on any small entities. If, however, you think that your business or organization qualifies as a small entity and that this rule will have a significant economic impact on your business or organization, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this rule will economically affect it.

Collection of Information

This interim rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this interim 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 interim rule and concluded that under paragraph 2.B.2 of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation. This regulation is expected to have no significant effect on the environment.

List of Subjects in 33 CFR Part 165

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

Regulation

For the reasons discussed in the preamble, the Coast Guard amends subpart F of 33 CFR Part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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. Section 165.T11–040 is added to read as follows:

§ 165.T11–040 Safety Zone: San Diego Bay, CA

(a) Location. A safety zone shall exist around the dredge Florida, 75 yards on all sides when the dredge Florida is within the navigable waters of San Diego Bay, CA.

(b) Effective Date. This regulation will be in effect from 6:00 a.m. PDT on September 9, 1997 until 11:59 p.m., PDT December 15, 1997, unless canceled earlier by the Captain of the Port.

(c) Regulations. In accordance with the general regulations in § 165.23 of this part, entry into, transit through, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port San Diego, CA, or a designated representative thereof.

Dated: September 9, 1997.

J.A. Watson, IV,

Commander, U.S. Coast Guard, Captain of the Port, San Diego, California.

[FR Doc. 97–26334 Filed 10–2–97; 8:45 am]

BILLING CODE 4910–14–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01–97–104]

RIN 2115–AA97

Security Zone Regulations: New London Harbor, CT

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is disestablishing two of four existing security zones in the Thames River, New London, Connecticut. Security Zone A and Security Zone D are being disestablished as these zones were used to safeguard moored Navy vessels which no longer moor at the facilities in these areas. The two remaining security zones, Security Zone B and Security Zone C shall remain in effect and will be renamed Security Zones A and B respectively.

DATES: This final rule is effective October 3, 1997.

ADDRESSES: Documents relating to this final rule are available for inspection