

ACTION: Final rule.

SUMMARY: This action modifies two Federal airways, V-165 and V-287, located in the State of Washington (WA), due to the newly commissioned Penn Cove Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME) navigational aid. Federal Airway V-165 is modified to provide a route from the Olympia Very High Frequency Omnidirectional Range/Tactical Air Navigation System (VORTAC) to Penn Cove VOR to Bellingham, WA. Federal Airway V-287 is modified to provide a route from the Paine VORTAC to Penn Cove VOR. The FAA is taking this action to improve the management of air traffic operations in the State of Washington.

EFFECTIVE DATE: 0901 UTC, October 8, 1998.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Background

On April 27, 1998, the FAA proposed to amend 14 CFR part 71 (part 71) to modify two Federal Airways, V-165 and V-287, located in the State of Washington, due to the commissioning of the Penn Cove VOR/DME navigational aid (63 FR 24765). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice.

The Rule

This action amends part 71 by modifying two VOR Federal airways, V-287 and V-165, due to the commissioning of the Penn Cove, WA, VOR/DME. Specifically, this action modifies Federal Airway V-165 to provide a route between Olympia and Bellingham, WA, via Penn Cove VOR. Federal Airway V-287 is modified to provide a route from the Paine VORTAC to Penn Cove VOR. This action enhances air traffic procedures by providing air traffic controllers with added flexibility for routing air traffic in the State of Washington.

Domestic VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.9E dated September 10, 1997, and effective September 16, 1997,

which is incorporated by reference in 14 CFR 71.1. The Domestic VOR Federal airways listed in this document will be published subsequently in the Order.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p.389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

Paragraph 6010(a)—VOR Federal Airways

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V-165 [Revised]

From Mission Bay, CA; INT Mission Bay 270° and Oceanside, CA, 177° radials; Oceanside; 24 miles, 6 miles wide, Seal Beach, CA; 6 miles wide, INT Seal Beach 287° and Los Angeles, CA, 138° radials; Los Angeles; INT Los Angeles 357° and Lake Hughes, CA, 154° radials; Lake Hughes; INT Lake Hughes 344° and Shafter, CA, 137° radials; Shafter; Porterville, CA; INT Porterville 339° and Clovis, CA, 139° radials; Clovis; 68 miles, 50 miles, 131 MSL, Mustang, NV; 40 miles, 12 AGL, 7 miles, 115

MSL, 54 miles, 135 MSL, 81 miles, 12 AGL, Lakeview, OR; 5 miles, 72 miles, 90 MSL, Deschutes, OR; 16 miles, 19 miles, 95 MSL, 24 miles, 75 MSL, 12 miles, 65 MSL, Newberg, OR; 32 miles, 45 MSL, INT Newberg 355° and Olympia, WA, 195° radials; Olympia; Penn Cove, WA; to Bellingham, WA.

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V-287 [Revised]

From Fort Jones, CA, via INT Fort Jones 041° and Rogue Valley, OR, 157° radials; Rogue Valley; North Bend, OR; Newberg, OR; Battle Ground, WA; 20 miles, 51 miles, 45 MSL, Olympia, WA; INT Olympia 005° and Paine, WA, 256° radials; Paine; to Penn Cove, WA.

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Issued in Washington, DC, on July 15, 1998.

Reginald C. Matthews,

Acting Program Director for Air Traffic Airspace Management.

[FR Doc. 98-19420 Filed 7-21-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05-98-006]

RIN 2115-AE46

Special Local Regulations for Marine Events; New Jersey Offshore Grand Prix

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending permanent special local regulations established for the New Jersey Offshore Grand Prix, a marine event held annually in the Atlantic Ocean along the coast of New Jersey between Asbury Park and Seaside Park, by identifying the specific date on which the regulated area will be in effect. This action is intended to provide more accurate notice of the date on which the event will occur.

DATES: This final rule is effective on July 15, 1998.

FOR FURTHER INFORMATION CONTACT: S. L. Phillips, Project Manager, Operations Division, Auxiliary Section, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Regulatory History

On February 27, 1998, the Coast Guard published a notice of proposed rulemaking entitled Special Local Regulations for Marine Events; New Jersey Offshore Grand Prix, in the

Federal Register (63 FR 9979). The Coast Guard received no comments on the proposed rulemaking. No public hearing was requested, and none was held.

Background and Purpose

33 CFR 100.505 established special local regulations for the New Jersey Offshore Grand Prix, a marine event held annually in the Atlantic Ocean along the coast of New Jersey between Asbury Park and Seaside Park. The purpose of these regulations is to control vessel traffic during the event to enhance the safety of participants, spectators, and transiting vessels. In the past, these regulations were implemented by publishing a notice in the **Federal Register**.

Discussion of Comments and Charges

The Coast Guard received no comments on the proposed rulemaking.

Good Cause Statement

This final rule is effective in less than 30 days because it is contrary to the public interest to delay the effective date because timely action is required to protect participants and other vessel traffic 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 final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This rule merely identifies the effective period of an existing regulation and does not impose any new restrictions on vessel traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–602), 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). This rule does not impose any new

restrictions on vessel traffic, but merely identifies the effective period of the regulation. Therefore, the Coast Guard certifies under Section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601–602) 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 of 1995 (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.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under figure 2–1, paragraph (34) (h) of COMDTINST M16475.1C, this rule is categorically excluded from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade are excluded under that authority.

List of Subjects in 33 CFR Part 100

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

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 100 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. Section 100.505 is amended by revising paragraph (b) to read as follows:

§ 100.505 New Jersey Offshore Grand Prix.

* * * * *

(b) *Effective Period:* This section is effective annually on the third Wednesday in July. If the event is canceled due to weather, this section is effective the following day. The Coast Guard Patrol Commander will announce by Broadcast Notice to Mariners the specific time periods during which the regulations will be enforced.

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Dated: July 8, 1998.

Rogert T. Rufe, Jr.,

*Vice Admiral, U.S. Coast Guard Commander,
Fifth Coast Guard District.*

[FR Doc. 98–19425 Filed 7–21–98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01–98–083]

RIN 2115–AA97

Safety Zone: Parade of Lights Fireworks Display, Boston Harbor, Boston, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the Parade of Lights Fireworks Display in Boston Inner Harbor, Boston, MA. The safety zone is in effect from 9 p.m. until 11 p.m. on July 25, 1998. The safety zone temporarily closes all waters of Boston Harbor within four hundred (400) yards of the fireworks barge moored in approximate position 42°22'07" N, 071°02'49" W, approximately 400 yards east of the Coast Guard Integrated Support Command Boston. The safety zone is needed to protect vessels from the hazards posed by a fireworks display.

DATES: This rule is effective from 9 p.m. until 11 p.m. on Saturday July 25, 1998.

FOR FURTHER INFORMATION CONTACT: LT Mike Day, Waterways Management Division, Coast Guard Marine Safety Office Boston, (617) 223–3002.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation, and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Any delay encountered in this regulation's effective date would be contrary to the public interest since immediate action is needed to close a portion of the waterway and protect the maritime public from the hazards associated with this fireworks display, which is intended for public entertainment.

Background and Purpose

On June 11, 1998 Conventures Incorporated filed a marine event permit with the Coast Guard to hold a fireworks program on Boston Harbor. This