

prison, falls within the ambit of § 2.36(a).

Implementation

The amended rule is made effective as an interim rule pending the public comment process because of the public and law enforcement interest in not placing in doubt the many parole decisions made in accordance with 28 CFR 2.36 and 2.20(i).

Regulatory Assessment Requirements

The U.S. Parole Commission has determined that this amended interim rule is not a significant rule within the meaning of Executive Order 12866. The amended interim rule will not have a significant economic impact upon a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b), and is deemed by the Commission to be a rule of agency practice that does not "substantially affect the rights or obligations of non-agency parties" pursuant to Section 804(3)(C) of the Congressional Review Act.

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

The Amendments

Accordingly, the U.S. Parole Commission is adopting the following amendments to 28 CFR Part 2.

PART 2—[AMENDED]

1. The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

2. Section 2.36 is amended by revising the first sentence of paragraph (a) to read as follows:

§ 2.36 Rescission guidelines.

(a) The following guidelines shall apply to the sanctioning of disciplinary infractions or new criminal conduct committed by a prisoner during any period of confinement that is credited to his current sentence (whether before or after sentence is imposed), but prior to his release on parole; and by a parole violator during any period of confinement prior to or following the revocation of his parole (except when such period of confinement has resulted from initial parole to a detainer). * * *

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Dated: October 25, 1999.

Michael J. Gaines,

Chairman, Parole Commission.

[FR Doc. 99-28587 Filed 11-2-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07-99-068]

RIN 211-AE46

Special Local Regulations: City of Augusta, GA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Temporary Special Local Regulations are being adopted for the Augusta Port Authority's Head of the South Rowing Regatta. The event will be held from 7 a.m. to 6 p.m. Eastern Standard Time (EST) on November 13 and 14, 1999, on the Savannah River in Augusta, GA. These regulations are needed to provide for the safety of life on navigable waters during the event.

DATES: These regulations become effective at 6:30 a.m. November 13, 1999, and terminate at 6:30 p.m. on November 14, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. William Tole (706) 722-4114.

SUPPLEMENTARY INFORMATION:

Background and Purpose

These regulations are required to provide for the safety of life on navigable waters during the Head of the South Rowing Regatta to be held in Augusta, GA. The regulations are intended to promote safe navigation on the Savannah River immediately before, during, and after the race by controlling the traffic entering, exiting, and travelling within the regulated area. The anticipated number of participant and spectator vessels poses a safety concern which is addressed in these special local regulations. There will be approximately 3000 participants racing single, double, four and eight person rowing shells on a fixed course. The event will take place in an area of limited commercial traffic on the Savannah River at Augusta GA, between mile marker 187.5 and 203.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for these regulations and good cause exists for making them effective in less than 30 days from the date of publication. Information concerning the exact date and times of the event were only recently received by the U.S. Coast Guard, leaving insufficient time for a full comment period and delayed effective date.

Regulatory Evaluation

This regulation 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)(f) of that order. The Office of Management and Budget has excepted it from review 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 regulated policies and procedures of DOT is unnecessary. The regulated area encompasses less than 3 nautical miles on the Savannah River with little commercial usage, entry into which is prohibited for only twelve hours on each day of the event.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) the Coast Guard must consider whether this rulemaking will have a significant economic impact on a substantial number of small entities. Small entities include small business, not-for-profit organizations that are independently owned and operated and are not dominant under their fields, and governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities, as the regulations will only be in effect for two days in a limited area of the Savannah River that is seldom used for commerce.

Collection of Information

This 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 this 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 action and has determined under Figure 2-1, paragraph 34(h) of Commandant Instruction M16475.1C, that 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, the Coast Guard amends part 100 of Title 33, Code of Federal Regulations 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. Add temporary § 100.35T-07-068 to read as follows:

§ 100.35T-07-068 Head of the South Rowing Regatta; Savannah River, Augusta, GA

(a) *Regulated Area:* A regulated area is established on that portion of the Savannah River at Augusta GA, between mile markers 187 and 200.2. The regulated area encompasses the width of the Savannah River between these two points.

(b) *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 Commanding Officer, Group Charleston, SC.

(c) *Special Local Regulations.* Entry into the regulated area by other than event participants is prohibited, unless otherwise authorized by the Patrol Commander. After termination of the Head of the South Rowing Regatta, all vessels may resume normal operations.

(d) *Dates:* These regulations become effective at 6:30 a.m. and terminate at 6:30 p.m. on November 13 and 14, 1999.

Dated: October 27, 1999.

G.W. Sutton,

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

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DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 117**

[CGD05-98-111]

RIN 2115-AE47

Drawbridge Operation Regulations; Debbies Creek, New Jersey

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the regulations governing the operation of the Monmouth County highway bridge, at mile 0.4, across Debbies Creek, at Manasquan, New Jersey. This rule will continue to provide the current opening schedule, except that from January 1 through April 1, from 4:30 p.m. to 8 a.m., a four-hour advance notice will be required. This change is intended to relieve the bridge owner of the burden of having a bridge tender staff the bridge during periods when there are few or no requests for openings, while still providing for the reasonable needs of navigation.

DATES: This final rule is effective December 3, 1999.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD05-98-111 and are available for inspection or copying at the office of Commander (Aowb), Fifth Coast Guard District, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6222.

FOR FURTHER INFORMATION CONTACT: Ann Deaton, Bridge Administrator, Fifth Coast Guard District, (757) 398-6222.

SUPPLEMENTARY INFORMATION:**Regulatory History**

On January 22, 1999, we published a Notice of Proposed Rulemaking (NPRM) entitled "Drawbridge Operation Regulations; Debbies Creek, New Jersey" in the **Federal Register** (64 FR 3464). We received 10 letters commenting on the proposed rulemaking. One of the comments included a request for a public hearing, but after reading and considering the comments, we determined that a public hearing would provide no additional information and would not aid the rulemaking process.

On July 6, 1999, we published a Supplemental Notice of Proposed Rulemaking (SNPRM) entitled "Drawbridge Operation Regulations; Debbies Creek, New Jersey" in the **Federal Register** (64 FR 36318). We received no comments on the supplemental notice of proposed rulemaking. No public hearing was requested, and none was held.

Background and Purpose

The Monmouth County highway bridge is owned and operated by the Board of Chosen Freeholders of the County of Monmouth (BCFCM) in New Jersey. Title 33 Code of Federal Regulations (CFR) part 117.715 requires

the bridge to open on signal, except that, from Memorial Day through Labor Day from 7 a.m. to 8 p.m., the draw need be opened only on the hour and the half hour if any vessels are waiting to pass.

The BCFCM had initially requested a change in the regulation by requiring a 24-hour advance notice for bridge openings from January 1 through March 31. Bridge logs from 1989 through 1997 revealed a total of 496 bridge openings in the months of January, February and March. During this period, bridge tenders received an average of approximately 18 bridge-opening requests per month. Considering the minimal number of openings identified by the bridge logs, the Coast Guard believed that the initial proposal would more fairly balance the competing needs of vehicular and vessel traffic. However, the Coast Guard received 10 comments objecting to the proposed rule. After consideration of the comments and further discussions with BCFCM, the Coast Guard determined that since vessel use from January 1 through March 31 was primarily during the daylight hours, an alternative proposal, as set forth in the SNPRM was appropriate. The Coast Guard also believes that enumeration and rewording will clarify the current regulation.

Discussion of Comments and Changes

The Coast Guard received 10 comments on the NPRM in opposition to a 24-hour advance notice for vessel openings from January 1 to March 31. Nine comments opposed the proposed change as unreasonable and unfair. The remaining comment suggested manning the bridge between the hours of 8 a.m. and 4:30 p.m. during January and February, and between 8 a.m. and 6 p.m. or 7 p.m. in the month of March with a 24-hour advance notice at all other times. All commenters generally indicated that a 24-hour advance notice would be inconvenient and was excessive due to the unpredictable weather conditions. Further review of the bridge logs from 1995 through 1997 revealed a total of 61 bridge openings for vessels from January 1 to March 31, from 4:30 p.m. to 8 a.m. During the same timeframes, bridge logs from 1989 to 1997 showed a total of 104 vessel openings. The Coast Guard responded to the comments by reducing the 24-hour advance notice requirement in our original proposal to only four hours.

The Coast Guard received no comments opposing our new proposal and is amending 33 CFR 117.715 by inserting a new provision requiring a four-hour advance notice for bridge openings from January 1 through April