

REVISIONS TO IFR ALTITUDES AND CHANGEOVER POINTS—Continued

[Amendment 429 effective date: July 12, 2001]

From		To	MEA	
§ 95.6257 VOR Federal Airway 257				
GRAND CANYON, AZ VOR/DME *14500—MCA DOZIT FIX S BND **11200—MOCA		*DOZIT, AZ FIX	** 14500	
DOZIT, AZ FIX *11200—MOCA		JALMA, AZ FIX	*14500	
JALMA, AZ FIX * 11000—MOCA		KACIR, AZ FIX	*13000	
KACIR, AZ FIX		BRYCE CANYON, UT VORTAC	11600	
§ 95.6271 VOR Federal Airway 271				
MUSKEGON, MI VORTAC *2400—MOCA		WELKO, MI FIX	*3000	
WELKO, MI FIX *2100—MOCA		MANISTEE, MI VOR/DME	*4000	
§ 95.6285 VOR Federal Airway 285				
WHITE CLOUD, MI VORTAC *2400—MOCA		MANISTEE, MI VOR/DME	*4000	
§ 95.6465 VOR Federal Airway 465				
LUNDI, ID FIX *129000—MOCA		JACKSON HOLE, WY VOR/DME	*15000	
From	To	Changeover Points		
		Distance	From	
§ 95.8003 VOR Federal Airway Changeover Points V-135 Is Amended by Adding Changeover Point				
Airway Segment: BEATTY, NV VORTAC #COP 53 NM FROM AND UTILIZES COALDALE, NV VORTAC ON THE 129 M RAD	TONOPAH, NV VORTAC	34	BEATTY	
V-257 Is Amended To Modify Changeover Point				
GRAND CANYON, AZ VOR/DME	BRYCE CANYON, UT VORTAC	36	GRAND CANYON	

[FR Doc. 01-14107 Filed 6-4-01; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR PART 165

[CGD09-01-032]

RIN 2115-AA97

Safety Zone: U.S. Aerospace
Challenge, Holland, MI

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone encompassing a portion of Lake Michigan near Holland, Michigan. This

safety zone is necessary for the protection of passengers and vessels during a planned rocket launch show over Lake Michigan. The safety zone is intended to restrict vessel traffic from the waters of Lake Michigan off Holland, Michigan.

DATES: This temporary final rule is effective from 9 a.m. (local) and terminates at 2 p.m. (local), June 2, 2001.

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 CDG09-01-032 and are available for inspection or copying at: U.S. Coast Guard Marine Safety Office Chicago, 215 W. 83rd Street, Chicago, Illinois 60521 or deliver them to the Coast Guard Marine Safety Office, 215 W.

83rd Street, Suite D, Burr Ridge, Illinois and are available for inspection or copying between 7:30 a.m. and 4 p.m. Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: MST2 Mike Hogan, U.S. Coast Guard Marine Safety Office, 215 W. 83rd Street, Burr Ridge, Illinois 60521. The telephone number is (630) 986-2175.

SUPPLEMENTARY INFORMATION:**Regulatory Information**

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM, and, under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. The permit application was

not received in time to publish an NPRM followed by a temporary final rule that would be effective before the necessary date. Publication of a notice of proposed rulemaking and delay of effective date would be contrary to the public interest because immediate action is necessary to prevent possible loss of life, injury, or damage to property or the environment.

Background and Purpose

A temporary safety zone is required to ensure safety of vessels and spectators from hazards associated with rocket launches. Entry into, transit through, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port, Chicago or the designated Patrol Commander. The designated Patrol Commander on scene may be contacted on VHF Channel 16.

The safety zone will encompass all waters of Lake Michigan bounded by the lines of a triangle with corners at approximate positions 42° 46'24" N, 086°12'57" W; 42°46'25" N, 086°14'08" W; 42°47'09" N, 086°13'33" W. The rockets will be launched for the end of the Holland State Park Northern Pier. The Captain of the Port Chicago or his designated on scene representative have the authority to terminate the event.

All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Chicago or his designated on scene representative. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

Regulatory Evaluation

This proposed 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. The Office of Management and Budget has not reviewed this rule 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). We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

This determination is based on the minimal time that vessels will be restricted from the zone, and the zone is in an area where the Coast Guard

expects insignificant adverse impact to mariners from the zones' activation.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this proposed rule would have a significant impact on a substantial number of small entities. The term "small entities" comprises 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.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

This proposed rule would affect the following entities, some of which might be small entities: The owners or operators of commercial vessels intending to transit a portion of an activated safety zone.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons: the proposed zone is only in effect for few hours on the day of the event; vessel traffic can safely pass outside the proposed safety zone during the event; and traffic may be allowed to pass through the safety zone under Coast Guard escort with the permission of the Captain of the Port Chicago. Before the effective period, we will issue maritime advisories widely available to users of Lake Michigan by the Ninth Coast Guard District Local Notice to Mariners, Marine information broadcasts, and facsimile broadcasts may also be made.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule so that they can better evaluate its effects and participate in the rulemaking process. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Marine Safety Office Chicago (see **ADDRESSES**).

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

We have analyzed this proposed rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that Order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a state, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those costs. This proposed rule would not impose an unfunded mandate.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b) (2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

The Coast Guard has analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

We have considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph 34(g) of Commandant Instruction M16475.1C, this proposed rule is categorically excluded from further environmental documentation. A written categorical exclusion determination is available in the docket for inspection or copying where indicated under **ADDRESSES**.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 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, 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46.

2. A new temporary § 165.T09–914 is added to read as follows:

§ 165.T09–914 Safety Zone: Lake Michigan, Holland, MI.

(a) *Location.* The following area is a safety zone: The waters of Lake Michigan off Holland State Park North Pier, bounded by the sides of a triangle with corners in approximate positions: 42°46'24" N, 086°12'57" W; 42°46'25" N, 086°14'08" W; 42°47'09" N, 086°13'33" W.

(b) *Effective Date.* This safety zone is effective from 9 a.m. (local) until 2 p.m. (local), June 2, 2001.

(c) *Regulations.* This safety zone is being established to protect the boating public in the vicinity of a planned rocket launch show over Lake Michigan. In accordance with the general regulations in 165.23 of this part, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port, Chicago, or the designated Patrol Commander.

Dated: May 16, 2001.

R. E. Seebald,

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

[FR Doc. 01–14097 Filed 6–4–01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01–01–075]

RIN 2115–AA97

Safety Zone: USS DOYLE Port Visit—Boston, Massachusetts

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the USS DOYLE port visit from 7 a.m. June 1, 2001 until 2 p.m. June 4, 2001 in Boston, MA. The safety zone temporarily closes all waters of Boston Inner Harbor within a seventy five (75) foot radius of the USS DOYLE. The safety zone prohibits entry into or movement within this portion of Boston Inner Harbor during the effective period without Captain of the Port authorization. The safety zone is needed to protect the maritime community from the hazards caused by the transit of a large naval vessel, as well as to safeguard the USS DOYLE, the public and the surrounding area from sabotage or other subversive acts, accidents, or other events of a similar nature.

DATES: This rule is effective from 7 a.m. Friday, June 1 until 2 p.m. Monday, June 4, 2001.

ADDRESSES: Documents as indicated in this preamble are part of docket CGD01–01–75 and are available for inspection or copying at Marine Safety Office Boston, 455 Commercial Street, Boston, MA between the hours of 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant (junior grade) Dave Sherry, Marine Safety Office Boston, Waterways Management Division, at (617) 223–3006.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing a NPRM and for making this regulation effective in less than 30 days after Federal

Register publication. Due to security concerns for the vessel, information about the port call of the USS DOYLE was not provided to the Coast Guard until May 14, 2001, making it impossible to draft or publish a NPRM or a final rule 30 days in advance of its effective date. Any delay encountered in this regulation's effective date would be unnecessary and contrary to public interest since immediate action is needed to protect the maritime community from hazards created by a large naval vessel's transit through Boston Harbor. In addition, immediate action is needed to safeguard the USS DOYLE, the public and the surrounding area from sabotage or other subversive acts, accidents, or other events of a similar nature. This temporary safety zone is only effective for a three day long port call and should have negligible impact on vessel transits due to the fact that vessels can safely transit around the zone and that they are not precluded from using any portion of the waterway except the safety zone area itself.

Background and Purpose

This regulation establishes a moving safety zone on the waters of Boston Inner Harbor seventy five (75) foot radius of the USS DOYLE during its inbound and outbound transits between the BG buoy and Pier One in the Charlestown Navy Yard in Boston Inner Harbor. A stationary safety zone will remain effective while at its temporary berth at Pier One in the Charlestown Navy Yard. The safety zone is in effect from 7 a.m. June 1 until 2 p.m. June 4, 2001. This safety zone prohibits entry into or movement within this portion of Boston Harbor and is needed to protect the maritime community from hazards created by a large naval vessel's transit, to safeguard the USS DOYLE, the public and the surrounding area from sabotage or other subversive acts, accidents, or other events of a similar nature. Marine traffic may transit safely outside of the safety zone during the inbound and outbound transit between the BG buoy and Pier One in the Charlestown Navy Yard, and while the vessel is moored in the Charlestown Navy Yard. The Captain of the Port does not anticipate any negative impact on vessel traffic due to the establishment of this safety zone. Public notifications will be made prior to the effective period via local notice to mariners and marine information broadcasts.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866 and does not