

the benefit for public notice and comment is unnecessary.

The Regulatory Flexibility Act

Pursuant to § 605 of the Regulatory Flexibility Act, the Department has assessed the potential impact of this rule, and the Assistant Secretary for Consular Affairs hereby certifies that it is not expected to have a significant economic impact on a substantial number of small entities.

E.O. 12988 and E.O. 12866

This rule has been reviewed as required under E.O. 12998 and determined to be in compliance therewith. This rule is exempt from review under E.O. 12866, but has been reviewed internally by the Department to ensure consistency therewith. The rule does not directly affect states or local governments or Federal relationships and does not create unfunded mandates.

5 U.S.C. Chapter 8

As required by 5 U.S.C., chapter 8, the Department has screened this rule and determined that it is not a major rule, as defined in 5 U.S.C. 80412.

Paperwork Reduction Act

This rule will eliminate certain paperwork requirements, rather than adding to them.

List of Subjects in 22 CFR Part 41

Aliens, Nonimmigrants, Passports and visas.

In view of the foregoing, 22 CFR part 41 is amended as follows:

PART 41—[AMENDED]

1. The authority citation for part 41 continues to read:

Authority: 8 U.S.C. 1104.

2. Section 41.2(f) is revised to read as follows:

* * * * *

§ 41.2 Waiver by Secretary of State and Attorney General of passport and/or visa requirements for certain categories of nonimmigrants.

(f) Nationals and residents of the British Virgin Islands.

(1) A national of the British Virgin Islands and resident therein requires a passport but not a visa if proceeding to the United States Virgin Islands.

(2) A national of the British Virgin Islands and resident therein requires a passport but does not require a visa to apply for entry into the United States if such applicant:

(i) Is proceeding by aircraft directly from St. Thomas, U.S. Virgin Islands;

(ii) Is traveling to some other part of the United States solely for the purpose of business or pleasure as described in INA 101(a)(15)(B);

(iii) Satisfies the examining U.S. Immigration officer at that port of entry that he or she is admissible in all respects other than the absence of a visa; and

(iv) Presents a current Certificate of Good Conduct issued by the Royal Virgin Islands Police Department indicating that he or she has no criminal record.

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Dated: November 2, 1998.

Mary A. Ryan,

Assistant Secretary for Consular Affairs.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD01-98-125]

RIN 2115-AE46

Special Local Regulations: Greenwood Lake Powerboat Classic, Greenwood Lake, NJ

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing permanent special local regulations that will be enacted annually for the annual Greenwood Lake Powerboat Classic. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in the southern end of Greenwood Lake, New Jersey.

DATES: This final rule is effective March 22, 1999.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at Coast Guard Activities New York, 212 Coast Guard Drive, Staten Island, New York 10305, or deliver them to room 205 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (718) 354-4193.

FOR FURTHER INFORMATION CONTACT: Lieutenant J. Lopez, Waterways Oversight Branch, Coast Guard Activities New York (718) 354-4193.

SUPPLEMENTARY INFORMATION:

Regulatory History

On November 13, 1998, the Coast Guard published a notice of proposed

rulemaking entitled Special Local Regulations: Greenwood Lake Powerboat Classic, Greenwood Lake, New Jersey in the **Federal Register** (63 FR 63426). The Coast Guard did not receive any letters commenting on the proposed rulemaking. No public hearing was requested, and none was held.

Background and Purpose

The Greenwood Lake Powerboat Association and the West Milford, New Jersey Chamber of Commerce sponsor this annual high-speed powerboat race with approximately 60 race boats, up to 20 feet in length, participating in the event. An average of 125 spectator craft view this event each year. The race will take place on the southern end of Greenwood Lake, New Jersey. The regulated area encompasses all waters of Greenwood Lake north of 41°08'N and south 41°09'N (NAD 1983). The shoreline comprises the eastern and western boundaries. The northern boundary will be marked by 6 temporary buoys. The more narrow southern boundary will be marked by 4 temporary buoys. This regulation is effective annually from 10 a.m. until 7 p.m. on Saturday and Sunday, the first weekend before Memorial Day weekend. The race boats will be competing at high speeds with numerous spectator craft in the area, creating an extra or unusual hazard in the navigable waterway. This regulation prohibits all vessels not participating in the event, swimmers, and personal watercraft from transiting this portion of Greenwood Lake during the races. It is needed to protect the waterway users from the hazards associated with high-speed powerboats racing in confined waters. Marine traffic will be able to transit through the area at various times between races at the direction of the Coast Guard Patrol Commander.

Regulatory Evaluation

This final 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 not been reviewed 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. Although this regulation prevents traffic from transiting a portion of the southern end

of Greenwood Lake during the races, the effect of this regulation will not be significant for several reasons: the limited duration that the regulated area is in effect, marine traffic is able to transit through the regulated area at various times between races at the direction of the Coast Guard Patrol Commander, the event takes place on an inland lake that has no commercial traffic, it is an annual event with local support, and advance notifications will be made to the local maritime community via facsimile. Vessels, swimmers, and personal watercraft of any nature not participating in this event will be unable to transit through or around the regulated area during this event unless authorized by the Coast Guard Patrol Commander.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this final rule will have a significant economic impact on a substantial number of small entities. "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.

For the reasons stated in the Regulatory Evaluation section above, 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 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 final rule under the principles and criteria contained in Executive Order 12612 and has determined that this final rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

Unfunded Mandates

Under the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), the Coast Guard must consider whether this rule will result in an annual expenditure by state, local, and tribal governments, in the aggregate of \$100 million (adjusted annually for inflation). If so, the Act requires that a reasonable number of regulatory alternatives be considered, and that from those alternatives, the least costly, most cost-effective, or least burdensome

alternative that achieves the objective of the rule be selected. No state, local, or tribal government entities will be effected by this rule, so this rule will not result in annual or aggregate costs of \$100 million or more. Therefore, the Coast Guard is exempt from any further regulatory requirements under the Unfunded Mandates Act.

Environment

The Coast Guard considered the environmental impact of this final rule and concluded that under figure 2-1, paragraph 34(g) of Commandant Instruction M16475.1C, this final rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 100

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

Regulation

For the reasons discussed 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 through 1236; 49 CFR 1.46; 33 CFR 100.35.

2. Add § 100.120 to read as follows:

§ 100.120 Special Local Regulations: Greenwood Lake Powerboat Classic, Greenwood Lake, New Jersey.

(a) *Regulated area.* All waters of Greenwood Lake, New Jersey north of 41°08' N and south of 41°09' N (NAD 1983). The shoreline comprises the eastern and western boundaries.

(b) *Special local regulations.*

(1) Vessels not participating in this event, swimmers, and personal watercraft of any nature are prohibited from entering or moving within the regulated area unless authorized by the Patrol Commander.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

(c) *Effective period.* This section is in effect annually on Saturday and Sunday

from 10 a.m. until 7 p.m. on the first weekend before Memorial Day weekend.

Dated: February 5, 1999.

R.M. Larrabee,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD13-99-001]

Drawbridge Operations Regulations; Columbia River, Oregon, Washington

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Thirteenth Coast Guard District has issued a temporary deviation from the regulations governing the operation of the Burlington Northern Santa Fe Railroad Bridge across the Columbia River, mile 105.6, between Vancouver, Washington, and Portland, Oregon. This deviation allows the owner to close the swing span from 6 a.m. February 28, to 6 a.m. March 4, 1999. The closure will accommodate major repair to the center bearing and other mechanical components. The approved temporary deviation is contingent upon coincidence with Columbia River navigation lock maintenance closure. **DATES:** This deviation is effective from 6 a.m. February 28, 1999, to 6 a.m. March 4, 1999.

FOR FURTHER INFORMATION CONTACT: John E. Mikesell, Chief, Plans and Programs Section, Aids to Navigation and Waterways Management Branch, Telephone (206) 220-7272.

SUPPLEMENTARY INFORMATION: The Burlington Northern Santa Fe Railroad Bridge has a deteriorating center bearing which eventually could cause failure of alignment and operation of the swing span. This closure will enable the owner to repair this essential component as well as some others of lesser importance. While the Columbia River bears substantial commercial navigation in this reach, the Coast Guard anticipates that the impact will be less during the upstream lock maintenance closure currently scheduled for the same period. Recreational boating traffic is minimal at this season.

The bridge normally opens on signal at all times for the passage of vessels. This temporary deviation would permit