

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[COTP San Francisco Bay 07-008]

RIN 1625-AA08

Special Local Regulations for Marine Events; Blessing of the Fleet, Corinthian Yacht Club, San Francisco Bay, CA

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the special local regulations (SLR) for the annual "Blessing of the Pleasure Craft Fleet" sponsored by the Corinthian Yacht Club in the navigable waters of San Francisco Bay on April 29, 2007. This action is necessary to control vessel traffic and to ensure the safety of event participants and spectators during the formation and transit of vessels involved in the ceremonies. During the enforcement period spectator vessels may not anchor, block, loiter, nor impede the through transit of participants or official patrol vessels within the area described during the event without permission from the Coast Guard Patrol Commander.

DATES: The regulations in 33 CFR 100.1103 will be enforced from 8 a.m. to 12 p.m. on April 29, 2007.

FOR FURTHER INFORMATION CONTACT: ENS Sheral Richardson, Waterways Management Branch, U.S. Coast Guard Sector San Francisco, at (415) 556-2950 extension 140.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulations for the Corinthian Yacht Club—Blessing of the Fleet in 33 CFR 100.1103 on April 29, 2007 from 8 a.m. to 12 p.m. in the waters of San Francisco Bay transiting the Raccoon Straits.

The Coast Guard has granted the event sponsor a marine event permit for the waterfront festival. Under the provisions of 33 CFR 100.1103, spectator vessels may not anchor, block, loiter, nor impede the through transit of participants or official patrol vessels within the area described during the event without permission from the Coast Guard Patrol Commander. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing the SLR.

This notice is issued under authority of 33 CFR 100.1103 and 5 U.S.C. 552(a). In addition to this notice in the **Federal**

Register, the maritime community will be provided advance notification of these events via a Broadcast Notice to Mariners. If the Captain of the Port determines that the regulated area need not be enforced for the full duration stated in this notice, he may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.

Dated: April 12, 2007.

W.J. Uberti,

Captain, U.S. Coast Guard, Captain of the Port, San Francisco.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD01-07-034]

Drawbridge Operation Regulations; Mill Neck Creek, Oyster Bay, NY

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations; request for comments.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Bayville Bridge, across Mill Neck Creek, mile 0.1, at Oyster Bay, New York. This deviation will test a change to the drawbridge operation schedule to determine whether a permanent change to the schedule is needed. Under this test deviation the bridge will open on signal after at least a two hour advance notice is given by calling the number posted at the bridge during the following periods: from May 25, 2007 through October 31, 2007, between 11 p.m. and 7 a.m.; from November 1, 2007 through November 20, 2007 on weekdays between 5 p.m. and 7 a.m., and on weekends. At all other times the bridge will open on signal.

DATES: This deviation is effective from May 25, 2007 through November 20, 2007. Comments must reach the Coast Guard on or before November 30, 2007.

ADDRESSES: You may mail comments and related material to Commander (dpb), First Coast Guard District Bridge Branch, One South Street, Battery Park Building, New York, New York, 10004, or deliver them to the same address between 7 a.m. and 3 p.m., Monday through Friday, except, Federal holidays. The First Coast Guard District, Bridge Branch, maintains the public

docket for this deviation. Comments and material received from the public, as well as documents indicated in this notice as being available in the docket, will become part of this docket and will be available for inspection or copying at the First Coast Guard District, Bridge Branch, 7 a.m. to 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Judy Leung-Yee, Project Officer, First Coast Guard District, at (212) 668-7195.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in evaluating this test schedule by submitting comments or related material. If you do so, please include your name and address, identify the docket number for this deviation (CGD01-07-034), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know if they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. Comments must be received by November 30, 2007.

Background and Purpose

The Bayville Bridge has a vertical clearance in the closed position of 9 feet at mean high water and 16 feet at mean low water. The existing drawbridge operation regulations listed at 33 CFR 117.5, require the bridge to open on signal at all times.

The bridge owner, County of Nassau, Department of Public Works, requested a change to the drawbridge operation regulations to help relieve the bridge owner from the burden of crewing the bridge during time periods when the bridge seldom receives requests to open.

Under this temporary deviation the Bayville Bridge at mile 0.1, across Mill Neck Creek, shall open on signal after at least a two hour advance notice is given by calling the number posted at the bridge during the following periods:

From May 25, 2007 through October 31, 2007, between 11 p.m. and 7 a.m.; From November 1, 2007 through November 20, 2007, on weekdays between 5 p.m. and 7 a.m., and on weekends.

At all other times, the bridge will open on signal per 33 CFR 117.5.

This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: April 12, 2007.

Gary Kassof,

Bridge Program Manager, First Coast Guard District.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[CGD05-07-038]

RIN 1625-AA00

Security Zone: Queen of England Visit, Jamestown Island, VA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The United States Coast Guard is establishing a 500-yard security zone encompassing waters in the vicinity of Church Point on Jamestown Island, VA, for the Queen of England's visit to Jamestown Island, VA. This action is intended to restrict vessel traffic within the 500-yard security zone described herein. This security zone is necessary to protect attendees of this event from potential maritime hazards and threats, and to enhance public and maritime security.

DATES: This rule is effective from 8 a.m. on May 3, 2007, until 8 p.m. on May 4, 2007.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket CGD05-07-038 and are available for inspection or copying at USCG Sector Hampton Roads, 4000 Coast Guard Blvd., Portsmouth, Virginia, 23703, between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LCDR Thomas Tarrants, Enforcement Branch Chief, U.S. Coast Guard Sector Hampton Roads, Virginia at (757) 483-8571.

SUPPLEMENTARY INFORMATION:

Regulatory Information

Pursuant to 5 U.S.C. 553(b)(B), a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing a NPRM. Any delay encountered in this regulation's effective date by publishing an NPRM would be contrary to the public interest, since immediate action is needed to prevent mariners and vessels from entering waters within a 500-yard radius of 37-12.45N, 076-46.66W on Jamestown Island, VA, in

order to provide for the security of this event and its attendees.

For the same reasons good cause exists for making this regulation effective less than 30 days after **Federal Register** publication under 5 U.S.C. 553(d)(3).

Background and Purpose

Following terrorist attacks on the United States in September 2001, there is now a heightened awareness that vessels or persons could engage in subversive activity against targets ashore in the United States. This regulation is necessary to protect the Queen of England's visit to Jamestown Island, VA, from potential maritime threats. This temporary security zone will only be in effect from 8 a.m. on May 3, 2007, until 8 p.m. on May 4, 2007. This zone will have minimal impact on vessel transits because vessels can safely transit around the zone and they are not precluded from using any portion of the waterway except the security zone area itself. Additionally, public notifications announcing this regulation will be made via marine information broadcasts prior to the zone taking effect.

Discussion of Rule

The Coast Guard is establishing a temporary security zone on specified waters to provide protection to the Queen of England and other dignitaries visiting Jamestown Island. The security zone is effective from 8 a.m. on May 3, 2007, until 8 p.m. on May 4, 2007. The security zone encompasses all waters off Jamestown Island, VA, within a 500-yard radius of Church Point at 37-12.45 N, 076-46.66 W. No persons or vessels may enter or remain in the regulated area without authorization by the Captain of the Port, Hampton Roads, or his designated representative.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, 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 it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this rule to be so minimal that a full regulatory evaluation under the regulatory policies and procedures of DHS is unnecessary. Although this rule restricts access to the regulated area, the effect of this rule will not be significant because: (i) The COTP may authorize

access to the security zone; (ii) the security zone will be in effect for a limited duration; (iii) the Coast Guard will make notifications via maritime advisories so mariners can adjust their plans accordingly.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic 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 rule will not have a significant economic impact on a substantial number of small entities.

However, this rule may affect the following entities, some of which may be small entities: the owners and operators of vessels intending to transit or anchor in the described portion of the security zone between 8 a.m. on May 3, 2007, to 8 p.m. on May 4, 2007. The security zone will not have a significant impact on a substantial number of small entities because the zone does not encompass a high vessel traffic area, and will only be in place for approximately 2-days. Maritime advisories will also be issued, so the mariners can adjust their plans accordingly.

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 on them and participate in the rulemaking. 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 LCDR Thomas Tarrants, Enforcement Branch Chief, U.S. Coast Guard Sector Hampton Roads, Virginia at (757) 483-8571.

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 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 U.S.