Budget has not reviewed it 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–888–612), we considered whether this rule will have a significant economic effect upon 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 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. This rule may affect the following entities, some of which may be small entities: the owners or operators of vessels intending to transit the Hillsborough River under the Brorein or Platt Street Drawbridges on January 27, 2001.

This temporary rule will not have a significant economic impact on a substantial number of small entities because the regulations will only be in effect for eight hours in an area of limited marine traffic, and the event will be highly publicized.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–221), we offer to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process. Small entities may contact the person listed under **FOR FURTHER INFORMATION CONTACT** for assistance in understanding and participating in this rulemaking. We also have a point of contact for commenting on actions by employees of the Coast Guard. 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 rule calls for no new collection of information requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

We have analyzed this 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 unfunded mandate costs. This rule will not impose an unfunded mandate.

Taking of Private Property

This rule will 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 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

We have analyzed this 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 safety that may disproportionately affect children.

Environment

The Coast Guard has considered the environmental impact of this action and has determined under figure 2–1, paragraph 32(e) of Commandant Instruction M16475.1C, that this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. From 10 a.m. to 6 p.m. on January 27, 2001, in § 117.291, temporarily suspend paragraph (a) and add a new temporary paragraph (c) to read as follows:

§ 117.291 Hillsborough River.

* * * * *

(c)(1) The draws of the bridges at Platt Street, mile 0.0, and Brorein Street, mile 0.16, need not open to navigation.

(2) The draws of the bridges at Kennedy Boulevard, mile 0.4, Cass Street, mile 0.7, Laurel Street, mile 1.0, West Columbus Drive, mile 2.3, and West Hillsborough Avenue, mile 4.8, shall open on signal if at least two hours notice is given; except that, the draws shall open on signal as soon as possible after a request by a public vessel of the United States, a vessel owned or operated by the State, county or local government and used for public safety purposes, or a vessel in distress.

Dated: January 12, 2001.

T.W. Allen,

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

[FR Doc. 01–1850 Filed 1–19–01; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Southeast Alaska; 01–001]

RIN 2115–AA97

Safety Zone; Wrangell Narrows, Petersburg, AK

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone around the barge SWINIMOSH which will be conducting blasting/dredging operations along the navigable waters of Wrangell Narrows Shipping Channel, Petersburg, Alaska. This safety zone will require periodic complete channel closures to all vessel traffic transiting the channel as necessary for the barge SWINIMOSH to conduct operations. This safety zone is needed to protect maritime vessels transiting the area from

the potential hazards associated with the blasting/dredging operations conducted by the barge SWINIMOSH.

DATES: This rule is effective from 12 a.m., January 15, 2001 until 12 a.m., April 02, 2001.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at U.S. Coast Guard, Marine Safety Office, 2760 Sherwood Lane, Suite 2A, Juneau, Alaska between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (907) 463–2450.

FOR FURTHER INFORMATION CONTACT: Lieutenant Cecil McNutt Jr., Chief Port Operations Department, U.S. Coast Guard Marine Safety Office Juneau, (907) 463–2470.

SUPPLEMENTARY INFORMATION:

Regulatory History

A notice of proposed rulemaking (NPRM) was not published for this regulation. In keeping with requirements of 5 U.S.C. 553(B), the Coast Guard finds a good cause exists for not publishing a NPRM. Application for the blasting operations was not received by the Marine Safety Office Juneau until December 19, 2000. The operations are scheduled to commence January 15, 2001; thus time to publish a NPRM is inadequate for this regulation. In keeping with requirements of 5 U.S.C. 553 (d)(3), the Coast Guard also finds that good cause exists for making this regulation effective less than 30 days after publication in the **Federal Register**. Publication of a NPRM and delay of the effective date would be contrary to the public interest because immediate action is necessary to protect the safety of the maritime vessel traffic in the vicinity of the blasting operation.

Background and Purpose

The U.S. Army Corps of Engineers through its contractor Western Marine Construction, Inc. will be conducting blasting/dredging operations on portions of Wrangell Narrows Shipping Channel for the Wrangell Narrows Project (ACOE project number DACW85–00–C–0015). This dredging project is necessary to maintain safe navigation within the Wrangell Narrows Shipping Channel. A 500-yard safety zone around the barge SWINIMOSH along with periodic complete channel closures is needed to protect the safety of the maritime vessel traffic from the potential hazards associated with blasting/dredging operations.

The blasting operations will begin 12 a.m. January 15, 2001, and will last until 12 a.m. April 2, 2001. This safety zone is necessary to protect the maritime public from the potential hazards associated with the blasting/dredging operations.

Regulatory Evaluation

This temporary rule is not a significant regulatory action under section 3(f) of the Executive Order 12866 and does not require an assessment of potential costs and benefits under sections 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) (44FR 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 10(e) of the regulatory policies and procedures of DOT is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant impact on a substantial number of small businesses and not-for-profit organizations that are not dominant in their respective fields, and governmental jurisdictions with populations less than 50,000. For the same reasons set forth in the above Regulatory Evaluation, the Coast Guard certifies under section 605 (b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this temporary final rule will not have a significant economic impact on a substantial number of small entities.

Assistance for Small Entities

In accordance with section 213 (a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), the Coast Guard wants to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking process. If your small business or organization is affected by this rule and you have questions concerning its provisions or options for compliance, please contact the office listed in **ADDRESSES** in this preamble.

Collection of Information

This rule contains no information collection requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this temporary final rule under the principles and criteria contained in Executive Order 13132 and has determined that this temporary final 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 temporary final rule and concluded that, under figure 2–1, paragraph (34)(g), of Commandant Instruction M16475.1C, this temporary 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.**

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) and E.O. 12875, Enhancing the Intergovernmental Partnership, (58 FR 58093; October 28, 1993) govern 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 rule will not impose an unfunded mandate.

List of Subjects in 33 CFR Part 165

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

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

PART 165—[AMENDED]

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.T17–SEAK–001 is added to read as follows:

§ 165.T17–SEAK–001 Wrangell Narrows Channel, Petersburg, Alaska-Safety Zone.

(a) *Location.* The following area is a temporary safety zone: the waters within a 500 yard radius of the barge SWINIMOSH while engaged in blasting/dredging operations to include periodic complete channel closures in Wrangell Narrows Shipping Channel, Petersburg AK from Point Lockwood Rock, Lighted Marker #1 (LL #22845), 56°34.0′ N, 132°58.1′ W to Rock Point, Lighted Marker #40 (LL #23070), 56°40.3′ N, 132°56.1′ W.

(b) *Effective Dates.* This rule is effective from 12 a.m., January 15, 2001 until 12 a.m., April 02, 2001.

(c) *Regulations.* In accordance with the general regulations in § 165.23 of this part, entry into, transit through, or anchoring within this safety zone is prohibited except as authorized by the Captain of the Port-Southeast Alaska. The attending tug WALDO will be standing by on channel 16 and 13 for traffic advisory. All approaching vessel traffic must contact the tug WALDO prior to transiting the channel.

Dated: January 3, 2001.

R. C. Lorigan,

Captain, U.S. Coast Guard, Captain of the Port, Southeast Alaska.

[FR Doc. 01–1669 Filed 1–19–01; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01–00–227]

RIN 2115–AA97

Safety Zone: Coast Guard Activities New York Annual Fireworks Displays

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing 12 permanent safety zones for annual fireworks displays located in the Port of New York/New Jersey. This action is necessary to provide for the safety of life on navigable waters during the events. This action is intended to restrict vessel traffic in a portion of the affected waterways.

DATES: This rule is effective February 21, 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 (CGD01–00–227) and are available for inspection or copying at room 204, Coast Guard Activities New York, 212 Coast Guard Drive, Staten Island, NY between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant M. Day, Waterways Oversight Branch, Coast Guard Activities New York (718) 354–4012.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On November 2, 2000, we published a notice of proposed rulemaking (NPRM) entitled Safety Zone: Coast Guard Activities New York Annual Fireworks Displays in the **Federal Register** (65 FR 65814). We received no letters commenting on the proposed rule. No public hearing was requested, and none was held.

Background and Purpose

The Coast Guard is establishing twelve permanent safety zones, in eight separate locations, that will be activated for fireworks displays occurring at the same location and time on an annual basis. The eight locations are north of Bar Beach in Hempstead Harbor; Pier 14, Manhattan, in the East River; Highlands, NJ on Sandy Hook Bay; Kingston, NY on Rondout Creek; Tottenville, Staten Island, in the Arthur Kill; Red Bank, NJ on the Navesink River; the Burlington Bay Breakwater, VT; and Rensselaer, NY on the Hudson River. There are four annual fireworks displays at the location off Pier 14 in the East River and two annual displays at the location in Hempstead Harbor. Establishing permanent safety zones by notice and comment rulemaking gave the public the opportunity to comment on the zones, provided better notice than promulgating temporary rules annually, and decreases the amount of annual paperwork required for these events. The Coast Guard has received no prior notice of any impact caused by the previous events.

The Coast Guard is revising 33 CFR 165.161 by adding six new locations, revising the effective dates for two current locations, and removing three locations from the section because they are now permanent fireworks safety zones regulated by 33 CFR 165.168. The two current locations with revised effective dates are Highlands, NJ, and Kingston, NY. The three locations that are being removed are Glen Cove, NY, Yonkers, NY, and Elizabeth, NJ.

The sizes of these safety zones were determined using National Fire Protection Association and New York City Fire Department standards for 6–12 inch mortars fired from a barge or shore, combined with the Coast Guard's knowledge of tide and current conditions in these areas. The twelve safety zones are:

North Hempstead, NY Fireworks, Hempstead Harbor

The safety zone includes all waters of Hempstead Harbor within a 300-yard radius of the fireworks barge in approximate position 40°49′54″N 073°39′14″W (NAD 1983), about 360 yards north of Bar Beach, Hempstead Harbor. There are two annual fireworks displays in Hempstead Harbor. Aside from being on different days, the safety zone for each display is the same. The safety zone is effective annually from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the Friday before Memorial Day and the Saturday after Labor Day. If the event is cancelled due to inclement weather, then this safety zone is effective from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the Saturday before Memorial Day and the Sunday after Labor Day. The safety zone closes a portion of southern Hempstead Harbor and prevents marine traffic from transiting a portion of this area. Vessel traffic will be able to transit through the northern 6,000 yards of Hempstead Harbor as this location is in the extreme southern end of Hempstead Harbor. It is needed to protect boaters from the hazards associated with fireworks launched from a barge in the area.

Seaport Memorial Day, Labor Day, New Year's Eve, and the Deepavali Festival Fireworks, East River

The safety zone includes all waters of the East River south of the Brooklyn Bridge and north of a line drawn from the southwest corner of Pier 3, Brooklyn, to the northeast corner of Pier 6, Manhattan. There are four annual fireworks displays in the East River. Aside from being on different days and at different times, the safety zone for each display is the same. The safety zone is effective annually from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on Memorial Day, Labor Day, and New Year's Eve; and from 6 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the first Sunday in October. If the event is cancelled due to inclement weather, then this safety zone is effective from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the day following Memorial Day, Labor Day, and New Year's Eve; and from 6 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the first Monday in October. The safety zone closes a portion of the East River and prevents marine traffic from transiting this area. It is needed to protect boaters from the hazards associated with fireworks launched from a barge in the area.

Highlands, NJ Fireworks, Sandy Hook Bay

The safety zone includes all waters of Sandy Hook Bay within a 150-yard radius of the fireworks barge in approximate position 40°24′33.8″N 073°59′46.2″W (NAD 1983), about 1,200 yards west of Plum Island. The safety zone is effective annually from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on the Saturday before Father's Day. If the event is cancelled due to inclement weather, then this safety zone is effective from 8 p.m. (e.s.t.) to 1 a.m. (e.s.t.) on Father's Day. The safety zone closes a portion of Sandy Hook Bay and the Shrewsbury