

Officer, will be prohibited from these zones. The activation and enforcement of these zones will be coordinated with the Secret Service.

Regulatory Evaluation

This temporary 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 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) (44 FR 11040; February 26, 1979).

The Coast Guard expects the economic impact of this proposal to be so minimal that a Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The size of the zones are the minimum necessary to provide adequate protection for the President. The entities most likely to be affected are individuals wishing to view the President and pleasure craft engaged in recreational activities. These individuals and vessels have ample space outside of the safety and security zones to engage in these activities and therefore they will not be subject to undue hardship. The safety and security zones may be adjusted if it becomes impracticable to keep the public 500 yards from the President. The zones may impact ferries or other commercial vessels if the President is onboard a vessel. In this case, vessels may be allowed to transit through the zones as necessary so as not to place undue hardships on these vessels, provided there is adequate protection for the President. Any hardships experienced by persons or vessels due to these zones are considered minimal compared to the national interest in protecting the President.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this temporary rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632).

For the reasons outlined in the Regulatory Evaluation, the Coast Guard expects the impact to be minimal on all entities. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this

temporary rule, if adopted, will not have a significant economic impact on a substantial number of small entities.

Collection of Information

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

Federalism

The Coast Guard has analyzed this temporary rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this temporary rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

This temporary rule has been thoroughly reviewed by the Coast Guard and determined to be categorically excluded from further environmental documentation in accordance with section 2.B.2.c of Commandant Instruction M16475.1B, as revised in 59 FR 38654, July 29, 1994. A Categorical Exclusion Determination and Environmental Analysis Checklist are included in the docket and is available for inspection and copying at the address listed under ADDRESSES.

List of Subjects in 33 CFR Part 165

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

Regulation

For the reasons discussed 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 temporary section 165.T01–082 is added to read as follows:

§ 165.T01–082 Safety and Security Zones: Presidential Visit; Martha's Vineyard, MA.

(a) *Location.* The following area is a moving safety and a moving security zone: A 500 yard radius around the President of the United States at all times designated by the Captain of the Port or the Coast Guard Presidential Security Detail Senior Duty Officer during the President's vacation on Martha's Vineyard. The size of these zones may be expanded or reduced as necessary to protect the President.

(b) *Effective Date.* This regulation is effective during the President's vacation from August 17, 1997, to September 7, 1997, or for the duration of the President's visit to Martha's Vineyard. The security and safety zones established by this regulation will be activated by the Captain of the Port or the Coast Guard Presidential Security Detail Senior Duty Officer as necessary to protect the President. As appropriate, notice of the activation of this zone may be made via loud hailer, Channels 16 and 22 VHF, or through Safety Marine Information Broadcasts.

(c) *Regulations.* The general regulations governing safety and security zones in 33 CFR 165.23 and 165.33 apply. Entry into the zones is prohibited unless authorized by the Captain of the Port Providence or the Coast Guard Presidential Security Detail Senior Duty Officer.

Dated: August 12, 1997.

Peter A. Popko,

Captain, U.S. Coast Guard, Captain of the Port, Providence, RI.

[FR Doc. 97–23072 Filed 8–28–97; 8:45 am]

BILLING CODE 4910–14–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01 97–085]

RIN 2115–AA97

Safety and Security Zones; Presidential Visit, Martha's Vineyard, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary safety and security zones, with identical boundaries, off the south shore of Martha's Vineyard, Massachusetts, during the President of the United States' vacation at the Friedman residence on Oyster Pond, Martha's Vineyard, Massachusetts. The security zone is needed to safeguard the President from sabotage or other subversive acts, accidents, or other causes of a similar nature. The safety zone is needed to protect spectators and the President's entourage. Entry into these zones are prohibited unless authorized by the Captain of the Port, Providence Rhode Island or the Coast Guard Presidential Security Detail Senior Duty Officer.

EFFECTIVE DATE: This regulation is effective from August 17, 1997, to

September 7, 1997, or for the duration of the President's visit, unless terminated sooner by the Captain of the Port.

ADDRESSES: Documents relating to this temporary final rule are available for inspection and copying at U.S. Coast Guard Marine Safety Office Providence, 20 Risho Avenue, East Providence, RI 02914. Normal office hours are between 8:00 A.M. and 4:00 P.M., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Lt. Ronald Cantin, Marine Safety Field Office, Cape Cod, MA (508) 968-6556.

SUPPLEMENTARY INFORMATION:

Drafting Information: The principal person involved in drafting this document is Lt. R. J. Cantin, Project Manager.

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Due to the sensitive and unpredictable nature of the President's schedule, the Coast Guard received insufficient notice to publish proposed rules in advance of the event. Publishing a NPRM and delaying its effective date would be contrary to public interest since immediate action is needed to protect the President.

Background and Purpose

From August 17, 1997, to September 07, 1997, President Clinton will be vacationing on Martha's Vineyard, MA. While vacationing, he and his family will reside at the Friedman residence which is located on Oyster Pond, just inland of the south shore of Martha's Vineyard.

The safety and security zones are needed to protect the President from harmful or subversive acts in the vicinity of the Friedman residence.

The safety and security zones have identical boundaries. Both are necessary since a civil penalty as authorized by 33 U.S.C. 1232(b)(1) cannot be assessed for security zone violations but can be for safety zone violations. All persons, other than those authorized by the Captain of the Port or the Coast Guard Presidential Security Detail Senior Duty Officer, will be prohibited from these zones. They encompass a rectangular area of water extending approximately one-half mile along the beach and 500 yards out into the water. The safety and security zones will be marked by buoys indicating an exclusionary area.

Regulatory Evaluation

This temporary 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 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) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The size of the zones are the minimum necessary to provide adequate protection for the President. The entities most likely to be affected are individuals wishing to view the President and pleasure craft engaged in recreational activities. These individuals and vessels have ample space outside of the safety and security zones to engage in these activities and therefore they will not be subject to undue hardship. Commercial vessels do not normally transit the area of the safety and security zones. Any hardships experienced by persons or vessels due to these zones are considered minimal compared to the national interest in protecting the President.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard must consider whether this temporary rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). For the reasons outlined in the Regulatory Evaluation, the Coast Guard expects the impact to be minimal on all entities. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this temporary rule, if adopted, will not have a significant economic impact on a substantial number of small entities.

Collection of Information

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

Federalism

The Coast Guard has analyzed this temporary rule in accordance with the

principles and criteria contained in Executive Order 12612 and has determined that this temporary rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

This temporary rule has been thoroughly reviewed by the Coast Guard and determined to be categorically excluded from further environmental documentation in accordance with section 2.B.2.c of Commandant Instruction M16475.1B, as revised in 59 FR 38654, July 29, 1994. A Categorical Exclusion Determination and Environmental Analysis Checklist are included in the docket and is available for inspection and copying at the address listed under **ADDRESSES**.

List of Subjects in 33 CFR Part 165

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

Regulation

For the reasons discussed 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 temporary section 165.T01-085 is added to read as follows:

§ 165.T01-085 Safety and Security Zones: Presidential Visit; Martha's Vineyard, MA.

(a) *Location.* The following area is both a safety zone and a security zone: From a point on land at Latitude 41 degrees 20 minutes 54 seconds N and Longitude 070 degrees 36 minutes 34 seconds W; thence eastward along the shoreline to a point on land at Latitude 41 degrees 20 minutes 57 seconds N and Longitude 070 degrees 35 minutes 45 seconds W; thence south 500 yards to an offshore point at Latitude 41 degrees 20 minutes 42 seconds N and Longitude 070 degrees 35 minutes 47 seconds W; thence west to an offshore point at Latitude 41 degrees 20 minutes 42 seconds N and Longitude 070 degrees 36 minutes 30 seconds W; thence north to the beginning point. The aforementioned offshore points will be marked by buoys indicating the safety and security zone.

(b) *Effective Date.* This regulation is effective during the President's vacation from August 17, 1997, to September 7,

1997, or for the duration of the President's visit to Martha's Vineyard, unless terminated sooner by the Captain of the Port.

(c) *Regulations.* The general regulations governing safety and security zones in 33 CFR 165.23 and 165.33 apply. Entry into the zones is prohibited unless authorized by the Captain of the Port Providence or the Coast Guard Presidential Security Detail Senior Duty Officer.

Dated: August 12, 1997.

Peter A. Popko,

Captain, U.S. Coast Guard, Captain of the Port, Providence, RI.

[FR Doc. 97-23071 Filed 8-28-97; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 100

RIN 1018-AD90

Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—1997-1998 Subsistence Taking of Fish and Wildlife Regulations; Correcting Amendments

AGENCY: Forest Service, USDA. Fish and Wildlife Service, Interior.

ACTION: Correcting amendments.

SUMMARY: These corrections amend the Subsistence Management Regulations for Public Lands in Alaska (50 CFR part 100 and 36 CFR part 242, published in the **Federal Register** on May 29, 1997 (62 FR 29016)) implementing the subsistence priority for rural residents of Alaska under Title VIII of the Alaska National Interest Lands Conservation Act of 1980.

DATES: The amendments to Section _____.24 are effective July 1, 1997. The amendments to Section _____.25 are effective July 1, 1997, through June 30, 1998.

FOR FURTHER INFORMATION CONTACT: Thomas H. Boyd, Office of Subsistence Management, U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, Alaska 99503; telephone (907) 786-3888. For questions specific to National Forest System lands, contact Ken Thompson, Regional Subsistence Program Manager, USDA—Forest

Service, Alaska Region, P.O. Box 21628, Juneau, Alaska 99802-1628; telephone (907) 586-7921.

SUPPLEMENTARY INFORMATION:

Background

Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111-3126) requires that the Secretary of the Interior and the Secretary of Agriculture (Secretaries) implement a joint program to grant a preference for subsistence uses of fish and wildlife resources on public lands, unless the State of Alaska enacts and implements laws of general applicability which are consistent with ANILCA, and which provide for the subsistence definition, preference, and participation specified in sections 803, 804, and 805 of ANILCA. The State implemented a program that the Department of the Interior previously found to be consistent with ANILCA. However, in December 1989, the Alaska Supreme Court ruled in *McDowell v. State of Alaska* that the rural preference in the State subsistence statute violated the Alaska Constitution. The Court's ruling in *McDowell* required the State to delete the rural preference from the subsistence statute, and therefore, negated State compliance with ANILCA. The Court stayed the effect of the decision until July 1, 1990.

As a result of the *McDowell* decision, the Department of the Interior and the Department of Agriculture (Departments) assumed, on July 1, 1990, responsibility for implementation of Title VIII of ANILCA on public lands. On June 29, 1990, the Temporary Subsistence Management Regulations for Public Lands in Alaska were published in the **Federal Register** (55 FR 27114-27170). Consistent with subparts A, B, and C of these regulations, a Federal Subsistence Board was established to administer the Federal subsistence management program. The Board's composition includes a Chair appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture; the Alaska Regional Director, U.S. Fish and Wildlife Service; the Alaska Regional Director, U.S. National Park Service; the Alaska State Director, U.S. Bureau of Land Management; the Alaska Area Director, U.S. Bureau of Indian Affairs; and the Alaska Regional Forester, USDA Forest Service. Through the Board, these agencies have participated in development of regulations for subparts A, B, and C, and the annual Subpart D regulations. All Board members have reviewed this rule and agree with its

substance. Because this rule relates to public lands managed by an agency or agencies in both the Departments of Agriculture and the Interior, identical text would be incorporated into 36 CFR part 242 and 50 CFR part 100.

Proposed Subpart C regulations for customary and traditional use determinations and subpart D regulations for the 1997-1998 seasons and bag limits, and methods and means were published on August 7, 1996, in the **Federal Register** (61 FR 41060). A 60-day comment period providing for public review of the proposed rule was advertised by mail, radio, and newspaper. Subsequent to that 60-day review period, the Board prepared a booklet describing all proposals for change. The public then had an additional 30 days in which to comment on the proposals for changes to the regulations. The Federal Subsistence Regional Advisory Councils met in regional centers, received public comments, and formulated recommendations to the Board on proposals for their respective regions. The final regulations, published on May 29, 1997 (62 FR 29016) reflect Board review and consideration of Regional Council recommendations and public comments submitted to the Board during their April/May meeting.

These correcting amendments are a result of requests for Special Action as a result of resource concerns, a need for clearer wording in one section, errors in printing of the **Federal Register** document, and an error in the document as submitted to the **Federal Register**. Below are summaries of each action.

Subpart C

Unit 11, remainder—Sheep—Dot Lake was incorrectly included.

Unit 12, remainder—Moose; Unit 12—Sheep; and Unit 12—Wolf—The determinations for these three areas were scrambled in the printing process.

Unit 26(C)—Sheep—Anaktuvuk Pass was added by Board Special Action.

Subpart D

Units 6, 7, 11, 12, 13, 15, 20, and 25—Lynx—The Board acted on a request from the Alaska Department of Fish and Game (ADF&G) to open the trapping season in Unit 15(A) and to lengthen the season in Units 6, 7, 11, 12, 13, 15, 20, and 25. This follows the Board's previous agreement to follow a harvest tracking strategy where possible. The strategy calls for shortening or closing trapping seasons when lynx numbers are low and lengthening or opening seasons when lynx are abundant. The Regional Councils for the affected areas supported this action to additional