

Department or Agency concerned. The lease term should be based on the needs of the Federal entity.

(ii) The lease, or any renewals or extensions thereof, shall not require rental payments.

(iii) The lease shall not require the Federal Government to pay the LRA or other local government entity for municipal services including fire and police protection.

(iv) The Federal Department or Agency concerned may be responsible for services such as janitorial, grounds keeping, utilities, capital maintenance, and other services normally provided by a landlord. Acquisition of such services by the Federal Department or Agency is to be accomplished through the use of Federal Acquisition Regulation procedures or otherwise in accordance with applicable statutory and regulatory requirements.

(v) The lease shall include a provision prohibiting the LRA from transferring ownership rights to another entity during the term of the lease, other than one of the political jurisdictions that comprise the LRA, without the written consent of the Federal Department or Agency occupying the leaseback property.

(vi) The lease shall include a provision specifying that if the Federal Department or Agency concerned no longer needs the property before the expiration of the term of the lease, the remainder of the lease term may be satisfied by the same or another Federal Department or Agency using the leased property for a use similar to the use under the lease.

(A) The General Services Administration shall assist with identifying other Federal interest in leasing the property.

(B) Prior to exercising such provision, the Federal Department or Agency shall consult with the LRA concerned, or the elected body with jurisdiction over the property if the LRA no longer exists.

(vii) The terms of the lease shall provide that the Federal Department or Agency may repair, improve, and maintain the property at its expense without the approval of the LRA.

(11) Conveyance to an LRA under this authority shall be in one of the following ways:

(i) Lease back property that is to be conveyed under an Economic Development Conveyance (EDC) shall be conveyed as part of the EDC in accordance with the existing EDC procedures and § 175.7(k)(11)(ii)(B)(4). The LRA shall submit the following in addition to the application requirements outlined in § 175.7(e)(5):

(A) A description of the parcel or parcels the LRA proposes to have transferred to it and then to lease back to a Federal Department or Agency;

(B) A written statement signed by an authorized representative of the Federal entity that it agrees to accept a leaseback of the property; and,

(C) A statement explaining why a leaseback is necessary for the long-term economic redevelopment of the installation property.

(ii) Leaseback property not associated with property to be conveyed under an EDC shall be conveyed in accordance with the following procedures:

(A) As soon as possible after the LRA's submission of its redevelopment plan to the DoD and HUD, the LRA shall submit a request for a leaseback to the Military Department. The Military Department may impose additional requirements as necessary, but at a minimum, the request shall contain the following:

(1) A description of the parcel or parcels the LRA proposes to have transferred to it and then to lease back to a Federal Department or Agency;

(2) A written statement signed by an authorized representative of the Federal entity that it agrees to accept a leaseback of the property; and,

(3) A statement explaining why a leaseback is necessary for the long-term economic redevelopment of the installation property.

(B) The transfer may be for consideration at or below the estimated present fair market value. In those instances in which the property is conveyed for consideration below the estimated present fair market value, the Military Department shall prepare a written explanation of why the estimated present fair market value was not obtained.

(1) In a rural area, the transfer shall comply with § 175.7(f)(5).

(2) Payment may be in cash or in-kind.

(3) The Military Department shall determine the estimated present fair market value of the property before transfer under this authority.

(4) The exact amount of consideration, or the formula to be used to determine that consideration, as well as the schedule for payment of consideration must be agreed upon in writing before transfer under this authority.

Dated: February 18, 1997.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 97-4333 Filed 2-20-97; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05-97-007]

RIN 2115-AE46

Special Local Regulations for Marine Events; Norfolk Harbor, Elizabeth River, Norfolk, Virginia and Portsmouth, Virginia

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend permanent special local regulations established for marine events held in the Norfolk Harbor, Elizabeth River, between Norfolk and Portsmouth, Virginia by identifying specific annual events for which the regulated area will be in effect. This action is intended to update the regulation in order to enhance the safety of life and property during the events.

DATES: Comments must be received on or before April 22, 1997.

ADDRESSES: Comments may be mailed to Commander (Aosr), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, or hand delivered to Room 516 at the same address between 7:30 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6204. Comments will become part of this docket and will be available for inspection and copying at the above address.

FOR FURTHER INFORMATION CONTACT: S.L. Phillips, Project Manager, Search and Rescue Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comment should include their names and addresses, identify this rulemaking (CGD 05-97-007) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgement of receipt of comments should enclose stamped, self-addressed postcards or envelopes. The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the address listed under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Background and Purpose

33 CFR 100.501 established special local regulations for marine events held in the Norfolk Harbor, Elizabeth River, between Norfolk and Portsmouth, Virginia. The effect of these regulations is the control of vessel traffic during marine events to enhance the safety of participants, spectators, and transiting vessels. The regulations are implemented at various times, for various events throughout the year by publishing notice in the Federal Register and the Fifth Coast Guard District Local Notice to Mariners. This proposal would update the regulations to reflect specific events for which the regulations will be in effect.

Discussion of Proposed Rule

The Coast Guard proposes to amend the special local regulations previously established for this event area by incorporating a table which identifies the specific events during which the regulated area will be in effect. Since this action will not increase the period of time that the channel is restricted and the Coast Guard patrol commander may stop any event to assist transit of vessels through the regulated area, normal marine traffic should not be severely disrupted.

Regulatory Evaluation

This proposal 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 full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This proposal merely provides additional information to an existing regulation and does not impose any new restrictions on vessel traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, 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 (14 U.S.C. 632). Because it expects the impact of this proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b), that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities.

Collection of Information

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

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under section 2.b.2.e(34)(h) of Commandant Instruction M16475.1b (as amended, 61 FR 13564; 27 March 1996), this proposal is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

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

For the reasons set out in the preamble, the Coast Guard proposes to amend 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; 49 CFR 1.46.

2. Section 100.501 is amended by revising paragraph (c) and adding Table 1 to read as follows:

§ 100.501 Norfolk Harbor, Elizabeth River, Norfolk, Virginia and Portsmouth, Virginia.

* * * * *

(c) *Effective periods.* This section is effective annually for the duration of each marine event listed in Table 1, or as otherwise specified in the Coast

Guard Local Notice to Mariners and a Federal Register notice. The Coast Guard Patrol Commander will announce by Broadcast Notice to Mariners the specific time periods during which the regulations will be enforced.

Table 1 of § 100.501

Harborfest

Sponsor: Norfolk Harborfest, Inc.
Date: First Friday, Saturday, and Sunday in June

Great American Picnic

Sponsor: Festevents, Inc.
Date: July 4

Cock Island Race

Sponsor: Ports Events, Inc.
Date: Third Saturday in July

Rendezvous at Zero Mile Marker

Sponsor: Ports Events, Inc.
Date: Third Saturday in August

U.S. Navy Fleet Week Celebration

Sponsor: U.S. Navy
Date: Second Friday in October

Holidays in the City

Sponsor: Festevents, Inc.
Date: Fourth Saturday in November

New Years Eve Fireworks Display

Sponsor: Festevents, Inc.
Date: December 31.

Dated: February 5, 1997.

Kent H. Williams,

Vice Admiral, U.S. Coast Guard Commander, Fifth Coast Guard District.

[FR Doc. 97-4359 Filed 2-20-97; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 100

[CGD 05-97-004]

RIN 2115-AE46

Special Local Regulations for Marine Events; Southern Branch, Elizabeth River, Portsmouth, Virginia

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend permanent special local regulations for the Crawford Bay Crew Classic, a marine event held annually in the Southern Branch, Elizabeth River, Portsmouth, Virginia, by changing the dates on which the regulations are in effect. This action is intended to update the regulation in order to enhance the safety of life and property during the event.

DATES: Comments must be received on or before March 24, 1997.

ADDRESSES: Comments may be mailed to Commander (Aosr), Fifth Coast Guard District, 431 Crawford Street,