

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 temporary final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This conclusion is based on the fact that the regulated area will only be in effect for a short period of time and extensive advisories will be made to the affected maritime community so that they may adjust their schedules accordingly.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considers whether this temporary 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.

Because this temporary rule will only be in effect for a short period of time and extensive advisories will be made to the affected maritime community so that they may adjust their schedules accordingly, the Coast Guard expects the impact of this temporary rule to be minimal.

Therefore, 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. If, however, you think that your business or organization qualifies as a small entity and that this temporary final rule will have a significant economic impact on your business or organization, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and to what degree this temporary rule will economically affect it.

#### 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 temporary final rule so that they can better evaluate its effects on them and participate in the rulemaking process. If you believe your small business or organization is affected by this rule and you have questions concerning its provisions or options for compliance, please submit a comment (see ADDRESSES) explaining your concerns.

#### Unfunded Mandates

Under section 201 of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1531), the Coast Guard assessed the effects of this temporary final rule on State, local and tribal governments, in the aggregate, and the private sector. The Coast Guard determined that this regulatory action requires no written statement under section 202 of the UMRA (2 U.S.C. 1531) because it will not result in the expenditure of \$100,000,000 in any one year by State, local and tribal governments, in the aggregate, or the private sector.

#### Collection of Information

This temporary 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 temporary rule under the principles and criteria contained in Executive Order 12612 and has determined that this 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)(h) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. Special local regulations issued in conjunction with a marine event are excluded under that authority.

#### List of Subjects in 33 CFR Part 100

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

#### Temporary Regulations

In consideration of the foregoing, part 100 of title 33, Code of Federal Regulations is amended 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 and 33 CFR 100.35.

2. A temporary section, § 100.35–T05–038 is added to read as follows:

**§ 100.35–T05–038 Hampton Offshore Challenge, Chesapeake Bay, Hampton, Virginia**

(a) *Definitions:* (1) *Regulated area.* The waters of the Chesapeake Bay adjacent to Buckroe Beach commencing at a point on the shoreline at latitude

37°03'40" North, longitude 76°16'55" West, thence east southeast to latitude 37°03'13" North, longitude 76°15'40" West, thence south southwest parallel to the shoreline to longitude 37°00'04" North, longitude 76°17'20" West, thence west northwest to the shoreline at latitude 37°00'15" North, longitude 76°18'13" West. All coordinates reference Datum: NAD 1983.

(2) *Coast Guard Patrol Commander.* The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Hampton Roads.

(b) *Special local regulations:* (1) All persons and/or vessels not authorized as participants or official patrol vessels are considered spectators. The "official patrol" consists of any Coast Guard, public, state, county or local law enforcement vessels assigned and/or approved by Commander, Coast Guard Activities Baltimore.

(2) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(3) The operator of any vessel in this area shall:

(i) Stop the vessel immediately when directed to do so by any official patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any official patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(c) *Effective dates.* This section is effective from 11:30 a.m. EDT. (Eastern Daylight Time) to 4 p.m. EDT on June 11 and 12, 1999. In the event of inclement weather, this section will be effective on June 13, 1999 at the same time and place.

**Thomas E. Bernard,**

*Captain, U.S. Coast Guard, Acting Commander, Fifth Coast Guard District.*

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#### DEPARTMENT OF TRANSPORTATION

#### Coast Guard

#### 33 CFR Part 100

[CGD 05–99–039]

#### Special Local Regulations for Marine Events; Patapsco River, Baltimore, Maryland

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of implementation.

**SUMMARY:** This notice implements the special local regulations at 33 CFR 100.515 during a fireworks display to be held June 14, 1999, on the Patapsco River at Baltimore, Maryland. These special local regulations are necessary to control vessel traffic due to the confined nature of the waterway and expected vessel congestion during the fireworks display. The effect will be to restrict general navigation in the regulated area for the safety of spectators and vessels transiting the event area.

**EFFECTIVE DATES:** 33 CFR 100.515 is effective from 6 p.m. EDT (Eastern Daylight Time) to 11 p.m. EDT on June 14, 1999.

**FOR FURTHER INFORMATION CONTACT:** Chief Warrant Officer R. L. Houck, Marine Events Coordinator, Commander, Coast Guard Activities Baltimore, 2401 Hawkins Point Road, Baltimore, MD 21226-1971, (410) 576-2674.

**SUPPLEMENTARY INFORMATION:** The National Flag Day Foundation will sponsor a fireworks display on June 14, 1999 on the Patapsco River, Baltimore Maryland. The fireworks display will be launched from a barge positioned within the regulated area. In order to ensure the safety of participants and transiting vessels, 33 CFR 100.515 will be in effect for the duration of the event. Under provisions of 33 CFR 100.515, a vessel may not enter the regulated area unless it receives permission from the Coast Guard Patrol Commander. Spectator vessels may anchor outside the regulated area but may not block a navigable channel. Because these restrictions will be in effect for a limited period, they should not result in a significant disruption of maritime traffic.

**Thomas E. Bernard,**  
*Captain, U.S. Coast Guard, Acting  
Commander, Fifth Coast Guard District.*  
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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 100

[CGD 05-99-036]

#### Special Local Regulations for Marine Events; The Great Chesapeake Bay Swim Event, Chesapeake Bay, Maryland

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of implementation.

**SUMMARY:** This notice implements the special local regulations at 33 CFR

100.507 for the Great Chesapeake Bay Swim Event to be held on June 13, 1999. These special local regulations are needed to provide for the safety of participants and spectators on the navigable waters during this event. The effect will be to restrict general navigation in the regulated area for the safety of participants in the swim, and their attending personnel.

**EFFECTIVE DATE:** 33 CFR 100.507 is effective from 7 a.m. EDT (Eastern Daylight Time) until 2 p.m. EDT, on June 13, 1999.

**FOR FURTHER INFORMATION CONTACT:** Chief Warrant Officer R.L. Houck, Marine Events Coordinator, Commander, Coast Guard Activities Baltimore, 2401 Hawkins Point Rd., Baltimore, MD 21226-1797, (410) 576-2674.

**SUPPLEMENTARY INFORMATION:** The March of Dimes will sponsor the Great Chesapeake Bay Swim Event on the waters of the Chesapeake Bay between and adjacent to the spans of the William P. Lane Jr. Memorial Bridge. Approximately 600 swimmers will start from Sandy Point State Park and swim between the spans of the William P. Lane Jr. Memorial Bridge to the Eastern Shore. A large fleet of support vessels will be accompanying the swimmers. Therefore, to ensure the safety of the participants and support vessels, 33 CFR 100.507 will be in effect for the duration of the event. Under provisions of 33 CFR 100.507, no vessels may enter the regulated area without permission of the Coast Guard patrol commander. Vessel traffic will be permitted to transit the regulated area as the swim progresses when the Patrol Commander determines it is safe to do so. As a result, maritime traffic should not be significantly disrupted.

**Thomas E. Bernard,**  
*Captain, U.S. Coast Guard, Acting  
Commander, Fifth Coast Guard District.*  
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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD07-98-048]

RIN 2115-AE47

#### Drawbridge Regulations; Grand Canal, Florida

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is changing the regulations governing the operation of the Tortoise Island drawbridge across the Grand Canal at Brevard County, Florida. The current regulations require the bridge to open on signal on Friday and Saturday evenings and on evenings immediately preceding Federal holidays. However, the bridge owner has documented a very low volume of traffic on these evenings. This rule will change the opening requirement for the bridge on these evenings from on signal to giving 30 minutes notice. This change in opening requirements will reasonably meet the needs of vessel traffic.

**DATES:** This rule becomes effective July 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Miss Evelyn Smart, Project Manager, Bridge Section, (305) 536-6546.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

On August 28, 1998, the Coast Guard published a Notice of Proposed Rulemaking entitled Drawbridge Operation Regulations, Grand Canal, Florida, in the **Federal Register** (63 FR 45978). On February 9, 1999, the Coast Guard published a Supplemental Notice of Proposed Rulemaking entitled Drawbridge Operation Regulations; Grand Canal, Florida, in the **Federal Register** (64 FR 6290). The Coast Guard received two letters commenting on the supplemental proposal. No public hearing was requested, and none was held.

##### Background and Purpose

The Coast Guard completed an analysis of drawbridge openings after reviewing bridge logs provided by the Tortoise Island Homeowners Association in July, 1998. The analysis indicated that a low volume of boat traffic was experienced over an extended period of time. From January 1977 through December 1997, only 7 boats required an opening on weekends and on evenings preceding Federal holidays between the hours of 10 p.m. and 6 a.m.

The Coast Guard originally proposed changing the opening requirements for weekend evenings and evenings preceding Federal holidays to require 2 hour notice prior to opening. The Coast Guard continues to believe that low vessel traffic during the evening hours on weekends justifies a change in opening requirements for this bridge. However, to minimize the impact on navigation, the Coast Guard decreased its original proposed 2 hour notice requirement to 30 minutes advance notice for a bridge opening on Friday