

entities. Accordingly, no regulatory flexibility analysis is required.

**VI. Document Availability**

144. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through FERC's Home Page (<http://www.ferc.gov>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5 p.m. Eastern time) at 888 First Street, NE., Room 2A, Washington, DC 20426.

145. From FERC's Home Page on the Internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

146. User assistance is available for eLibrary and the FERC's Web site during normal business hours from FERC

Online Support at 202-502-6652 (toll free at 1-866-208-3676) or e-mail at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. E-mail the Public Reference Room at [public.reference.room@ferc.gov](mailto:public.reference.room@ferc.gov).

**VII. Effective Date and Congressional Notification**

147. This Final Rule shall become effective June 27, 2011. The Commission has determined, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB, that this rule is not a "major rule" as defined in section 351 of the Small Business Regulatory Enforcement Fairness Act of 1996.

148. The effective date of the Final Rule is separate from the implementation date of the Reliability Standards approved herein. According to a schedule developed by WECC, FAC-501-WECC-1, VAR-002-WECC-1 and VAR-501-WECC-1 shall become effective as of the first day of the first quarter after Commission approval. In addition, PRC-004-WECC-1 shall

become effective as of the first day of the second quarter after approval by the Commission.

Thus, if the Final Rule is published in the **Federal Register** on or before May 2, 2011, the Final Rule would become effective in 60 days, FAC-501-WECC-1, VAR-002-WECC-1 and VAR-501-WECC-1 would be implemented beginning July 1, 2011, and PRC-004-WECC-1 would be implemented beginning October 1, 2011. If, however, the Final Rule is published in the **Federal Register** after May 2, 2011, the Final Rule would become effective in 60 days, FAC-501-WECC-1, VAR-002-WECC-1 and VAR-501-WECC-1 would be implemented beginning October 1, 2011, and PRC-004-WECC-1 would be implemented beginning January 1, 2012.

**List of Subjects in 18 CFR Part 40**

Electric power, Electric utilities, Reporting and recordkeeping requirements.

By the Commission.  
**Nathaniel J. Davis, Sr.**,  
*Deputy Secretary.*

APPENDIX A—LIST OF COMMENTERS

Name	Abbreviation
Bonneville Power Administration	Bonneville.
U.S. Bureau of Reclamation	Bureau of Reclamation.
California Department of Water Resources State Water Project	CDWR.
Electric Power Supply Association	EPSA.
Mariner Consulting Services, Inc	Mariner.
Melissa Kurtz	
North American Electric Reliability Corp	NERC.
PacifiCorp	PacifiCorp.
San Diego Gas & Electric Co	SDG&E.
Transmission Agency of Northern California	TANC.
U.S. Army Corps of Engineers NNW	USACE NNW.
U.S. Army Corps of Engineers Portland	USACE Portland.
U.S. Army Corps of Engineers Seattle	USACE Seattle.
Western Electricity Coordinating Council	WECC.

[FR Doc. 2011-10226 Filed 4-27-11; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG-2011-0251]

RIN 1625-AA00

**Safety Zone; Pierce County Department of Emergency Management Regional Water Exercise, East Passage, Tacoma, WA**

AGENCY: Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in East Passage, Tacoma, Washington for a Regional Water Rescue Exercise near Browns Point. A safety zone is necessary to ensure the safety of participating vessels and participants in the water and will do so by prohibiting any person or vessel from entering or remaining in the safety zone unless authorized by the Captain of the Port.

**DATES:** This rule is effective on June 9, 2011 from 7 a.m. until 5 p.m.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2011-0251 and are available online by going to <http://www.regulations.gov>, inserting

USCG-2011-0251 in the "Keyword" box, and then clicking "Search." They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary rule, call or e-mail ENS Anthony P. LaBoy, Waterways Management Division, Coast Guard Sector Puget Sound; telephone 206-217-6323, e-mail [SectorPugetSoundWWM@uscg.mil](mailto:SectorPugetSoundWWM@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program

Manager, Docket Operations, telephone 202-366-9826.

#### **SUPPLEMENTARY INFORMATION:**

##### **Regulatory Information**

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it would be contrary to the public interest, since the event requiring the establishment of this safety zone would be over before a comment period would end and a Final Rule could be published. Immediate action is necessary to ensure safety of participants in the Regional Water Rescue Exercise.

##### **Basis and Purpose**

The Pierce County, Washington, Department of Emergency Management is sponsoring a Regional Water Rescue Exercise in the waters of East Passage near Browns Point. The exercise will involve nineteen various government agencies with over two hundred personnel. Personnel will practice water rescues, search and rescue, dive rescues, law enforcement searches, search patterns, and dewatering exercises. Some of these exercises involve persons in the water. Smoke-producing devices and flares will be used throughout the exercise to simulate fires for training purposes. Additionally, a temporary boom and several buoys will be placed throughout the safety zone. This exercise takes place in an unsheltered area where vessel traffic can pose a hazard to participating vessels and persons. The safety zone will mitigate these hazards by prohibiting maritime traffic from entering or remaining in the safety zone without authorization of the Captain of the Port.

##### **Discussion of Rule**

This rule establishes a safety zone encompassing all waters within 900 yards of Browns Point, East Passage, Tacoma, WA. Vessel operators are prohibited from entering or remaining in the zone unless authorized by the Captain of the Port, Puget Sound, or designated representative. The Captain of the Port, Puget Sound will be assisted

in the enforcement of the zone by other Federal, State, and local agencies. Any vessel not participating in the Regional Water Rescue Exercise wishing to transit the area during the effective time of this safety zone must coordinate with on scene Patrol Commander, who will ensure that vessels authorized to transit the area do so at a speed that minimizes wake in the exercise area.

##### **Regulatory Analyses**

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

##### **Regulatory Planning and Review**

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. The Coast Guard bases this finding on the fact that the safety zone will be in place for a limited period of time and maritime traffic will still be able to transit around the zone. Maritime traffic may request permission to transit through the zone from the Captain of the Port, Puget Sound or Designated Representative.

##### **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. This rule will affect the following entities, some of which may be small entities: The owners and operators of vessels intending to operate near Browns Point, WA on June 9, 2011. This rule will not have a significant economic impact on a substantial number of small entities, because the safety zone is limited in duration and maritime traffic will be able to transit around the safety zone. Maritime traffic may also request permission to transit through the zone from the Captain of the

Port, Puget Sound or designated representative.

##### **Assistance for Small Entities**

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

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). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

##### **Collection of Information**

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

##### **Federalism**

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

##### **Unfunded Mandates Reform Act**

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or Tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

##### **Taking of Private Property**

This rule will not cause 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 create an environmental risk to health or risk to safety that may disproportionately affect children.

### Indian Tribal Governments

This rule does not have Tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or

adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

### Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2–1, paragraph (34)(g), of the Instruction. This rule involves the establishment of a temporary safety zone. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

### List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T13–0251 to read as follows:

**§ 165.T13–0251 Safety Zone; Pierce County Department of Emergency Management Regional Water Exercise, East Passage, Tacoma, WA.**

(a) *Location.* All waters of East Passage encompassed within 900 yards of Browns Point, Washington at position 47°18'21" N 122°26'39" W.

(b) *Regulations.* In accordance with the general regulations in 33 CFR Part 165, Subpart C, no vessel operator may enter or remain in the safety zone without the permission of the Captain of the Port or designated representative. The Captain of the Port may be assisted by other Federal, State, or local agencies with the enforcement of the safety zone.

(c) *Authorization.* All vessel operators who desire to enter the safety zone must obtain permission from the Captain of the Port or designated representative by contacting the South Sound Water Exercise Control on VHF Channel 22A or via telephone at (253) 691–1313. Vessel operators granted permission to enter the zone will be escorted by the on-scene patrol craft until they are outside of the safety zone.

(d) *Enforcement Period.* This rule is effective from 7 a.m. until 5 p.m. on June 9, 2011 unless canceled sooner by the Captain of the Port.

Dated: April 15, 2011.

**S.J. Ferguson,**

*Captain, U.S. Coast Guard, Captain of the Port, Puget Sound.*

[FR Doc. 2011–10242 Filed 4–27–11; 8:45 am]

**BILLING CODE 9110–04–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2011–0250]

RIN 1625–AA00

### Safety Zones: Bellingham Bay, Bellingham, WA and Lake Union, Seattle, WA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is removing two redundant sections from its regulations: Bellingham Bay, Bellingham, WA, and Lake Union, Seattle, WA. This action is necessary to eliminate duplicate safety zones from the regulations. These safety zones are also codified under these regulations: Safety Zones; annual firework displays within the Captain of the Port, Puget Sound Area of Responsibility.

**DATES:** This rule is effective May 31, 2011.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG–2011–0250 and are available online by going to <http://www.regulations.gov>, inserting USCG–2011–0250 in the “Keyword” box, and then clicking “Search.” They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.