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 regulation to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. Entry into the regulated area is prohibited for only 6 hours on the day of the event.

Since the impact of this regulation is expected to be minimal, the Coast Guard certifies that it will not have a significant economic impact on a substantial number of small entities.

Federalism

This action has been analyzed in accordance with the principals and criteria contained in Executive Order 12612, and it has been determined that this rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assignment.

Environmental Assessment

The Coast Guard considered the environmental impact of this action consistent with Section 2.B. of Commandant Instruction M16475.1B. In accordance with that section, this action has been environmentally assessed (EA completed), and the Coast Guard has determined that it will not significantly affect the quality of the human environment. An environmental assessment and finding of no significant impact have been prepared and are available for inspection and copying.

List of Subjects in 33 CFR Part 100

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

Final Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary section 100.35–07–061 is added to read as follows:

§100.35-07-061 City of Miami, FL.

(a) Regulated Area. (1) The regulated area consists of all navigable waters on Biscayne Bay south of Rickenbacker Causeway and north from

(1) 24-33.65N, 081-48.47W; thence to,

(2) 24–33.95N, 081–48.30W; thence to, (3) 24–34.05N, 081–48.45W; thence to, (4) 24–33.58N, 081–48.70W; thence to, (5) 24–31.18N, 081–51.10W; thence to,

(6) 24–31.18N, 081–48.88W; thence to, (7) 24–32.94N, 081–48.82W.

(Datum: NAD 1983)

(b) Special Local Regulations. (1) Entry into the regulated area, by other than event participants, is prohibited unless otherwise authorized by the patrol commander.

(2) A succession of not less than 5 short whistle or horn blasts from a patrol vessel will be the signal for any non-participating vessel to take immediate steps to avoid collision. The display of a red distress flare from a patrol vessel will be a signal for any and all vessels to stop immediately.

(c) Effective Dates. This section is effective from 10 a.m. to 4 p.m. on November 8 and November 12, 1995.

Dated: September 13, 1995.

Roger T. Rufe, Jr.,

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

[FR Doc. 95–24918 Filed 10–5–95; 8:45 am] BILLING CODE 4910–14–M

33 CFR Part 117

[CGD09-95-023]

RIN-2115-AE47

Drawbridge Operation Regulations, Chicago River, IL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard amends the operating regulations governing the drawbridges owned and operated by the City of Chicago over the Chicago River system. This final rule establishes the times when, and the conditions under which, the bridges need to open for the passage of commercial and recreational vessels, and requires advance notice of a recreational vessel's time of intended passage through the bridges. The rule allows additional drawbridge openings for flotillas of five or more recreational vessels. The regulations have one set of rules for the period of high vessel activity, from April 1 through November 30, and other rules for the remainder of the year. Further, certain bridges on the North Branch of the Chicago River have been deleted from the previous permanent rule because they no longer exist or are no longer in the route of commercial or recreational vessels.

The changes are being made in response to a request by the City of Chicago to reduce the number of required bridge openings. That request

was premised on the unique situation in Chicago, where 26 bridges across the Chicago River and its North and South Branches in the very heart of the City. As a result, City officials asserted that drawbridge openings in Chicago are more numerous than in any other major city in the United States and have a correspondingly great impact on vehicular traffic. This action accommodates the needs of vehicle traffic while providing for the reasonable needs of navigation.

EFFECTIVE DATE: This rule is effective on November 19, 1995.

ADDRESSES: Documents referenced in this preamble are available for inspection and copying at the office of the Commander (obr), Ninth Coast Guard District, Room 2083, 1240 East Ninth Street, Cleveland, Ohio 44199–2060, between 6:30 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (216) 522–3993.

FOR FURTHER INFORMATION CONTACT: Ms. Carolyn Malone, Bridge Branch, Ninth Coast Guard District, (216) 522–3993.

SUPPLEMENTARY INFORMATION:

Regulatory History

A. Overview

The final rule that is published today is the culmination of over two years of analysis by the Coast Guard concerning what restrictions, if any, should be applicable to the opening of drawbridges in downtown Chicago. This has proven to be a highly contentious issue, and the task of arriving at a final rule has been difficult. During the past two years, the Coast Guard has sought and received public comments on 10 separate occasions (7 requests for comments on deviations, 1 request for comments on the regulatory negotiation process, and 2 requests for comments on Notices of Proposed Rulemaking). During this time, the Coast Guard also has conducted three public hearings, and has attempted to establish new rules during the course of what proved to be an unsuccessful negotiated rulemaking proceeding.

As discussed below, Chicago presents unique drawbridge problems since there are 26 drawbridges over the Chicago River in the heart of the City's commercial district. Every time the bridges are required to open, the flow of vehicular and pedestrian traffic is interrupted. On the other hand, sailboat owners who sail their boats on Lake Michigan historically have stored their boats during the winter at yards located along the river, and the transits to and