

vessels to pass. Once the Independence Bridge is closed, the Liberty Bridge will open, allowing those vessels to pass. Vessels will continue to transit through the Independence and Liberty Bridges in this manner until all parade vessels have safely passed.

The parade will end near Veterans Memorial Park and Wenonah Park in Bay City, Michigan. Vessels will moor along the waterfront between the Liberty Bridge and the Friendship Pier.

The Coast Guard proposes to establish a temporary moving safety zone around the participating vessels for the duration of the parade. The proposed moving safety zone will be enforced when the parade starts at 43°43'54" N, 83°46'54" W (Saginaw Bay Channel Light "12" (LLNR 10675)), and will remain in effect until all parade vessels are moored. For the lead parade vessel, the safety zone would consist of one mile ahead and 100 yards in all other directions. For all other vessels, the moving safety zone would consist of 100 yards in any direction. The proposed temporary moving safety zone will be enforced from 1 p.m. on August 14, 2003 and remain in effect until the last official parade vessel is safely moored (roughly 9 p.m.) on August 14, 2003; or unless terminated sooner by the Captain of the Port Detroit (COTP).

Only parade vessels and official patrol craft will be permitted in the proposed moving safety zone during the ship parade. Any other vessel desiring to transit this zone, prior to transiting, must request permission from the COTP Detroit, or his designated on scene representative which will be the Patrol Commander.

Spectator vessels are requested to anchor in the waters of the Saginaw River outside of the proposed moving safety zone. The Captain of the Port Detroit asks that all spectator craft in the Saginaw River remain at anchor during the parade. For your own safety, it is recommended that spectator vessels be at anchor no later than 1 p.m. on August 14, 2003. The Coast Guard asks that they remain at anchor until the transit of the final parade vessel.

Mariners are cautioned that the areas designated for spectator craft anchoring have not been subject to any special survey or inspection and that charts may not show all riverbed obstructions or the shallowest depths. They are not special anchorage areas. Spectator vessels choosing waterside locations along the parade route must display anchor lights or shapes, as required by the navigation rules. Vessels anchoring in the Saginaw River, outside the channel, are requested to proceed at speeds that will create minimal wake

and not to exceed five (5) miles per hour.

Vessel operators intending to anchor along the parade route during the Tall Ship Celebration are advised to fully anticipate their length of stay and to the greatest extent practicable, comply with the recommended operational guidelines. Operators should not leave unattended vessels in the river along the parade route at any time and should not nest or tie off to other vessels, buoys, or to the adjacent shoreline.

Due to the number of spectator craft expected, vessel operators should remember it would be virtually impossible to move safely to new positions, as maneuvering between anchored vessels is not advisable. Accordingly, vessels should have sufficient facilities on board to retain all garbage and untreated sewage. Discharge of either in any waters of the United States, which include all waters addressed in this rule, is strictly forbidden. Violators may be assessed a civil penalty of up to \$25,000.

(2) *Mooring of Tall Ships, August 14–18, 2003.* After the arrival of the tall ships after the parade, a temporary proposed safety zone will be established in all waters of the Saginaw River between the Liberty Bridge and the Friendship Pier within 50 feet of any official parade vessel. This proposed safety zone will be in effect until the tall ships depart Bay City. Vessels may be permitted to operate in this proposed safety zone, but only after permission by the COTP Detroit's on scene representative, which will be the Patrol Commander. Spectator vessels will be directed out of this area altogether during the fireworks event, scheduled to take place between 9:30 p.m. and 11 p.m. on Saturday, August 16, 2003.

These safety rules are necessary in order to provide adequate controls to ensure the safety of the tall ships, their crews, and shore side visitors who may be boarding these vessels while they are moored.

If changes are made to these proposed rules, or if the Captain of the Port Detroit determines additional controls are necessary, a notice will be published in the **Federal Register**. Details of these events and of the special regulations in effect for each event will also be published in the Local Notice to Mariners. Additionally, appropriate Safety Marine Information Broadcasts will be initiated for each event. For all events, vessel operators will be required to maneuver as directed by on-scene Coast Guard patrol personnel. Coast Guard patrol personnel enforcing regulations for safety zones, anchorages, and regulated areas for these events

include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, and local law enforcement vessels. Violators of Coast Guard proposed safety zone regulations may result in civil penalties of up to \$25,000.

With the many sailing vessels and spectator craft arriving in Bay City for this event, additional restrictions on vessel movements may be imposed in the form of security zones or other emergency measures to safeguard specific individual vessels. In all cases, further restrictions on vessel movements will be held to the minimum necessary to ensure vessel and personal safety. Every attempt will be made to inform the public regarding any additional restrictions COTP Detroit may feel necessary to impose. If possible, details of these restrictions will be published in the final rule for this event. Otherwise, they will appear separately as final rules in emergency rulemaking.

#### Regulatory Evaluation

This proposed rule is not "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 the Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Homeland Security.

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

The proposed temporary moving safety zone will only be during a six hour time period on August 14, 2003. The additional proposed safety zone will be enforced after the mooring of the Parade Vessels. On August 14, 2003, the combination of parade vessels and large numbers of recreational vessels will cause potential disruptions to normal port activity. However, due to the temporary nature of these disruptions, they can be planned for in advance to minimize the economic hardship that might result. The largest segments of the port community facing disruptions are the operators of deep draft vessels and the terminals they call on. In addition to the extended advance notice of these events provided by the COTP, deep draft vessel traffic will be accommodated as best as possible on these two days.

The Coast Guard expects that the amount of publication and advertisement about these events and about these proposed regulations will allow the industry sufficient time to