

document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of comments received.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the Office of Aids to Navigation Branch at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The proposed rule is in response to a request made by the City of Rockland and Hartley Marine Services, Rockland, Maine, to accommodate the increased number of vessels mooring in Penobscot Bay, Rockland Harbor, and provide for safe navigation between the anchorages within that harbor. This proposed rule would re-designate anchorage ground "C", identified in 33 CFR 110.130(a)(3), as a special anchorage area and reorient anchorage "A", identified in 33 CFR 110.130(a)(1).

The Coast Guard has determined that the small commercial and recreational vessels now anchoring in anchorage "C", do not have the ability to maintain anchor lights sufficient to meet anchorage ground requirements. Vessel traffic, as well as users of anchorage "C", would transit and anchor more safely when anchorage "C" is designated a special anchorage area, limited to vessels less than 20 meters in length, since transiting vessels will neither expect sound signals nor anchor lights or shapes from all moored vessels. Thus, establishing a special anchorage area will better meet future vessel traffic expectations of that area when it is redesignated as such and limited to vessels no greater than 20 meters in length.

In order to facilitate the safe and efficient flow of vessel traffic and commerce between anchorages "A" and the newly designated special anchorage area, the Coast Guard proposes to reorient anchorage "A". Reorienting anchorage "A" would provide a wider channel between the two above-mentioned anchorages. Additionally, a

wider channel would allow safer passage for vessels anchoring in anchorage "A" and the special anchorage area as well as vessel traffic transiting via Atlantic Point.

In developing this proposed rule, the Coast Guard has consulted with the Army Corps of Engineers, Northeast, located at 696 Virginia Rd., Concord, MA 01742.

Discussion of Proposed Rule

This proposed rule redesignates one anchorage ground and reorients another. The Coast Guard proposes to amend 33 CFR 110.130, Rockland Harbor, by removing anchorage ground "C", identified in 33 CFR 110.130(a)(3), then establishing that same area as a special anchorage area. The special anchorage area will be established and identified in an added section, 33 CFR 110.4. The special anchorage area would be limited to vessels no greater than 20 meters in length. Vessels not more than 20 meters in length are not required to sound signals as required by rule 35 of the Inland Navigation Rules (33 U.S.C. 2035) or exhibit anchor lights or shapes required by rule 30 of the Inland Navigation Rules (33 U.S.C. 2030) when at anchor in a special anchorage area.

The Coast Guard also proposes to reorient anchorage ground "A", identified in 33 CFR 110.130(a)(1) to create a wider channel between anchorage "A" and the special anchorage area. Reorienting anchorage "A" would facilitate the safe and efficient flow of vessel traffic and commerce between anchorages "A" and the newly designated special anchorage area. The wider channel would also allow unrestricted navigation for large commercial vessels and fishing vessels requiring access to facilities in the vicinity of Atlantic Point.

Regulatory Evaluation

This proposed 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. It is not "significant" under the regulatory policies and procedures of the Department of Transportation (DOT)(44 FR 11040, February 26, 1979).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

This finding is based on the fact that this proposal conforms to the changing

needs of the harbor, the changing needs of recreational, fishing and commercial vessels, and to make the best use of the available navigable water. This proposed rule is in the interest of safe navigation and protection of the Port of Rockland and the marine environment.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed 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 proposed rule would not have a significant economic impact on a substantial number of small entities. This proposed rule should have minimal economic impact on lobster fishing vessels and owners or operators of vessels intending to transit to facilities in the vicinity of Atlantic Point or anchor in the newly created special anchorage area in Rockland Harbor.

This finding is based on the fact that the proposed change in the anchorage grounds and establishment of a special anchorage area conform to the changing geography of the harbor, the changing needs of commercial vessels and the increasing amount of recreational traffic in the area. They are all proposed in the interest of safe navigation and protection of the marine environment.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (*see* **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact John J. Mauro at the address listed in **ADDRESSES** above.