

proceeding south along shoreline (east bank) of Cape Fear River for approximately 500 yards; proceeding east inland to Wilmington State Port property line at 34°13'03.196" W, 077°56'52.211" N (Point 10); extending south along Wilmington State Port property line to 34°12'43.409" W, 077°56'50.815" N (Point 11); proceeding to the north entrance of Wilmington State Port at 34°12'28.854" W, 077°57'01.017" N (Point 12); proceeding south along Wilmington State Port property line to 34°12'20.819" W, 077°57'08.871" N (Point 13); continuing south along the Wilmington State Port property line to 34°12'08.164" W, 077°57'08.530" N (Point 14); continuing along State Port property to 34°11'44.426" W, 077°56'55.003" N (Point 15); proceeding south to the main gate of the Wilmington State Port at 34°11'29.578" W, 077°56'55.240" N (Point 16); proceeding south approximately 750 yards to the southeast property corner of the Apex facility at 34°11'10.936" W, 077°57'04.798" N (Point 17); proceeding west to east bank of Cape Fear River at 34°11'11.092" W, 077°57'17.146" N (Point 18); and proceeding south along East bank of Cape Fear River to original point of origin at 34°10'38.394" W, 077°57'16.248" N (Point 1).

(b) *Captain of the Port*. For purposes of this section, *Captain of the Port* means the Commanding Officer of the Marine Safety Office Wilmington, NC, or any Coast Guard commissioned, warrant, or petty officer who has been authorized to act on her behalf.

(c) *Regulations*. (1) All persons are required to comply with the general regulations governing security zones in 33 CFR 165.33.

(2) Persons or vessels requiring entry into or passage within the zone must first request authorization from the Captain of the Port or her designated representative. The Captain of the Port's representative enforcing the zone can be contacted on VHF marine band radio, channel 16. The Captain of the Port can be contacted at (910) 772-2200.

(3) The operator of any vessel within this security zone shall:

(i) Stop the vessel immediately upon being directed to do so by the Captain of the Port or her designated representative.

(ii) Proceed as directed by the Captain of the Port or her designated representative.

(d) *Effective period*. This section is effective from 8 a.m. EST on June 13, 2003, to 11:59 p.m. EST on December 13, 2003.

Dated: June 13, 2003.

Jane M. Hartley,

Captain, U.S. Coast Guard, Captain of the Port, Wilmington, North Carolina.

[FR Doc. 03-17836 Filed 7-14-03; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[CGD09-03-232]

RIN 1625-AA00

Safety Zone; Red Bull Wings Over Cleveland, Cleveland, OH

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard will establish two safety zones during the Red Bull Wings Over Cleveland in Lake Erie and the Port of Cleveland, Ohio. These safety zones are necessary to control vessel traffic within the immediate vicinity of both barges to protect competitors and course obstacles (wind blades and landing zone markers) from excessive speed and wakes, and to prevent interference with the competition. These safety zone are intended to restrict vessel traffic from a portion of Cleveland Harbor, Lake Erie.

DATES: This rule is effective from 7 a.m. on Thursday, July 31, 2003 through 9 p.m. on Saturday, August 2, 2003.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket CGD09-03-232 and are available for inspection or copying at Coast Guard MSO Cleveland between 8 a.m. and 3:30 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant Allen Turner, Chief Port Operations Department, Coast Guard MSO Cleveland at (216) 937-0128.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. This determination was based on the size and location of the safety zones within the waterways, and vessels can still transit around the safety zones. More importantly, publishing an NPRM, which would incorporate a comment period before a final rule could be issued, and delaying the rule's effective date is contrary to public safety because

immediate action is necessary to protect the public, spectators and participants in the event.

For the same reasons, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

Background and Purpose

Red Bull Wings Over Cleveland is an aerial paragliding and skydiving competition over Cleveland Harbor. Competitors will launch from either a barge moored approximately one mile off Voinovich Park in Lake Erie, or from an airplane, and attempt to land on another barge moored approximately 100 ft off Voinovich Park. A safety zone will be established around both barges to protect competitors and course obstacles (wind blades and landing zone markers) from excessive speed and wakes, and to prevent interference with the competition.

Discussion of Proposed Rule

The safety zones will be established from 7 a.m. on Thursday, July 31, 2003 until 9 p.m. on Saturday, August 2, 2003. The safety zones will be established around the two barges used for the competition. No vessel shall enter the safety zone without the permission of the COTP or the on-scene representative, the Patrol Commander.

Regulatory Evaluation

This rule is not a "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 that order. The Office of Management and Budget has not reviewed this rule under that Order. It is not significant under the regulatory policies and procedures of the Department of Homeland Security (DHS).

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.

This determination is based on the size and location of the safety zones within the waterways.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant 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