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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Parts 100, 117, and 165

[CGD09–03–208]

RIN 1625–AA08

RIN 1625–AA09

RIN 1625–AA00

#### Toledo Tall Ships Parade, July 16, 2003, Port of Toledo, OH

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing temporary special local regulations, including an exclusionary area and spectator anchorage areas, a regulated navigation area, as well as drawbridge regulations for the Parade of Sail Toledo 2003 in the Port of Toledo, Ohio, on July 16, 2003. These regulations are necessary to promote the safe navigation of vessels and the safety of life and property during the heavy volume of vessel traffic expected during this event. These regulations are intended to restrict vessel traffic from a portion of Lake Erie and the Maumee River.

**DATES:** This rule is effective from 9 a.m. on July 16, 2003 through 5 p.m. on July 20, 2003.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD09–03–208 and are available for inspection of copying at U.S. Coast Guard Marine Safety Office (MSO) Toledo, 420 Madison Ave, Suite 700, Toledo, Ohio 43604 between 8 a.m. and 4 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** LT Herb Oertli, Chief of Port Operations, MSO Toledo, at (419) 418–6050.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

On May 20, 2003, we published a notice of proposed rule making (NPRM)

entitled Toledo Tall Ships Parade 2003, Port of Toledo, OH in the **Federal Register** (68 FR 27498). We did not receive any letters commenting on the proposed rule. No public hearing was requested, and none was held.

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**. Delaying the effective date of this rule would be contrary to the public interest of ensuring the safety of spectators and vessels during this event and immediate action is necessary to prevent possible loss of life or property. The Coast Guard has not received any complaints or negative comments with regard to this event.

#### Background and Purpose

These temporary special local regulations are for the Toledo 2003 Tall Ships Parade of Sail that will be held in the Maumee River from 9 a.m. through 7 p.m. on July 16, 2003. These regulations will assist in providing for the safety of life on navigable waters and to protect commercial vessels, tall ships, spectators, and the Port of Toledo during this event.

American Sail Training Association is sponsoring Sail Toledo 2003. The scheduled events will occur July 16, 2003 in the Port of Toledo and surrounding waters. This event will consist of a Parade of Sail from the mouth of the Maumee River to Independence Park. The parade route will originate in Maumee Bay and continue inbound up the Maumee Bay and Maumee River channel to various berths throughout the Port of Toledo.

The Coast Guard expects several hundred spectator crafts to attend the parade of sail and tall ship celebration. The regulations will create temporary anchorage regulations and vessel movement controls through the regulated area. The regulations will be in effect from 9 a.m. through 7 p.m. on July 16, 2003. Vessel congestion, due to the anticipated large number of participating and spectator vessels, introduces extra or unusual hazards during this event pose a significant threat to the safety of life. This rulemaking is necessary to ensure the safety of life on the navigable waters of the United States.

The Coast Guard is establishing regulated areas in the Maumee River that will be in effect during the Toledo Parade of Sail 2003 event. These regulated areas are needed to permit unrestricted law enforcement vessel access to support facilities.

Additionally, the regulated areas will protect the maritime public and participating vessels from possible hazards to navigation associated with the dense vessel traffic.

The regulated area will cover all portions of the Maumee River upriver of a line drawn between north-east corner of Grassy Island at 41°42'24" N, 083°26'48" W and the south-west corner of Spoil area at 41°42'17" N, 083°26'38" W to the downriver side of the Anthony Wayne Bridge. All coordinates are based upon North American Datum 1983 (NAD 83). This temporary regulated area would be in effect from 9 a.m. through 7 p.m. on July 16, 2003.

On July 16, 2003, following the Parade of Sail, restrictions on vessels on the Maumee River will reopen in sequence with the movement and mooring of the final flotilla of tall ships. After the final flotilla of tall ships have passed the Martin Luther King, Jr. Bridge, vessel operators anchored in spectator anchorages north of the Martin Luther King Bridge may depart for locations outside of the Maumee River. After the final flotilla of tall ships has safely moored, vessel operators may transit the Maumee River. Vessels transiting the Maumee River must proceed as directed by on-scene Coast Guard personnel.

The Coast Guard is establishing spectator anchorage areas for spectator craft. All other vessels except those viewing the Parade of Sail Toledo 2003 are restricted from using these spectator anchorages. These spectator anchorage areas will be in effect on July 16, 2003.

To ensure the safety of the participating vessels during the parade, there will be two prolonged bridge openings on July 16, 2003. The CSX railroad bridge at mile 1.07, the Norfolk & Southern railroad bridge at 1.80, the Craig Memorial bridge at mile 3.30, and the Martin Luther King Memorial (a.k.a. Cherry Street) bridge at mile 4.30 will remain open from 12 p.m. until 1:30 p.m. and then from 2 p.m. until 3:30 p.m. Having two prolonged openings