

Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Environment

We have analyzed this rule under Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(a), of the Instruction, from further environmental documentation. Where a statute does not mandate a change, we will revise the existing language to maintain the status quo for geographical scope. These changes should also be categorically excluded. The Coast Guard believes that merely updating the regulations to reflect movement of the boundary of the territorial sea from 3 nautical miles to 12 nautical miles from shore will not have any impact on the environment. An "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are available in the

docket where indicated under **ADDRESSES**.

#### List of Subjects

##### 33 CFR Part 2

Administrative practice and procedure, Law enforcement.

##### 33 CFR Part 26

Communications equipment, Marine safety, Radio, Telephone, Vessels.

##### 33 CFR Part 62

Navigation (water).

##### 33 CFR Part 64

Navigation (water), Reporting and recordkeeping requirements.

##### 33 CFR Part 95

Alcohol abuse, Drug abuse, Marine safety, Penalties.

##### 33 CFR Part 100

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

##### 33 CFR Part 120

Passenger vessels, Reporting and recordkeeping requirements, Security measures.

##### 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

##### 46 CFR Part 7

Law Enforcement, Vessels.

##### 46 CFR Part 28

Fire prevention, Fishing vessels, Marine safety, Occupational safety and health, Reporting and recordkeeping requirements, Seamen.

■ For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR parts 2, 26, 62, 64, 95, 100, 120, and 165 and 46 CFR parts 7 and 28 as follows:

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

### PART 2—JURISDICTION

■ 1. Revise part 2 to read as follows:

#### PART 2—JURISDICTION

##### Subpart A—General

Sec.

2.1 Purpose.

2.5 Specific definitions control.

##### Subpart B—Jurisdictional Terms

2.20 Territorial sea baseline.

2.22 Territorial sea.

2.24 Internal waters.

2.26 Inland waters.

2.28 Contiguous zone.

2.30 Exclusive Economic Zone.

2.32 High seas.

2.34 Waters subject to tidal influence; waters subject to the ebb and flow of the tide; mean high water.

2.36 Navigable waters of the United States, navigable waters, territorial waters.

2.38 Waters subject to the jurisdiction of the United States; waters over which the United States has jurisdiction.

##### Subpart C—Availability of Jurisdictional Decisions

2.40 Maintenance of decisions.

2.45 Decisions subject to change or modification and availability of lists and charts.

**Authority:** 14 U.S.C. 633, 33 U.S.C. 1222, 80 Stat. 931 (49 U.S.C. 108); Pub. L. 107–296, 116 Stat. 2135, 2249; Department of Homeland Security Delegation No. 0170.

### PART 2—JURISDICTION

#### Subpart A—General

##### § 2.1 Purpose

(a) The purpose of this part is to define terms the Coast Guard uses in regulations, policies, and procedures, to determine whether it has jurisdiction on certain waters in cases where specific jurisdictional definitions are not otherwise provided.

(b) Figure 2.1 is a visual aid to assist you in understanding this part.

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