

TABLE 165.830(G).—INFORMATION TO BE REPORTED TO THE IRVMC BY FLEETING AREA MANAGERS—Continued

	24-hour contact number	Barge(s) name and official number	Type, name and amount of CDC onboard	Location of CDC barge (fleeting area or facility)
(3) Any significant deviation from previously reported information (all that apply) .....	X	X	X	X
(4) When directed by the IRVMC .....	X	X	X	X

(h) *Alternative reporting.* The Eighth Coast Guard District Commander may consider and approve alternative methods to be used by a reporting party to meet any reporting requirements if—

(1) the request is submitted in writing to Commander, Eighth Coast Guard District (m), Hale Boggs Federal Bldg., 501 Magazine Street, New Orleans, LA 70130; and

(2) the alternative provides an equivalent level of the reporting that which would be achieved by the Coast Guard with the required check-in points.

(i) Deviation from this section is prohibited unless specifically authorized by the Commander, Eighth Coast Guard District or the IRVMC.

Dated: September 26, 2003.

**R.F. Duncan,**

*Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[COTP San Diego 03–030]

RIN 1625–AA00

#### Safety Zone; San Diego Bay, San Diego, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing two temporary safety zones, a stationary safety zone and a moving safety zone, on the navigable waters of San Diego Bay in support of the Fleet Week Sea and Air Parade. These temporary safety zones are necessary to provide for the safety of the crews, spectators, participants of the event, participating vessels and other vessels and users of the waterway. Persons and vessels are prohibited from entering into, transiting through, or anchoring within these safety zones unless authorized by the Captain of the Port, or his designated representative.

**DATES:** This rule is effective from 11:30 a.m. (PDT) on October 4, 2003, to 3 p.m. (PDT) on October 4, 2003.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket [COTP San Diego 03–030] and are available for inspection or copying at U.S. Coast Guard, Marine Safety Office San Diego, 2716 North Harbor Drive, San Diego, CA 92101–1064, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

#### FOR FURTHER INFORMATION CONTACT:

Petty Officer Austin Murai, USCG, c/o U.S. Coast Guard Captain of the Port, telephone (619) 683–6495.

#### 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. In keeping with the requirements of 5 U.S.C. 553(d)(3), the Coast Guard also finds that good cause exists for making this regulation effective less than 30 days after publication in the **Federal Register**. The precise location of the event necessitating promulgation of this safety zone and other logistical details surrounding the event were not finalized until a date fewer than 30 days prior to the event. Delaying the effective date of this rule would be contrary to the public interest because doing such would prevent the Coast Guard from maintaining the safety of the participants of the event and users of the waterway.

##### Background and Purpose

The San Diego Fleet Week Foundation is sponsoring the 2003 Fleet Week Sea and Air Parade. The Sea and Air Parade is a classic naval review consisting of Navy vessels of various classes, some of which are restricted in their maneuverability. The naval review will transit through San Diego Bay. These temporary safety zones are necessary to provide for the safety of the crews, spectators, and participants of the Fleet Week Sea and Air Parade and are also necessary to protect other vessels and users of the waterway.

##### Discussion of Rule

This rule creates a stationary safety zone and a moving safety zone. The limits of the stationary safety zone will extend south from the southern shoreline on Harbor Island to the southern most limits of the navigational channel. On the west side the boundary will be a line of longitude equal to 117–12–48 W and on the east side the boundary will be a line of longitude equal to 117–12–00 W.

The limits of the moving safety zone are as follows: 1000 yards forward, 200 yards on either side, and 700 yards behind the Fleet Week parade participants while transiting through San Diego Bay.

The two safety zones will be enforced from 11:30 a.m. (PDT) to 3 p.m. (PDT) on October 4, 2003. These safety zones are necessary to provide for the safety of the crews, spectators, and participants of the Fleet Week Sea and Air Parade and to protect other vessels and users of the waterway. Persons and vessels will be prohibited from entering into, transiting through, or anchoring within these safety zones unless authorized by the U.S. Coast Guard Patrol Commander, or his designated representative from Activities San Diego.

##### Regulatory Evaluation

This 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 Homeland Security (DHS). We expect the economic impact of this rule to be minimal because of its limited duration of three and a half (3½) hours and the limited geographic scope of the safety zones.

##### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities.