

voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.1D, 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)(f), of the Instruction, from further environmental documentation.

A final “Environmental Analysis Check List” and a final “Categorical Exclusion Determination” are available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 110 as follows:

PART 110—ANCHORAGE REGULATIONS

■ 1. The authority citation for part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 1221 through 1236, 2030, 2035, and 2071; 33 CFR 1.05–1(g); Department of Homeland Security Delegation No. 0170.1.

■ 2. In § 110.216 add new paragraphs (a)(3) and (b)(6) to read as follows:

§ 110.216 Pacific Ocean at Santa Catalina Island, Calif.

(a) * * *

(3) *Avalon Bay*. (i) *Anchorage A*. The waters within an area described as follows: A circle of 1350 feet radius centered at 33°20′59.0″ N, 118°18′56.2″ W.

(ii) *Anchorage B*. The waters within an area described as follows: A circle of

1350 feet radius centered at 33°20′38.3″ N, 118°18′35.8″ W.

(iii) *Anchorage C*. The waters within an area described as follows: A circle of 1350 feet radius centered at 33°21′21.0″ N, 118°19′16.7″ W.

(b) * * *

(6) The Avalon Bay anchorage is reserved for large passenger vessels of over 1600 gross tons, unless otherwise authorized by the Captain of the Port Los Angeles-Long Beach.

Dated: May 6, 2005.

Kevin J. Eldridge,

Rear Admiral, U.S. Coast Guard, District Commander, Eleventh Coast Guard District.

[FR Doc. 05–9916 Filed 5–17–05; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 117 and 165

[USCG–2005–21072]

Quarterly Listings; Drawbridge Operation Regulations, Safety Zones and Security Zones

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary rules issued.

SUMMARY: This document provides required notice of substantive rules issued by the Coast Guard and temporarily effective between January 1, 2005 and March 31, 2005, that were not published in the **Federal Register**. This quarterly notice lists temporary drawbridge operation regulations, safety zones and security zones, all of limited duration and for which timely publication in the **Federal Register** was not possible.

DATES: This document lists temporary Coast Guard rules that became effective and were terminated between January 1, 2005, and March 31, 2005.

ADDRESSES: The Department of Transportation Docket Management Facility maintains the public docket for this notice. Documents indicated in this notice will be available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, Room PL–401, 400 Seventh Street SW., Washington, DC 20593–0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. You may electronically access the public docket for this notice on the Internet at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: For questions on this notice contact LT Jeff

Bray, Office of Regulations and Administrative Law, telephone (202) 267–2830. For questions on viewing, or on submitting material to the docket, contact Renee Z. Wright, Acting Program Manager, Docket Operations, telephone (202) 493–0402.

SUPPLEMENTARY INFORMATION: Coast Guard District Commanders and Captains of the Port (COTP) must be immediately responsive to the safety and security needs within their jurisdiction; therefore, District Commanders and COTPs have been delegated the authority to issue certain regulations. Safety zones may be established for safety or environmental purposes. A safety zone may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion. Security zones limit access to prevent injury or damage to vessels, ports, or waterfront facilities and may also describe a zone around a vessel in motion. Drawbridge operation regulations authorize changes to drawbridge schedules to accommodate bridge repairs, seasonal vessel traffic, and local public events. Timely publication of these rules in the **Federal Register** is often precluded when a rule responds to an emergency, or when an event occurs without sufficient advance notice. The affected public is, however, informed of these rules through Local Notices to Mariners, press releases, and other means. Moreover, actual notification is provided by Coast Guard patrol vessels enforcing the restrictions imposed by the rule. Because **Federal Register** publication was not possible before the beginning of the effective period, mariners were personally notified of the contents of these drawbridge operation regulations, security zones or safety zones by Coast Guard officials on-scene prior to any enforcement action. However, the Coast Guard, by law, must publish in the **Federal Register** notice of substantive rules adopted. To meet this obligation without imposing undue expense on the public, the Coast Guard periodically publishes a list of these temporary drawbridge operation regulations, security zones and safety zones. Permanent rules are not included in this list because they are published in their entirety in the **Federal Register**. Temporary rules are also published in their entirety if sufficient time is available to do so before they are placed in effect or terminated. The safety zones, drawbridge operation regulations and security zones listed in this notice have been exempted from review under Executive Order 12866, Regulatory Planning and Review, because of their

emergency nature, or limited scope and temporary effectiveness.

The following rules were placed in effect temporarily during the period

from January 1, 2005, through March 31, 2005, unless otherwise indicated.

Dated: May 10, 2005.

David L. Nichols,

Acting Chief, Office of Regulations and Administrative Law.

Docket No.	Location	Type	Effective date
CGD05-05-001	Baltimore Harbor, MD	Safety Zone	1/19/2005
CGD05-05-002	Chesapeake Bay, Mathews, VA	Safety Zone	1/17/2005
CGD05-05-003	Potomac River, Washington, DC	Safety Zone	1/12/2005
CGD05-05-012	New Jersey Intracoastal Waterway	Drawbridges	3/20/2005
CGD09-05-002	Detroit, MI	Security Zone	2/8/2005
CGD09-05-003	St. Lawrence River, NY	Safety Zone	3/14/2005
CGD13-05-005	Cape Disappointment, WA	Safety Zone	3/25/2005
COTP Corpus Christi 05-001	Corpus Christi, TX	Safety Zone	1/5/2005
COTP Houston 04-002	Galveston Bay, TX	Safety Zone	12/13/2004
COTP Houston 04-003	Galveston Bay, TX	Safety Zone	12/20/2004
COTP Huntington 05-001	Reedsville, OH	Safety Zone	1/13/2005
COTP Jacksonville 05-003	Port Canaveral, FL	Safety Zone	1/12/2005
COTP Jacksonville 05-004	St. Johns River, FL	Safety Zone	2/6/2005
COTP Jacksonville 05-030	Jacksonville, FL	Safety Zone	3/8/2005
COTP LA/LB 05-002	Los Angeles, CA	Safety Zone	1/30/2005
COTP Louisville 05-001	Uniontown, KY	Safety Zone	1/24/2005
COTP Louisville 05-002	Ghent, KY	Safety Zone	1/11/2005
COTP Louisville 05-003	Ghent, KY	Safety Zone	1/13/2005
COTP Louisville 05-004	Spottsville, KY	Safety Zone	1/13/2005
COTP Louisville 05-006	Louisville, KY	Safety Zone	3/10/2005
COTP Memphis 05-005	Henrico, AR	Safety Zone	2/5/2005
COTP Memphis 05-007	Little Rock, AR	Safety Zone	2/22/2005
COTP Miami 05-013	Miami, FL	Safety Zone	3/12/2005
COTP Miami 05-014	Palm Beach, FL	Safety Zone	3/15/2005
COTP Mobile 04-035	Bayou La Batre, LA	Safety Zone	9/21/2004
COTP Mobile 04-036	Orange Beach, FL	Safety Zone	9/21/2004
COTP Mobile 04-037	Orange Beach, AL	Safety Zone	9/21/2004
COTP Mobile 04-038	Santa Rosa Island, FL	Safety Zone	9/21/2004
COTP Mobile 04-039	Apalachicola, FL	Safety Zone	9/21/2004
COTP Mobile 04-040	Apalachicola to St Marks, FL	Safety Zone	9/14/2004
COTP Mobile 04-043	Mississippi and Alabama Gulf Coast	Safety Zone	9/21/2004
COTP Mobile 04-044	Alabama and Florida Gulf Coast	Safety Zone	9/21/2004
COTP Mobile 04-045	Florida Gulf Coast	Safety Zone	9/21/2004
COTP Mobile 04-053	Pascagoula, MS	Safety Zone	12/13/2004
COTP Mobile 04-059	Santa Rosa Island, FL	Safety Zone	1/15/2005
COTP Mobile 04-060	Pensacola, FL	Safety Zone	12/17/2004
COTP Mobile 04-062	Pascagoula, MS	Safety Zone	12/17/2004
COTP Mobile 04-063	Destin, FL	Safety Zone	12/13/2004
COTP Mobile 05-003	Pensacola, FL	Security Zone	3/18/2005
COTP Mobile 05-004	Pensacola, FL	Security Zone	3/18/2005
COTP Morgan City 04-015	Berwick, LA	Security Zone	11/18/2004
COTP Morgan City 05-001	Montegut, LA	Safety Zone	1/28/2005
COTP Morgan City 05-013	Bayou Perot, LA	Safety Zone	2/17/2005
COTP New Orleans 04-039	Darrow, LA	Safety Zone	11/2/2004
COTP New Orleans 04-042	Red River, LA	Safety Zone	1/15/2005
COTP New Orleans 04-043	Crown Point, LA	Safety Zone	12/16/2004
COTP New Orleans 04-044	Algiers Point, New Orleans, LA	Safety Zone	12/18/2004
COTP New Orleans 04-045	Lake Pontchartrain, Kenner, LA	Safety Zone	1/1/2005
COTP New Orleans 04-046	Lake Pontchartrain, Bonabel, LA	Safety Zone	1/1/2005
COTP New Orleans 04-047	New Orleans, LA	Safety Zone	1/1/2005
COTP New Orleans 05-001	Crown Point, LA	Safety Zone	1/1/2005
COTP New Orleans 05-002	New Orleans, GA	Safety Zone	1/18/2005
COTP New Orleans 05-003	New Orleans, LA	Safety Zone	1/17/2005
COTP New Orleans 05-004	Baton Rouge, LA	Safety Zone	1/21/2005
COTP New Orleans 05-005	New Orleans, LA	Safety Zone	1/28/2005
COTP New Orleans 05-006	Vicksburg, MS	Safety Zone	2/2/2005
COTP New Orleans 05-007	New Orleans, LA	Safety Zone	2/7/2005
COTP New Orleans 05-008	LaPalco Bridge, New Orleans LA	Safety Zone	1/1/2005
COTP New Orleans 05-009	Vicksburg, MS	Safety Zone	2/9/2005
COTP New Orleans 05-010	Pittotown, LA	Safety Zone	2/5/2005
COTP New Orleans 05-011	Laplace, LA	Safety Zone	2/8/2005
COTP New Orleans 05-012	Laplace, LA	Safety Zone	2/9/2005
COTP New Orleans 05-013	Southwest Pass, LA	Safety Zone	2/10/2005
COTP New Orleans 05-014	Geismar, LA	Safety Zone	2/10/2005
COTP New Orleans 05-015	Convent, LA	Safety Zone	2/10/2005
COTP New Orleans 05-016	Laplace Anchorage, LA	Safety Zone	2/16/2005
COTP New Orleans 05-017	Lower Mississippi River, LA	Safety Zone	2/23/2005
COTP Pittsburgh 04-028	Pittsburgh, PA	Safety Zone	1/1/2005
COTP Pittsburgh 05-005	Pittsburgh, PA	Safety Zone	1/23/2005

Docket No.	Location	Type	Effective date
COTP Pittsburgh 05-006	New Kensington, PA	Safety Zone	1/31/2005
COTP Port Arthur 05-001	Orange, TX	Safety Zone	1/7/2005
COTP San Francisco Bay 05-001	Napa River, CA	Safety Zone	1/17/2005
COTP San Francisco Bay 05-002	San Francisco Bay, CA	Safety Zone	3/1/2005
COTP San Juan 04-138	Saint Croix, Virginia Islands	Security Zone	1/29/2005
COTP Savannah 04-065	Savannah, GA	Safety Zone	9/1/2004
COTP Savannah 05-011	Savannah, GA	Safety Zones	2/3/2005
COTP Savannah 05-022	Savannah, GA	Security Zones	3/2/2005
COTP St. Louis 04-047	South Sioux City, NE	Safety Zones	1/1/2005
COTP St. Louis 05-002	Alton, IL	Safety Zones	3/31/2005

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[COTP Western Alaska-04-003]

RIN 1625-AA00

Safety Zone; Bering Sea, Aleutian Islands, Unalaska Island, AK

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule; change of effective period.

SUMMARY: The Coast Guard is extending the effective period of the safety zone in the Bering Sea, west of and including Makushkin Bay, Unalaska Island, Alaska. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Commander, Seventeenth Coast Guard District, the Coast Guard Captain of the Port, Western Alaska, or their on-scene representative. The intended effect of the proposed safety zone is to mitigate damage to the environment during oil spill recovery operations.

DATES: The extended period of 165.T17-010 is effective from June 12, 2005 through November 30, 2005.

ADDRESSES: Documents indicated in this preamble as being available in the docket are available for inspection and copying at Coast Guard Marine Safety Office Anchorage, 510 "L" Street, Suite 100, Anchorage, AK 99501. Normal Office hours are 7:30 a.m. to 4 p.m., Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: LT Meredith Gillman, Marine Safety Office Anchorage, at (907) 271-6700.

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. Any delay encountered in this regulation's effective date would be contrary to public interest because immediate action is needed to prevent unauthorized vessel traffic from hindering oil spill recovery operations.

The Coast Guard will terminate the zone when oil recovery operations are complete and the area adjacent to the grounded vessel is considered safe to vessel traffic.

Background and Purpose

The M/V SELENDANG AYU ran aground at a position of 53.634° N, 167.125° W on December 9, 2004. The vessel then broke in half and began discharging its fuel into the water. The safety zone is necessary to prevent unauthorized vessels from transiting through the oiled waters or otherwise impeding oil recovery operations.

Discussion of Rule

The Unified Command, which is responding to the grounding of the M/V Selendang Ayu, identified the likely oil trajectory based on the geography of the region, as well as possible wind and weather scenarios. The safety zone was established in the area that is likely to become oiled, and where subsequent oil recovery operations will be taking place. This area is defined by a point at the western tip of Cape Kovrizhka, Unalaska Island, located at 53°51.0' N, 167°9.5' W, then west 10 nautical miles to a point located at 53°51.0' N, 167°26' W, then south to the northern tip of Wedge Point, Unalaska Island, located at 53°27' N, 167°24' W. All coordinates reference Datum: NAD 1983.

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 cost 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). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DHS is unnecessary.

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. 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 rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which may be small entities: The owners or operators of vessels intending to transit or anchor in the area defined by a point at the western tip of Cape Kovrizhka, Unalaska Island, located at 53°51.0' N, 167°9.5' W, then west 10 nautical miles to a point located at 53°51.0' N, 167°26' W, then south to the northern tip of Wedge Point, Unalaska Island, located at 53°27' N, 167°24' W.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons. Vessel traffic transiting from the north to south side of Unalaska Island can pass safely around the safety zone. We will terminate the safety zone once oil recovery operations are complete and the area adjacent to the grounded vessel is considered safe for vessel traffic.

Collection of Information

This rule calls for no new collection of information under the Paperwork