

do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves a special local regulation that would prohibit persons and vessels from transiting through an approximated 2,730 yard by 1,215 yard regulated area during a two day racing event lasting eight hours daily. Normally such actions are categorically excluded from further review under paragraph 34(h) of Figure 2–1 of Commandant Instruction M16475.ID. A preliminary environmental analysis checklist and Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

#### V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Documents mentioned in this NPRM as being available in the docket, and all

public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

#### List of Subjects in 33 CFR Part 100

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

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 100 as follows:

#### PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233.

■ 2. Add § 100.35T07–0048 to read as follows:

#### § 100.35T07–0048 Special Local Regulation, Jacksonville Grand Prix of the Seas; St. Johns River, Jacksonville, FL.

(a) *Regulated Area.* The following regulated area is a special local regulation located on the waters of the St. Johns River near downtown Jacksonville, FL. All waters of the St. Johns River encompassed within the following points: Starting at Point 1 in position 30°18.647' N., 081°40.450' W.; thence southeast to Point 2 in position 30°18.551' N., 081°40.120' W.; thence southwest to Point 3 in position 30°17.212' N., 081°40.424' W.; thence northwest to Point 4 in position 30°17.399' N., 081°41.088' W.; thence northeast to Point 5 in position 30°18.436' N., 081°40.701' W.; thence northeast back to origin. These coordinates are based on North American Datum 1983.

(b) *Definition.* The term “designated representative” means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port (COTP) Jacksonville in the enforcement of the regulated area.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the COTP Jacksonville or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain within the regulated area may contact the COTP Jacksonville by telephone at 904–714–7557, or a

designated representative via VHF–FM radio on channel 16 to request authorization. If authorization is granted, all persons and vessels receiving such authorization must comply with the instructions of the COTP Jacksonville or designated representative.

(3) The Coast Guard will provide notice of the regulated area through Broadcast Notice to Mariners via VHF–FM channel 16 or by on-scene designated representatives.

(d) *Enforcement Period.* This section will be enforced daily 9 a.m. to 5 p.m. on June 3rd and 4th, 2016.

Dated: April 12, 2016.

**J.F. Dixon,**

*Captain, U.S. Coast Guard, Captain of the Port Jacksonville.*

[FR Doc. 2016–08967 Filed 4–18–16; 8:45 am]

**BILLING CODE 9110–04–P**

#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 110

[Docket Number USCG–2015–1118]

RIN 1625–AA01

#### Anchorage Grounds; Lower Chesapeake Bay, Cape Charles, VA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** The Coast Guard is considering amending the regulations for Hampton Roads, VA and adjacent waters anchorages by establishing a new anchorage, near Cape Charles, VA on the Lower Chesapeake Bay. This advance notice of proposed rulemaking (ANPRM) provides information relevant to, and solicits public comment on the possible creation of a Federal anchorage west of Cape Charles, VA on the Chesapeake Bay. Port of Virginia infrastructure improvements and growth in commercial vessel traffic entering the port, including large and deep-draft vessels have prompted this solicitation for comments on a potential proposed rulemaking. If the Coast Guard proceeds with a proposed rulemaking, the intended effect would be to ensure that the Hampton Roads Anchorage Grounds continue to safely support current and future maritime commerce and commercial vessel anchoring needs. We invite your comments on this ANPRM. **DATES:** Comments and related material must be received by the Coast Guard on or before July 18, 2016.

**ADDRESSES:** You may submit comments identified by docket number USCG–2015–1118 using the Federal eRulemaking Portal at <http://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this document, call or email Lieutenant Commander Barbara Wilk, Sector Hampton Roads Waterway Management Division, phone 757–668–5581, email [Barbara.Wilk@uscg.mil](mailto:Barbara.Wilk@uscg.mil).

#### **SUPPLEMENTARY INFORMATION:**

### **I. Table of Abbreviations**

ANPRM	Advance notice of proposed rulemaking
CFR	Code of Federal Regulations
DHS	Department of Homeland Security
FR	Federal Register
NM	Nautical Miles
VA	Virginia

### **II. Background, Purpose, and Legal Basis**

Recreational, public, and commercial vessels use the Hampton Roads Anchorage Grounds. General regulations covering the anchorage of vessels in the port are set out in 33 CFR 110.168. Coast Guard regulations covering the rulemaking process are set out in 33 CFR subpart 1.05.

The Coast Guard held a meeting on February 20, 2015, with U.S. Navy and commercial maritime stakeholders to discuss solutions to enhance Port of Virginia waterway use. Attendance included Virginia Pilots Association, Virginia Maritime Association and local area pilots. Various courses of action were suggested by attendees as possible options to further enhance maritime commerce concurrently with U.S. Navy military requirements. This meeting provided valued insight toward developing a potential new anchorage ground that would facilitate the future growth of Port of Virginia.

The purpose of this ANPRM is to solicit comments on potential proposed rulemaking to help accommodate increase in both the number of commercial vessels and traffic density and to enhance navigation safety for vessels transiting the Hampton Roads area by creating a Federal commercial anchorage west of Cape Charles, VA on the Lower Chesapeake Bay. Current trends indicate that shipping companies will call on the Port of Virginia using larger, deeper-draft vessels. Our intent for any proposed rulemaking would be

to facilitate the safety of the port anchorages by providing an anchorage of adequate size, depth, and capacity to accommodate commercial vessels calling on the Port of Virginia.

The legal basis and authorities for this advance notice of proposed rulemaking are found in 33 U.S.C. 471, 1221 through 1236; 33 CFR 1.05–1, Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to propose, establish, and define regulatory anchorages. The Coast Guard is now considering a proposed rulemaking to establish a new commercial anchorage area in the vicinity of the Port of Virginia, west of Cape Charles, VA.

### **III. Discussion of Potential Proposed Rulemaking**

The Coast Guard is considering a new deep-water anchorage ground for commercial vessels and to support projected growth in maritime commerce vessel traffic throughout the Port of Virginia. We are considering locating an anchorage ground in the Lower Chesapeake Bay, between Cape Charles and York Spit Channel. The anchorage ground under consideration is triangular in shape with an eastern boundary 7 nautical miles (NM) in length along the descending bank off Cape Charles, VA. The western boundary of the anchorage ground runs parallel with and 500 yards east of York Spit Channel for 6.3 NM, from lighted buoy 38 thence south to lighted buoy 30. The southern boundary of the anchorage is 5.4 NM in length measured along a line commencing 500 yards east of York Spit lighted buoy 30 thence eastward to a position approximately 1.5 miles from Cape Charles shoreline. The anchorages coordinates includes all waters of the Lower Chesapeake Bay bounded by a line connecting the following points: Latitude 37°17'33" N., longitude 076°06'22" W., thence southeast to latitude 37°11'29" N., longitude 076°01'57" W., thence west to latitude 37°11'29" N., longitude 076°08'43" W., thence northeast to point of origin. The approximate depths of the proposed new anchorage would be located in naturally deep water with charted depths ranging from 30 feet to 130 feet and the majority of the eastern part of the triangular anchorage having depths in excess of 60 feet. Current trends indicate that shipping companies will call on the Port of Virginia using larger, deeper draft vessels.

You may find a drawing with an illustration of the contemplated anchorage ground in the docket. Look

for Illustration of Contemplated Anchorage “R.”

### **IV. Public Participation and Request for Comments**

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Documents mentioned in this ANPRM as being available in the docket, and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site’s instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

We plan to hold two public meetings to receive oral comments on this ANPRM and will announce the dates, times, and locations in a separate document published in the **Federal Register**. If you signed up for docket email alerts mentioned in the paragraph above, you will receive an email notice when the public meeting notice is published and placed in the docket.

### **V. Information Requested**

Before the Coast Guard proposes specific regulations to amend and establish a new anchorage on the Lower Chesapeake Bay, the Coast Guard is requesting input from the public. The Coast Guard is particularly interested in receiving comments from all of those who have a stake in the viability of a Cape Charles alternative commercial deep-water anchorage ground for

commercial vessels and all those port stake holders who contribute to the unique characteristics of the Port of Virginia. Please provide additional information not specifically solicited by this ANPRM if you believe it would be helpful in understanding the implications of creating a Federal anchorage west of Cape Charles. Please submit any comments or concerns you may have in accordance with the ADDRESSES section.

Dated: March 25, 2016.

**Stephen P. Metruck,**

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

[FR Doc. 2016-09029 Filed 4-18-16; 8:45 am]

BILLING CODE 9110-04-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2016-0248]

RIN 1625-AA00

#### Safety Zones; Recurring Events in Captain of the Port Duluth Zone

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to amend its safety zones regulations for annual events in the Captain of the Port Duluth Zone. This proposed rule would update the locations for two safety zones, add three safety zones, and modify the format of the regulations to list the annual events and corresponding safety zones in table form. These proposed amendments will protect spectators, participants, and vessels from the hazards associated with annual marine events and improve the clarity and readability of the regulations.

**DATES:** Comments and related material must be received by the Coast Guard on or before May 19, 2016.

**ADDRESSES:** You may submit comments identified by docket number USCG-2016-0248 using the Federal eRulemaking Portal at <http://www.regulations.gov>. See the "Public Participation and Request for Comments" portion of the SUPPLEMENTARY INFORMATION section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Lieutenant Junior Grade John Mack, Chief of Waterways Management,

Marine Safety Unit Duluth, U.S. Coast Guard; telephone (218) 725-3818 or by email [John.V.Mack@uscg.mil](mailto:John.V.Mack@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of Proposed Rulemaking

##### II. Background, Purpose, and Legal Basis

On May 31, 2013 the Coast Guard published an NPRM in the **Federal Register** (78 FR 32608) entitled "Recurring Events in the Captain of the Port Duluth Zone." The NPRM proposed to establish 8 permanent safety zones for annually recurring events in the Captain of the Port Duluth Zone under § 165.943. The NPRM was open for comment for 30 days.

On August 12, 2013 the Coast Guard published the Final Rule in the **Federal Register** (78 FR 48802) after receiving no comments on the NPRM. Through this proposed rule, the Coast Guard seeks to update § 165.943.

The legal basis for this proposed rule is the Coast Guard's authority to establish safety zones: 33 U.S.C. 1231; 33 CFR 1.05-1, 160.5; Department of Homeland Security Delegation No. 0170.1.

This proposed rule would update the locations of two safety zones (Cornucopia 4th of July Fireworks Display & Superior Man Triathlon), add three new permanent safety zones (City of Bayfield 4th of July Fireworks Display, Two Harbors 4th of July Fireworks Display, & Power Boat Championship Presented by TCPBA) for recurring safety zones, and modify the format of § 165.943 to list annual events and corresponding safety zones in table form. These changes are necessary to protect spectators, participants, and vessels from the hazards associated with annual marine events, and to improve the overall clarity and readability of the rule. These hazards related to the annual events include obstructions to the waterway that may result in marine casualties; explosive danger and flaming debris falling into the water from fireworks; and large congregations of vessels and waterborne spectators in the vicinity of the annual events.

This proposed rule will also arrange the safety zones listed in § 165.943 into a table sorted in ascending order of event date. This change in format is intended to improve clarity and readability and to reduce redundancy in the regulation.

Finally, this proposed rule clarifies that the enforcement dates and times for

each safety zone listed in Table 165.943 is subject to change. While the events are anticipated to annually recur on certain dates, factors, to include inclement weather, may result in postponement. In the event of a postponement, the Coast Guard will issue a Notice of Enforcement with updated enforcement dates and times, and corresponding Broadcast Notice to Mariners for on scene notice.

##### III. Discussion of Proposed Rule

The amendments to this proposed rule are necessary to ensure the safety of vessels and people during annual events taking place on or near federally maintained waterways in the Captain of the Port Duluth Zone. Although this proposed rule will be in effect year-round, the specific safety zones listed in Table 165.943 will only be enforced during a specified period of time when the event is on-going.

When a Notice of Enforcement for a particular safety zone is published, entry into, transiting through, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth, or his or her designated representative. The Captain of the Port Duluth or his or her designated representative can be contacted via VHF Channel 16. All persons and vessels granted permission to enter the safety zone must comply with all instructions given by the Captain of the Port Duluth or his or her designated representative.

##### IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders and we discuss First Amendment rights of protestors.

###### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This NPRM has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget.

This regulatory action determination is based on the size, location, duration, and time-of-day of the safety zones. The