permission of the Captain of the Port or his designated representative.

DATES: The regulations in 33 CFR 165.941 will be enforced at various dates and times between 9 p.m. on June 23, 2018 through 11 p.m. on July 5, 2018.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document, call or email Ryan Erpelding, Prevention, Marine Safety Unit Toledo, Coast Guard; telephone (419) 418–6037, or email Ryan.G.Erpelding@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zones listed in 33 CFR 165.941, Safety Zones; Annual Events in the Captain of the Port Detroit Zone, at the following dates and times for the following events:

(1) Washington Township Summerfest Fireworks, Toledo, OH. The safety zone listed in §165.941(a)(2), will be enforced from 9 p.m. to 11 p.m. on June 23, 2018. In the case of inclement weather on June 23, 2018, this safety zone will be enforced from 9 p.m. to 11 p.m. on June 24, 2018.

(2) Put-In-Bay Fourth of July Fireworks, Put-In-Bay, OH. The safety zone listed in §165.941(a)(5) will be enforced from 9 p.m. to 11 p.m. on July 4, 2018. In the case of inclement weather on July 4, 2018, this safety zone will be enforced from 9 p.m. to 11 p.m. on July 5, 2018.

Under the provisions of §165.23, entry into, transiting, or anchoring within these safety zones during the enforcement period is prohibited unless authorized by the Captain of the Port Detroit or his designated representative. Vessels that wish to transit through the safety zones may request permission from the Captain of the Port Detroit or his designated representative. Requests must be made in advance and approved by the Captain of Port before transits will be authorized. Approvals will be granted on a case by case basis. The Captain of the Port may be contacted via U.S. Coast Guard Sector Detroit on channel 16, VHF–FM or by calling (313) 568–9564. The Coast Guard will give notice to the public via Local Notice to Mariners and VHF radio broadcasts that the regulation is in effect.

This document is issued under authority of §165.941 and 5 U.S.C. 552(a). If the Captain of the Port determines that any of these safety zones need not be enforced for the full duration stated in this document, he may suspend such enforcement and notify the public of the suspension via a Broadcast Notice to Mariners.

Dated: June 6, 2018.
Jeffrey W. Novak, Captain, U.S. Coast Guard, Captain of the Port Detroit.

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY
Coast Guard
33 CFR Part 165

[Docket Number USCG–2018–0528]

RIN 1625–AA00

Safety Zone; Hope Chest Buffalo Niagara Dragon Boat Festival, Buffalo River, Buffalo, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters on the Buffalo River, Buffalo, NY. This safety zone is intended to restrict vessels from portions of the Buffalo River during the Hope Chest Buffalo Niagara Dragon Boat Festival. This temporary safety zone is necessary to protect mariners and vessels from the navigational hazards associated with this event. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Buffalo.

DATES: This rule is effective from 8:00 a.m. until 5:30 p.m. on June 16, 2018.

ADDRESSES: To view documents mentioned in this preamble or to be available in the docket, go to http://www.regulations.gov, type USCG–2018–0528 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email LT Michael Collet, Chief Waterways Management Division, U.S. Coast Guard; telephone 716–843–9322, email D09–SMB–SECBuffalo-WWM@uscg.mil.

SUPPLEMENTARY INFORMATION:
I. Table of Abbreviations
<table>
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<th>Abbreviation</th>
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<tr>
<td>CFR</td>
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II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA)(5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to public interest.” On April 19, 2018, the Captain of the Port (COTP) Buffalo published a notice of proposed rulemaking (NPRM), Docket Number USCG–2017–1112, to make temporary safety zones for annual events a final rule. This event was included in the NPRM. Its purpose was to mitigate potential threats to personnel, vessels, and the marine environment in the navigable waters within the specified safety zones. The NPRM addressed these concerns, and invited the public to comment during the comment period, which ended on May 21, 2018. As such, it is unnecessary to publish an NPRM for this temporary rule because the public had opportunity to comment on it and no comments were received concerning this event.

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. The Coast Guard intends to establish a permanent safety zone in the future under Docket Number USCG–2017–1112. Delaying the effective date would be contrary to the rule’s objectives of ensuring safety of life on the navigable waters and protection of persons and vessels in the vicinity of the planned event.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Buffalo (COTP) has determined the Hope Chest Buffalo Niagara Dragon Boat Festival presents significant risks to the public safety and property. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the event takes place.

IV. Discussion of the Rule

This rule establishes a safety zone on June 16, 2018, from 8:00 a.m. until 5:30 p.m. The safety zone will encompass all waters of the Buffalo River, Buffalo, NY starting at position 42°52′12.60″N, 078°52′17.0″W then Southeast to 42°52′03.0″N, 078°52′12.0″W then East
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.
While some owners or operators of
vessels intending to transit the safety
zone may be small entities, for the
reasons stated in section V.A above, this
rule will not have a significant economic
impact on any vessel owner or
operator.
Under section 213(a) of the Small
Business Regulatory Enforcement
Fairness Act of 1996 (Pub. L. 104–121),
we want to assist small entities in
understanding this rule. If the rule
would affect your small business,
organization, or governmental
jurisdiction and you have questions
concerning its provisions or options for
compliance, please contact the person
listed in the FOR FURTHER INFORMATION
CONTACT section.
Small businesses may send comments
on the actions of Federal employees
who enforce, or otherwise determine
compliance with, Federal regulations to
the Small Business and Agriculture
Regulatory Enforcement Ombudsman and
the Regional Small Business
Regulatory Fairness Boards. The
Ombudsman evaluates these actions
annually and rates each agency’s
responsiveness to small business. If you
wish to comment on actions by
employees of the Coast Guard, call
The Coast Guard will not retaliate
against small entities that question or
complain about this rule or any policy
or action of the Coast Guard.

C. Collection of Information
This rule will not call for a new
collection of information under the
Paperwork Reduction Act of 1995 (44

D. Federalism and Indian Tribal
Governments
A rule has implications for federalism
under Executive Order 13132,
Federalism, if it has a substantial direct
effect on the States, on the relationship
between the national government and
the States, or on the distribution of
power and responsibilities among the
various levels of government. We have
analyzed this rule under that Order and
have determined that it is consistent
with the fundamental federalism
principles and preemption requirements
described in Executive Order 13132.
Also, this rule does not have tribal
implications under Executive Order
13175, Consultation and Coordination
with Indian Tribal Governments,
because it does not have a substantial
direct effect on one or more Indian
tribes, on the relationship between the
Federal Government and Indian tribes,
or on the distribution of power and
responsibilities between the Federal
Government and Indian tribes. If you
believe this rule has implications for
federalism or Indian tribes, please
contact the person listed in the FOR
FURTHER INFORMATION CONTACT section
above.

E. Unfunded Mandates Reform Act
The Unfunded Mandates Reform Act
of 1995 (2 U.S.C. 1531–1538) requires
Federal agencies to assess the effects
of their discretionary regulatory actions.
In particular, the Act addresses actions
that may result in the expenditure by a
State, local, or tribal government, in the
aggregate, or by the private sector of
$100,000,000 (adjusted for inflation) or
more in any one year. Though this rule
will not result in such an expenditure,
we do discuss the effects of this rule
elsewhere in this preamble.

F. Environment
We have analyzed this rule under
Department of Homeland Security
Directive 023–01 and Commandant
Instruction M16475.1D, which guide the
Coast Guard in complying with the
National Environmental Policy Act of
1969 (42 U.S.C. 4321–4370f), and have
determined that this action is one of a
category of actions that do not
individually or cumulatively have a
significant effect on the human
environment. This rule establishes a
temporary safety zone. It is categorically
excluded from further review under
paragraph L60(a) of Appendix A, Table
1 of DHS Instruction Manual 023–01–
001–01, Rev. 01. A Record of
Environmental Consideration
supporting this determination is
available in the docket where indicated
under ADDRESSES.

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.
DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2018–0511]

RIN 1625–AA00

Safety Zone; Grosse Ile Yacht Club Fireworks, Detroit River, Grosse Ile, MI

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters within a 280-foot radius of a portion of the Detroit River, Grosse Ile, MI. This zone is necessary to protect spectators and vessels from potential hazards associated with the Grosse Ile Fireworks.

DATES: This temporary final rule is effective from 10 p.m. on June 30, 2018 through 11 p.m. on July 1, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to http://www.regulations.gov, type USCG–2018–0511 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or email Tracy Girard, Prevention Department, Sector Detroit, Coast Guard; telephone 313–568–9564, or email Tracy.M.Girard@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port Detroit
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
§ Section

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b), the public Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because doing so would be impracticable. The Coast Guard did not receive the final details of this fireworks display in time to publish an NPRM. As such, it is impracticable to publish an NPRM because we lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

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 inhibit the Coast Guard’s ability to protect participants, mariners and vessels from the hazards associated with this event.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Detroit (COTP) has determined that potential hazard associated with fireworks from 10 p.m. on June 30, 2018 through 11 p.m. on July 1, 2018 will be a safety concern to anyone within a 280-foot radius of the launch site. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the fireworks are being displayed.

IV. Discussion of the Rule

This rule establishes a safety zone from 10 p.m. on June 30 through 11 p.m. on July 1, 2018. The safety zone will encompass all U.S. navigable waters of the Detroit River, Grosse Ile, MI, within a 280-foot radius of position 42°55'300" N, 083°09'065" W (NAD 83). The safety zone will be enforced from 10 p.m. to 11 p.m. on June 30, 2018. In the case of inclement weather on June 30, 2018, this safety zone will be enforced from 10 p.m. to 11 p.m. on July 1, 2018. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

V. Regulatory Analyses

We developed this 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.