

this regulation. This notice is issued under authority of 33 CFR 100.701 and 5 U.S.C. 552(a).

The Coast Guard will provide notice of the regulated areas by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

Dated: May 6, 2013.

M.F. White,

Captain, U.S. Coast Guard, Captain of the Port Charleston.

[FR Doc. 2013-13765 Filed 6-10-13; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 100 and 165

[Docket No. USCG-2012-1057]

RIN 1625-AA08; 1625-AA00

Special Local Regulations and Safety Zones; Marine Events in Northern New England

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing three temporary special local regulations for marine regattas and fifteen temporary safety zones for fireworks displays and swim events within the Captain of the Port (COTP) Northern New England (NNE) Zone. This action is necessary to provide for the safety of life on navigable waters during these events. Entry into, transit through, mooring or anchoring within these zones is prohibited unless authorized by the COTP Sector Northern New England.

DATES: This rule will be enforced with actual notice from May 24, 2013, until June 11, 2013. This rule is effective in the Code of Federal Regulations from June 11, 2013 until July 5, 2013. This rule will be enforced during the specific dates and times listed in Table to § 100.T01-1057 and Table to § 165.T01-1057.

ADDRESSES: Documents mentioned in this preamble are part of docket [USCG-2013-1057]. To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West

Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Ensign Elizabeth Morris, Waterways Management Division at Coast Guard Sector Northern New England, telephone 207-767-0398, email Elizabeth.V.Morris@uscg.mil. If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone (202) 366-9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
LIS Long Island Sound
NPRM Notice of Proposed Rulemaking

A. Regulatory History and Information

On March 22, 2013, the Coast Guard provided the public with notice and an opportunity to comment when it published a notice of proposed rulemaking (NPRM) titled, "Special Local Regulations and Safety Zones; Recurring Events in Northern New England," in the **Federal Register**. (78 FR 17613). The comment period ended on May 21, 2013, with no comments.

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**. There is insufficient time to undergo a 30 day delayed effective date and thus it is impracticable. Any delay encountered in this regulation's effective date would also be contrary to public interest since immediate action is needed to provide for the safety of life and property on navigable waters from the hazardous nature of fireworks, high speed power boat races, and large gatherings of swimmers in the waterway.

B. Basis and Purpose

The legal basis for this temporary rule is 33 U.S.C. 1231, 1233; 46 U.S.C. chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Public Law 107-295, 116 Stat. 2064; and Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to define regulatory safety zones and regulated areas.

This rulemaking establishes special local regulations for power boat races and marine parades and safety zones for marine events involving fireworks displays and swim events on the

navigable waters of the COTP Sector NNE Zone. This rule is necessary to protect waterway users from the dangers inherent to these activities.

C. Discussion of the Final Rule

This temporary rule establishes special local regulations and safety zones for eighteen events in the COTP Sector NNE Zone. Specific event names, locations, dates and times are listed below in the regulation text.

Because large numbers of spectator vessels are expected to congregate around the location of these events, these regulated areas are needed to protect both spectators and participants from the safety hazards created by them including vessels operating at high speeds and unexpected pyrotechnics detonation and burning debris.

This rule prevents vessels from entering, transiting, mooring or anchoring within areas specifically designated as regulated areas during the periods of enforcement unless authorized by the COTP or designated representative.

The Coast Guard has determined that these regulated areas will not have a significant impact on vessel traffic due to their temporary nature, limited size, and the fact that vessels are allowed to transit the navigable waters outside of the regulated areas. The COTP will cause public notifications to be made by all appropriate means including but not limited to the Local Notice to Mariners and Broadcast Notice to Mariners.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

The Coast Guard determined that this rule is not a significant regulatory action for the following reasons: The regulated areas will be of limited duration and cover only a small portion of the navigable waterways. Furthermore, vessels may transit the navigable

waterways outside of the regulated areas. Vessels requiring entry into the regulated areas may be authorized to do so by the COTP or designated representative.

Advanced public notifications will also be made to the local maritime community by the Local Notice to Mariners as well as Broadcast Notice to Mariners.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. 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.

The owners or operators of vessels intending to transit or anchor in the designated regulated areas during the enforcement periods stated for each event listed below in the List of Subjects.

The temporary special local regulations and safety zones will not have a significant economic impact on a substantial number of small entities for the following reasons: the regulated areas will be of limited size and of short duration, and vessels that can safely do so may navigate in all other portions of the waterways except for the areas designated as regulated areas. Additionally, notifications will be made before the effective period by all appropriate means, including but not limited to the Local Notice to Mariners and Broadcast Notice to Mariners well in advance of the events.

3. Assistance for Small Entities

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**, above.

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 1–888–REG–FAIR (1–888–734–3247). 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.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

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 determined that this rule does not have implications for federalism.

6. 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.

7. 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.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive

Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

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.

12. Energy Effects

This action is not a “significant energy action” under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

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

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (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 involves the establishment of safety zones. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**.

List of Subjects

33 CFR Part 100

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

33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Parts 100 and 165 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.T01–1057 to read as follows:

§ 100.T01–1057 Special Local Regulations; Marine Events in Northern New England.

(a) *Regulations.* The general regulations contained in 33 CFR 100.120 as well as the following regulations apply to the events listed in the TABLE to § 100.T01–1057. These regulations will be enforced for the duration of each event.

(b) *Enforcement Period.* This rule will be enforced on the dates and times listed for each event in TABLE to § 100.T01–1057.

(c) *Definitions.* The following definitions apply to this section:

(1) *Designated Representative.* A “designated representative” is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port (COTP), Sector Long Island Sound, to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF–FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official Patrol Vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(3) *Spectators.* All persons and vessels not registered with the event sponsor as participants or official patrol vessels.

(d) Spectators desiring to enter or operate within the regulated areas should contact the COTP or the designated representative via VHF channel 16 or by telephone at (207) 767–0303 to obtain permission to do so.

Spectators given permission to enter or operate in the regulated area must comply with all directions given to them by the COTP Sector Northern New England or the designated on-scene representative.

(e) Upon being hailed by an official patrol vessel or the designated representative, by siren, radio, flashing light or other means, the operator of the vessel shall proceed as directed. Failure to comply with a lawful direction may result in expulsion from the area, citation for failure to comply, or both.

(f) For all power boat races listed, vessels operating within the regulated area must be at anchor within a designated spectator area or moored to a waterfront facility in a way that will not interfere with the progress of the event.

(g) For all regattas and boat parades listed, spectator vessels operating within the regulated area shall maintain a separation of at least 50 yards from the participants.

(h) For all rowing and paddling boat races listed, vessels not associated with the event shall maintain a separation of at least 50 yards from the participants.

TABLE TO § 100.T01–1057

JUNE	
Charlie Begin Memorial Lobster Boat Races	<ul style="list-style-type: none"> • Event Type: Power Boat Race. • Sponsor: Boothbay Harbor Lobster Boat Race Committee. • Date: June 15, 2013. • Time: 9:00 am to 3:00 pm. • Location: The regulated area includes all waters of Boothbay Harbor, Maine in the vicinity of John’s Island within the following points (NAD 83): 43°50’04” N 069°38’37” W. 43°50’54” N 069°38’06” W. 43°50’49” N 069°37’50” W. 43°50’00” N 069°38’20” W.
Rockland Harbor Lobster Boat Races	<ul style="list-style-type: none"> • Event Type: Power Boat Race. • Sponsor: Rockland Harbor Lobster Boat Race Committee. • Date: June 16, 2013. • Time: 9:00 am to 4:00 pm. • Location: The regulated area includes all waters of Rockland Harbor, Maine in the vicinity of the Rockland Breakwater Light within the following points (NAD 83): 44°05’59” N 069°04’53” W. 44°06’43” N 069°05’25” W. 44°06’50” N 069°05’05” W. 44°06’05” N 069°04’34” W.
Windjammer Days Parade of Ships	<ul style="list-style-type: none"> • Event Type: Tall Ship Parade. • Sponsor: Boothbay Region Chamber of Commerce. • Date: June 26, 2013. • Time: 1:00 pm to 5:00 pm. • Location: The regulated area includes all waters of Boothbay Harbor, Maine in the vicinity of Tumbler’s Island within the following points (NAD 83): 43°51’02” N 069°37’33” W. 43°50’47” N 069°37’31” W. 43°50’23” N 069°37’57” W. 43°50’01” N 069°37’45” W. 43°50’01” N 069°38’31” W. 43°50’25” N 069°38’25” W. 43°50’49” N 069°37’45” W.

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 3. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; and Department of Homeland Security Delegation No. 0170.1.

■ 4. Add § 165.T01–1057 to read as follows:

§ 165.T01–1057 Safety Zones; Marine Events in Northern New England.

(a) *Regulations.* The general regulations contained in 33 CFR 165.23 as well as the following regulations apply to the events listed in the TABLE of § 165.T01–1057. These regulations will be enforced for the duration of each event.

(b) *Enforcement Period.* This rule will be enforced from on the dates and times listed for each event in TABLE of § 165.T01–1057.

(c) *Definitions.* The following definitions apply to this section:

(1) *Designated Representative.* A “designated representative” is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port (COTP), Sector Long Island Sound, to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF–FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official Patrol Vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(3) *Spectators.* All persons and vessels not registered with the event sponsor as participants or official patrol vessels.

(d) Spectators desiring to enter or operate within the regulated areas should contact the COTP or the

designated representative via VHF channel 16 or by telephone at (207) 767–0303 to obtain permission to do so. Spectators given permission to enter or operate in the regulated area must comply with all directions given to them by the COTP Sector Northern New England or the designated on-scene representative.

(e) Upon being hailed by an official patrol vessel or the designated representative, by siren, radio, flashing light or other means, the operator of the vessel shall proceed as directed. Failure to comply with a lawful direction may result in expulsion from the area, citation for failure to comply, or both.

(f) For all swim events listed, vessels not associated with the event shall maintain a separation zone of 200 feet from participating swimmers.

(g) For all fireworks displays listed below, the regulated area is that area of navigable waters within a 350 yard radius of the launch platform or launch site for each fireworks display.

TABLE TO § 165.T01–1057

MAY	
Ride Into Summer (formerly known as Hawgs, Pies, & Fireworks)	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Gardiner Maine Street. • Date: May 25, 2013. • Time: 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Gardiner Waterfront, Gardiner, Maine in approximate position: 44°13'43" N, 069°46'04" W (NAD 83).
JUNE	
Tri for a Cure Swim Clinics and Triathlon	<ul style="list-style-type: none"> • Event Type: Swim Event. • Sponsor: Maine Cancer Foundation. • Dates and Times: <ul style="list-style-type: none"> June 19, 2013 4:30 p.m. to 8:30 p.m. June 22, 2013 7:30 a.m. to 11:30 a.m. July 1, 2013 4:00 p.m. to 8:00 p.m. July 13, 2013 11:30 a.m. to 3:30 p.m. July 21, 2013 7:00 a.m. to 11:00 a.m. • Location: The regulated area includes all waters of Portland Harbor, Maine in the vicinity of Spring Point Light within the following points (NAD 83): <ul style="list-style-type: none"> 43°39'01" N 070°13'32" W. 43°39'07" N 070°13'29" W. 43°39'06" N 070°13'41" W. 43°39'01" N 070°13'36" W.
Rotary Waterfront Days Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Gardiner Rotary. • Date: June 22, 2013. • Time: 8:00 p.m. to 10:00 p.m. • Location: In the vicinity of the Gardiner Waterfront, Gardiner, Maine in approximate position: 44°13'52" N, 069°46'08" W (NAD 83).
Windjammer Days Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Boothbay Harbor Region Chamber of Commerce. • Date: June 26, 2013. • Time: 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine in approximate position: 43°50'38" N, 069°37'57" W (NAD 83).
Jonesport 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Jonesport 4th of July Committee.

TABLE TO § 165.T01–1057—Continued

	<ul style="list-style-type: none"> • Date: June 29, 2013. • Time: 8:30 p.m. to 11:00 p.m. • Location: In the vicinity of Beals Island, Jonesport, Maine in approximate position: 44°31'18" N, 067°36'43" W (NAD 83).
JULY	
Burlington Independence Day Fireworks Complete	<ul style="list-style-type: none"> • Event Type: Firework Display. • Sponsor: City of Burlington, Vermont. • Date: July 3, 2013. • Time: 8:00 p.m. to 10:30 p.m. • Location: From a barge in the vicinity of Burlington Harbor, Burlington, Vermont in approximate position: 44°28'31" N, 073°13'31" W (NAD 83).
Camden 4th of July Fireworks (Formerly Camden 3rd of July Fireworks).	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Penobscot Bay Regional Chamber of Commerce (Formerly Camden, Rockport, Lincolnville Chamber of Commerce). • Date: July 4, 2013. • Time: 8:15 p.m. to 10:45 p.m. • Location: In the vicinity of Camden Harbor, Maine in approximate position: 44°12'32" N, 069°02'58" W (NAD 83).
Bangor 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Bangor 4th of July Fireworks. • Date: July 4, 2013. • Time: 8:30 p.m. to 11:00 p.m. • Location: In the vicinity of the Bangor Waterfront, Bangor, Maine in approximate position: 44°47'27" N, 068°46'31" W (NAD 83).
Bar Harbor 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Bar Harbor Chamber of Commerce. • Date: July 4, 2013. • Rain date: July 5, 2013. • Time: 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Bar Harbor Town. Pier, Bar Harbor, Maine in approximate position: 44°23'31" N, 068°12'15" W (NAD 83).
Boothbay Harbor 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Town of Boothbay Harbor. • Date: July 4, 2013. • Time: 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine in approximate position: 43°50'38" N, 069°37'57" W (NAD 83).
Colchester 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Town of Colchester, Recreation Department. • Date: July 4, 2013. • Rain Date: July 5, 2013. • Time: 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Bayside Beach and Mallets Bay in Colchester, Vermont in approximate position: 44°32'44" N, 073°13'10" W (NAD 83).
Eastport 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Eastport 4th of July Committee. • Date: July 4, 2013. • Time: 8:00 p.m. to 10:30 p.m. • Location: From the Waterfront Public Pier in Eastport, Maine in approximate position: 44°54'25" N, 066°58'55" W (NAD 83).
Portland Harbor 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Department of Parks and Recreation, Portland, Maine. • Date: July 4, 2013. • Rain date: July 5, 2013. • Time: 8:30 p.m. to 10:30 p.m. • Location: In the vicinity of East End Beach, Portland, Maine in approximate position: 43°40'16" N, 070°14'44" W (NAD 83).
Stonington 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: Deer Isle—Stonington Chamber of Commerce. • Date: July 4, 2013. • Rain Date: July 5, 2013. • Time: 8:00 p.m. to 10:30 p.m.

TABLE TO § 165.T01–1057—Continued

	<ul style="list-style-type: none"> • Location: In the vicinity of Two Bush Island, Stonington, Maine in approximate position: 44°08'57" N, 068°39'54" W (NAD 83).
Ellis Short Sand Park Trustee Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Sponsor: William. Burnham. • Date: July 5, 2013. • Time: 8:30 p.m. to 11:30 p.m. • Location: In the vicinity of York Beach, Maine in approximate position: 43°10'27" N, 070°36'25" W (NAD 83).

Dated: May 24, 2013.
B.S. Gilda,
Captain, U.S. Coast Guard, Acting Captain of the Port Sector Northern New England.
 [FR Doc. 2013–13757 Filed 6–10–13; 8:45 a.m.]
BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–0394]

Drawbridge Operation Regulation; Elizabeth River, Eastern Branch, Norfolk, VA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulations.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the draw of the Norfolk Southern #5 Railroad Bridge, across the Elizabeth River Eastern Branch, mile 1.1, Norfolk, VA. This deviation is necessary to facilitate thermite welding on rail joints on the Norfolk Southern #5 Railroad drawbridge. This temporary deviation allows the drawbridge to remain in the closed to navigation position.

DATES: This deviation is effective from 11 a.m. on July 8, 2013 to 1 p.m. July 16, 2013.

ADDRESSES: The docket for this deviation, [USCG–2013–0394] is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary

deviation, call or email Mr. Jim Rousseau, Bridge Administration Branch Fifth District, Coast Guard; telephone (757) 398–6557, email James.L.Rousseau2@uscg.mil. If you have questions on reviewing the docket, call Barbara Hairston, Program Manager, Docket Operations, 202–366–9826.

SUPPLEMENTARY INFORMATION: The Norfolk Southern Corporation, who owns and operates this drawbridge, has requested a temporary deviation from the current operating regulations set out in 33 CFR 117.5 to facilitate thermite welding on the rails.

Under the regular operating schedule, the Norfolk Southern #5 Railroad Bridge, mile 1.1, in Norfolk, VA, the draw must open promptly and fully for the passage of vessels when a request or signal to open is given. The draw normally is open and only closes for train crossings or periodic maintenance. The Norfolk Southern #5 Railroad Bridge, at mile 1.1, across the Elizabeth River (Eastern Branch) in Norfolk, VA, has a vertical clearance in the closed position to vessels of 6 feet above mean high water.

Under this temporary deviation, the drawbridge will be maintained in the closed to navigation position from 11 a.m. to 1 p.m. on July 8, 9, 10, 15 and 16, 2013 the bridge will operate under normal operating schedule at all other times. The bridge normally operates in the open position with several vessels transiting a week and only closes when trains transit. Emergency openings cannot be provided. There are no alternate routes for vessels transiting this section of the Elizabeth River Eastern Branch but vessels may pass before 11 a.m. and after 1 p.m.

The Elizabeth River Eastern Branch is used by a variety of vessels including military, tugs, commercial, and recreational vessels. The Coast Guard has carefully coordinated the restrictions with these waterway users. The Coast Guard will also inform additional waterway users through our Local and Broadcast Notice to Mariners of the closure periods for the bridge so that vessels can arrange their transits to minimize any impacts caused by the

temporary deviation. Mariners able to pass under the bridge in the closed position may do so at any time and are advised to proceed with caution.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the designated time period.

This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 30, 2013.

Waverly W. Gregory, Jr.,
Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2013–13759 Filed 6–10–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–0411]

Drawbridge Operation Regulation; Middle River, Near Stockton, CA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating regulation that governs the Bacon Island Drawbridge across Middle River, mile 8.6, near Stockton, CA. The deviation is to allow San Joaquin County Public Works Department to perform structural maintenance work to the bridge. This deviation allows the bridge to remain in the closed-to-navigation position during the repairs.

DATES: This deviation is effective from 12:01 a.m. on September 30, 2013 to 11:59 p.m. on October 31, 2013.

ADDRESSES: The docket for this deviation, [USCG–2013–0411], is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management