

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117****[Docket No. USCG–2018–1013]****Drawbridge Operation Regulation; Delaware River, Burlington, NJ and Bristol, PA****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the SR 413/ Burlington-Bristol bridge, which carries SR 413 across the Delaware River, mile 117.8, between Burlington, NJ and Bristol, PA. The deviation is necessary to facilitate an inspection and bridge maintenance. This deviation allows the bridge to remain in the closed-to-navigation position.

**DATES:** This deviation is effective without actual notice from December 3, 2018 through 3 p.m. on December 14, 2018. For the purposes of enforcement, actual notice will be used from 7 a.m. on November 26, 2018, until December 3, 2018.

**ADDRESSES:** The docket for this deviation, USCG–2018–1013 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.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. Michael Thorogood, Bridge Administration Branch Fifth District, Coast Guard, telephone 757–398–6557, email [Michael.R.Thorogood@uscg.mil](mailto:Michael.R.Thorogood@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Burlington County Bridge Commission, owner and operator of the SR 413/ Burlington-Bristol bridge, that carries SR 413 across the Delaware River, mile 117.8, between Burlington, NJ and Bristol, PA, has requested a temporary deviation from the current operating schedule to facilitate an inspection and maintenance of various mechanical components of the vertical lift span of the drawbridge. The bridge has a vertical clearance of 135 feet above mean high water in the open position, and 61 feet above mean high water in the closed position.

The current operating schedule is set out in 33 CFR 117.716. Under this temporary deviation, the bridge will be in the closed-to-navigation position

from 7 a.m. through 3 p.m.; Monday through Friday; from 7 a.m. on November 26, 2018, through 3 p.m. on December 14, 2018.

The Delaware River is used by a variety of vessels including deep draft commercial vessels, U.S. government and public vessels, small commercial vessels, tug and barge traffic, and recreational vessels. The Coast Guard has carefully coordinated the restrictions with waterway users in publishing this temporary deviation.

Vessels able to pass through the bridge in the closed-to-navigation position may do so at any time. The bridge will open on signal, if at least eight hours prior notification is given. The bridge will not be able to open for emergencies and there is no immediate alternative route for vessels unable to pass through the bridge in the closed position. The Coast Guard will also inform the users of the waterway through our Local Notice and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: November 27, 2018.

**Hal R. Pitts,***Bridge Program Manager, Fifth Coast Guard District.*

[FR Doc. 2018–26148 Filed 11–30–18; 8:45 am]

**BILLING CODE 9110–04–P****DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117****[Docket No. USCG–2018–1033]****Drawbridge Operation Regulation; South Branch of the Elizabeth River, Chesapeake, VA****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Norfolk Southern #7 Railroad Bridge across the South Branch of the Elizabeth River, mile 5.8, at Chesapeake, VA. The deviation is necessary to facilitate maintenance. This deviation allows the

bridge to remain in the closed-to-navigation position.

**DATES:** This deviation is effective without actual notice from December 3, 2018 through 5 p.m. on December 13, 2018. For the purposes of enforcement, actual notice will be used from 7 a.m. on November 26, 2018, until December 3, 2018.

**ADDRESSES:** The docket for this deviation, [USCG–2018–1033] 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.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. Martin Bridges, Bridge Administration Branch Fifth District, Coast Guard; telephone (757) 398–6422, email [Martin.A.Bridges@uscg.mil](mailto:Martin.A.Bridges@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Norfolk Southern Corporation, owner and operator of the Norfolk Southern #7 Railroad Bridge across the South Branch of the Elizabeth River, mile 5.8, at Chesapeake, VA, has requested a temporary deviation from the current operating schedule to accommodate bridge maintenance to perform a tie replacement project. The current operating regulation is set out in 33 CFR 117.997(d).

Under this temporary deviation, the bridge will be maintained in the closed-to-navigation position from 7 a.m. to 11:30 a.m. and from 12:30 p.m. to 5 p.m., Monday through Thursday, from November 26, 2018, through December 13, 2018. At all other times the bridge will operate per 33 CFR 117.997(d). The bridge has a vertical clearance of 7 feet above mean high water in the closed position.

The South Branch of the Elizabeth River is used by a variety of vessels including deep draft ocean-going vessels, U.S. government vessels, small commercial vessels, recreational vessels and tug and barge traffic. The Coast Guard has carefully considered the nature and volume of vessel traffic on the waterway and coordinated with maritime stakeholders in publishing this temporary deviation.

Vessels able to pass through the bridge in the closed position may do so, after providing 15 minutes notice to the project supervisor at the bridge on VHF–FM channel 13. The bridge will be able to open for emergencies if at least a 1-hour notice is given and there is no immediate alternate route for vessels unable to pass through the bridge in the closed position. The Coast Guard will also inform the users of the waterways

through our Local and Broadcast Notice to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by this temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of this effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: November 27, 2018.

**Hal R. Pitts,**

*Bridge Program Manager, Fifth Coast Guard District.*

[FR Doc. 2018–26112 Filed 11–30–18; 8:45 am]

**BILLING CODE 9110–04–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2018–1062]

RIN 1625–AA08

#### Safety Zone; Mississippi Canyon Block 20, South of New Orleans, LA, Gulf of Mexico

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary moving safety zone around the research vessel OCEAN INTERVENTION II operating in the Mississippi Canyon Block 20 in the Gulf of Mexico. The safety zone encompasses all navigable waters within a 500-yard radius of the vessel. The safety zone is needed to protect persons, vessels, and the marine environment from hazards associated with the vessel's limited maneuverability while it deploys underwater equipment and conducts research activity. Persons and vessels are prohibited from entering or remaining in this zone unless specifically authorized by the Captain of the Port Sector New Orleans or a designated representative.

**DATES:** This rule is effective without actual notice from December 3, 2018 through 8 p.m. on December 4, 2018. For the purposes of enforcement, actual notice will be used from 6 a.m. on December 2, 2018 through December 3, 2018.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2018–1062 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 about this rule, call or email Lieutenant Commander Benjamin Morgan, Sector New Orleans, U.S. Coast Guard; telephone 504–365–2281, email [Benjamin.P.Morgan@uscg.mil](mailto:Benjamin.P.Morgan@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
COTP Captain of the Port Sector New Orleans  
DHS Department of Homeland Security  
FR Federal Register  
MM Mile marker  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

##### 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)(3)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. We must establish this safety zone by December 2, 2018 and 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 be contrary to the public interest because immediate action is necessary to respond to potential hazards associated with sub-surface research operations.

##### 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 Sector New Orleans (COTP) has determined that a temporary moving safety zone is necessary to provide for the safety of persons, vessels, and the marine environment during sub-surface research operations in the vicinity of the Mississippi Canyon Block 20. Potential hazards

include the risk of injury or pollution if normal vessel traffic were to interfere with the vessel's movement or deployed equipment. The survey activities are scheduled to take place from 6 a.m. on December 2, 2018 through 8 p.m. on December 4, 2018, in the navigable waters of the Mississippi Canyon Block 20, South of New Orleans, LA, in the Gulf of Mexico. This rule is needed to protect persons, vessels, and the marine environment from hazards associated with the vessel's limited maneuverability while it deploys underwater equipment and conducts research activity.

##### IV. Discussion of the Rule

This rule establishes a temporary moving safety zone from 6 a.m. on December 2, 2018 through 8 p.m. on December 4, 2018. The safety zone will cover all navigable waters within 500 yards of the vessel OCEAN INTERVENTION II and equipment being used by personnel to conduct sub-surface research in Mississippi Canyon Block 20, South of New Orleans, LA, in the Gulf of Mexico. The duration of the zone is intended to protect persons, vessels, and the marine environment on these navigable waters while research is being conducted. No vessel or person will be permitted to enter or remain the safety zone without obtaining permission from the COTP or a designated representative. Vessels requiring entry into this safety zone must request permission from the COTP or a designated representative. They may be contacted on VHF–FM Channel 16 or 67 or by telephone at (504) 365–2200. Persons and vessels permitted to enter this safety zone must transit at their slowest safe speed and comply with all lawful directions issued by the COTP or the designated representative. The COTP or a designated representative will inform the public of the enforcement times and date for this safety zone through Broadcast Notices to Mariners (BNMs), Local Notices to Mariners (LNMs), and/or Marine Safety Information Bulletins (MSIBs), as appropriate.

##### 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