

\$1,000,000 maximum limit for construction. The minimum 20 percent local match will need to be identified in the application package. TTP construction funds received by a Tribe may be used as the local match.

(c) Requests for additional funds above the referenced thresholds may be submitted along with proper justification to FHWA for consideration. The request will be considered on a case-by-case basis. There is no guarantee for the approval of the request for additional funds.

**§ 661.39 How are project cost overruns funded?**

(a) A request for additional TTFBP funds for cost overruns on a specific bridge project must be submitted to Bureau of Indian Affairs Division of Transportation (BIADOT) and FHWA for approval. The written submission must include a justification, an explanation as to why the overrun occurred, and the amount of additional funding required with supporting cost data. If approved by FHWA and BIADOT, the request will be placed at the top of the appropriate queue (with a contract modification request having a higher priority than a request for additional funds for a project award) and funding may be provided if available.

(b) Project cost overruns may also be funded out of the Tribe's regular TTP construction funding.

**§ 661.41 After a bridge project has been completed (either PE or construction) what happens with the excess or surplus funding?**

Since the funding is project specific, once a bridge design or construction project has been completed under this program, any excess or surplus funding is returned to FHWA for use on additional approved TTF bridge projects.

**§ 661.43 Can other sources of funds be used to finance a queued project in advance of receipt of TTFBP funds?**

Yes. A Tribe can use other sources of funds, including TTP construction funds, on a project that has been approved for funding and placed on the queue and then be reimbursed when TTFBP funds become available. If TTP construction funds are used for this purpose, the funds must be identified on an FHWA approved TTP TIP prior to their expenditure.

**§ 661.45 What happens when TTFBP funds cannot be obligated by the end of the fiscal year?**

The TTFBP funds from the Highway Trust Fund (HTF) provided to a project

that cannot be obligated by the end of the fiscal year are to be returned to FHWA during August redistribution. The returned funds will be re-allocated to the BIA the following fiscal year after FHWA receives and accepts a formal request for the funds from BIA, which includes a justification for the amounts requested and the reason for the failure of the prior year obligation.

**§ 661.47 Can routine bridge maintenance be performed with TTFBP funds?**

No. Routine bridge maintenance repairs, e.g., guard rail repair, repair of traffic control devices, striping, cleaning scuppers, deck sweeping, snow and debris removal, etc., are not eligible uses of TTFBP funding. The U.S. Department of the Interior's annual allocation for maintenance as well as TTP construction funds are eligible funding sources for routine bridge maintenance.

**§ 661.49 Can TTFBP funds be spent on Interstate, State Highway, County, City, Township, and Toll Road TTF bridges?**

Yes. Interstate, State Highway, County, City, Township, and Toll Road TTF bridges are eligible for funding as described in § 661.37(b).

**§ 661.51 Can TTFBP funds be used for the approach roadway to a bridge?**

Yes, costs associated with approach roadway work, as defined in § 661.5 are eligible. Long approach fills, causeways, connecting roadways, interchanges, ramps, and other extensive earth structures, when constructed beyond an attainable touchdown point, are not eligible uses of TTFBP funds.

**§ 661.53 What standards should be used for bridge design?**

(a) New and Replacement—New and replacement structure must meet the current geometric, construction and structural standards required for the types and volumes of projected traffic on the facility over its design life consistent with 25 CFR part 170, subpart D, Appendix B and 23 CFR part 625.

(b) Rehabilitation—Bridges to be rehabilitated, at a minimum, should conform to the standards of 23 CFR part 625, Design Standards for Federal-aid Highways, for the class of highway on which the bridge is a part.

**§ 661.55 How are BIA and Tribally owned in-service TTF bridges inspected?**

The BIA and tribally owned in-service TTF bridges are inspected in accordance with 25 CFR 170.513–170.514.

**§ 661.57 What should be done with a BIA and Tribal bridge in poor condition if the Indian Tribe does not support the project?**

The restrictions set forth in 25 CFR 170.114(a)(1) shall apply.

[FR Doc. 2023–06490 Filed 3–31–23; 8:45 am]

BILLING CODE 4910–22–P

**DEPARTMENT OF THE INTERIOR**

**Bureau of Ocean Energy Management**

**30 CFR Part 585**

[Docket No. BOEM–2023–0005]

RIN 1010–AE04

**Renewable Energy Modernization Rule**

**AGENCY:** Bureau of Ocean Energy Management, Interior.

**ACTION:** Notice of proposed rulemaking; extension of public comment period.

**SUMMARY:** We, the Bureau of Ocean Energy Management (BOEM), are extending the public comment period on our notice of proposed rulemaking (NPRM) titled “Renewable Energy Modernization Rule” by 30 days. Comments previously submitted need not be resubmitted and will be fully considered.

**DATES:** *Comment Period.* The comment period for the Renewable Energy Modernization Rule NPRM, which was published on January 30, 2023 (88 FR 5968), is extended by 30 days. Comments submitted online at <https://regulations.gov> must be received by 11:59 p.m. Eastern Standard Time on May 1, 2023. Hardcopy comments must be received or postmarked on or before May 1, 2023.

**ADDRESSES:**

*Docket.* The publicly available documents relevant to this action are available for public inspection electronically at <https://regulations.gov> in Docket No. BOEM–2023–0005.

*Submitting Comments.* You may send comments regarding the substance of this proposed rule, identified by Docket No. BOEM–2023–0005 or regulation identifier number (RIN) 1010–AE04, using any of the following methods:

- *Federal e-rulemaking portal:* <http://regulations.gov>. Search for and submit comments on Docket No. BOEM–2023–0005.

- *U.S. Postal Service or other mail delivery service:* Address comments to the Office of Regulations, Bureau of Ocean Energy Management, Department of the Interior, Attention: Kelley Spence, 45600 Woodland Road, Mailstop: DIR–BOEM, Sterling, VA 20166.

*Instructions:* All comments submitted regarding this proposed rule should reference Docket No. BOEM–2023–0005 or RIN 1010–AE04. All comments received by BOEM will be reviewed and may be posted to <https://www.regulations.gov>, including any personal information provided with the submission. For further instructions on protecting personally identifiable information, see “Public Availability of Comments” under **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:**

Kelley Spence, Office of Regulations, BOEM, at telephone number 984–298–7345 or email address [Kelley.Spence@boem.gov](mailto:Kelley.Spence@boem.gov); or Karen Thundiyl, Chief, Office of Regulations, BOEM, at telephone number 202–742–0970 or email address [Karen.Thundiyl@boem.gov](mailto:Karen.Thundiyl@boem.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** On January 30, 2023 (88 FR 5968), we published the Renewable Energy Modernization Rule NPRM which contained reforms identified by the Department of the Interior and recommended by industry, including proposals for incremental funding of decommissioning accounts; more flexible geophysical and geotechnical survey submission requirements; streamlined approval of meteorological (met) buoys; revised project verification procedures; reform of BOEM’s renewable energy auction process; and greater clarity regarding safety requirements. With this notice, we are extending the public comment period on the NPRM from March 31, 2023, to May 1, 2023.

**Public Availability of Comments**

You may submit your comments and materials by one of the methods listed in the **ADDRESSES** section of this notice. Before including your address, phone number, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—might be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from

organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

**Elizabeth Klein,**

*Director, Bureau of Ocean Energy Management.*

[FR Doc. 2023–06924 Filed 3–30–23; 4:15 pm]

**BILLING CODE 4340–98–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket Number USCG–2023–0210]

**RIN 1625–AA00**

**Safety Zone; Allegheny River Mile Marker 0.25–0.8, Pittsburgh, PA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard is proposing to establish a temporary safety zone for the Allegheny River at Mile Marker 0.25–0.8. This action is necessary to provide for the safety of life on these navigable waters during a drone show display. This proposed rulemaking would prohibit persons and vessels from being in the safety zone unless authorized by the Captain of the Port Pittsburgh or a designated representative. We invite your comments on this proposed rulemaking.

**DATES:** This proposed regulation would be effective from 9:30 p.m. through 11 p.m. on May 19, 2023. Comments and related material must be received by the Coast Guard on or before April 24, 2023.

**ADDRESSES:** You may submit comments identified by docket number USCG–2023–0210 using the Federal Decision-Making Portal at <https://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 about this proposed rulemaking, call or email LTJG Eyobe Mills, Marine Safety Unit Pittsburgh, U.S. Coast Guard; at telephone 412–221–0807 ext. 225, email [Eyobe.D.Mills@uscg.mil](mailto:Eyobe.D.Mills@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  
§ Section  
U.S.C. United States Code

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

On March 2, 2023, the Pittsburgh Pirates notified the Coast Guard that it will be conducting a drone show display from 9:30 p.m. through 11 p.m. on May 19, 2023. The drone show will be conducted approximately 100 feet toward the Allegheny River. Hazards from the drone show displays include dangerous projectiles and falling debris. The Captain of the Port Pittsburgh (COTP) has determined that potential hazards associated with the drone show safety concern for those inside the safety zone.

The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters within the safety zone before, during, and after the scheduled event. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70034.

**III. Discussion of Proposed Rule**

The COTP is proposing to establish a safety zone from 9:30 p.m. to 11 p.m. on May 19, 2023. The safety zone would cover all navigable waters on the Allegheny River from Miles 0.25 to Mile 0.8. The duration of the zone is intended to ensure the safety of vessels and these navigable waters before, during, and after the scheduled 10 p.m. through 11 p.m. drone show display. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. The regulatory text we are proposing appears at the end of this document.

**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. 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 (OMB).