

projects funded and the overall effectiveness of the program.

§ 661.37 What are the funding limitations on an individual TTF bridge project?

The following funding provisions apply in administration of the TTFBP:

(a) There are no funding limitations on an individual TTF bridge application, but the PE estimated cost will be based on the following fee scale:

Estimated Construction Cost:

Up to \$1,000,000—Use up to 20% for PE

\$1,000,000 to \$5,000,000—Use up to 15%–20% for PE

\$5,000,000 to \$10,000,000—Use up to 10%–15% for PE

Over \$10,000,000—Use up to 10% for PE

(b) Requests for additional funds for PE or construction 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 structures 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.

(b) *Rehabilitation.* Bridges to be rehabilitated, at a minimum, should conform to the standards referenced in 25 CFR part 170, subpart D, appendix B.

§ 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 through 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.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2024–0378]

RIN 1625–AA08

Special Local Regulation; San Francisco Bay, San Francisco, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary special local regulation in the navigable waters of San Francisco Bay for the San Francisco Sail Grand Prix, Season 4 race periods on July 12, 2024, through July 14, 2024. This special local regulation is necessary to ensure the safety of mariners transiting the area from the dangers associated with high-speed sailing activities. This rule temporarily prohibits entering, transiting through, anchoring, blocking, or loitering within the event area near the Golden Gate Bridge and Alcatraz Island, unless authorized.

DATES: This rule is effective from noon on July 12, 2024, through 5:30 p.m. on July 14, 2024.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2024–0378 in the search box and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email Lieutenant William K. Harris, U.S. Coast Guard Sector San Francisco, Waterways Management Division, telephone 415–399–7443, email SFWaterways@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 Information and Regulatory History

On February 6, 2024, the Silverback Pacific Company notified the Coast Guard of their intention to conduct the “Sail Grand Prix, Season 4” in the San Francisco Bay. Sail Grand Prix (SailGP) is a sailing league featuring world-class sailors racing 50-foot foiling catamarans. The 2023–2024 season started June 16, 2023, and the season will conclude with the San Francisco Bay race in July 2024. In response, on May 13, 2024, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Special Local Regulation; San Francisco Bay, San Francisco, CA (89 FR 41368). There we stated why we issued the NPRM and invited comments on our proposed regulatory action related to this sailing race event. During the comment period that ended June 12, 2024, we received 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**. Delaying the effective date of this rule would be contrary to the public interest because in order to ensure the public and participant’s safety we must establish the special local regulation before commencement of the Sail Grand Prix race activities starting July 12, 2024.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70041. The Captain of the Port Sector San Francisco (COTP) has determined that the potential hazards associated with high-speed sailing vessel participating in the SailGP event create unpredictable maneuverability and have a demonstrated likelihood of capsizing during racing. This regulation will help prevent injuries and property damage that may be caused upon impact by the fast-moving vessels. This temporary special local regulation does not exempt racing vessels from any Federal, State, or local laws or regulations, including Nautical Rules of the Road.

Under 33 CFR 100.35, the Coast Guard District Commander has authority to promulgate certain special local regulations deemed necessary to ensure the safety of life on the navigable waters immediately before, during, and immediately after an approved regatta.

Pursuant to 33 CFR 1.05–1(i), the Commander of Coast Guard District 11 has delegated to the COTP San Francisco the responsibility of issuing such regulations.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published May 13, 2024. In the NPRM, the effective dates for the special local regulation were stated as July 11, 2024, through July 14, 2024. Since publication of the NPRM, event sponsors have removed the scheduled practice period on July 11, 2024, removing the need to enforce the regulated area on July 11, 2024. Additionally, the size of the regulated area has been adjusted to accommodate vessel traffic around Aquatic Park and Pier 45. The regulatory text of this rule has been amended accordingly from the proposed rule in the NPRM to reflect this change.

This rule establishes a special local regulation associated with the SailGP race event from noon to 5:30 p.m. each day from July 12, 2024, through July 14, 2024. The areas regulated by this special local regulation will be east of the Golden Gate Bridge, south of Alcatraz Island, west of Treasure Island, and in the vicinity of the city of San Francisco waterfront. The Coast Guard will establish an Official Practice Box Area, an Official Race Box Area, and a Spectator Area. The special local regulation will cover all navigable waters of the San Francisco Bay, from surface to bottom, within the area formed by connecting the following latitude and longitude points in the following order: 37°48′24.3″ N, 122°27′53.5″ W; thence to 37°49′15.6″ N, 122°27′58.1″ W; thence to 37°49′28.9″ N, 122°25′52.1″ W; thence to 37°49′7.5″ N, 122°25′13″ W; thence to 37°48′49.6″ N, 122°25′28.9″ W; thence to 37°48′30.5″ N, 122°26′22.6″ W; thence along the shore to 37°48′26.9″ N, 122°26′50.5″ W and thence to the point of beginning.

Located within this footprint, there will be three separate regulated areas: Zone “A”, the Official Practice Box Areas; Zone “B”, the Official Race Box Area; and Zone “C”, the Spectator Area.

Zone “A”, the Official Practice Box Area, will be marked by colored visual markers. The position of these markers will be specified via Broadcast Notice to Mariners at least seven days prior to the event. Zone “A” will be used by the race and support vessels during the official practice period on July 12, 2024. Zone “A”, the Official Practice Box Area, will be enforced during the official practice from noon to 5:30 p.m. on July 12, 2024, or as announced via

Broadcast Notice to Mariners. Excluding the public from entering Zone “A” is necessary to provide protection from the operation of the high-speed sailing vessels within the area.

Zone “B”, the Official Race Box Area, will be marked by 12 or more colored visual markers. The position of these markers will be confirmed via Broadcast Notice to Mariners at least three days prior to the event. Only designated Sail Grand Prix race, support, and VIP vessels will be permitted to enter Zone “B”. Zone “B”, the Official Race Box Area, will be enforced during the official race periods from noon to 5:30 p.m. on July 13, 2024, and from noon to 5:30 p.m. on July 14, 2024. Because of the hazards posed by the sailing competition, excluding non-race vessel traffic from Zone “B” is necessary to provide protection from the operation of the high-speed sailing vessels within the area.

Zone “C”, the Spectator Area, will be within the special local regulation designated above and outside of Zone “B”, the Official Race Box Area. Zone “C” will be defined by latitude and longitude points per Broadcast Notice to Mariners. Zone “C” will be managed by marine event sponsor officials. Vessels will be prohibited from anchoring within the confines of Zone “C.”

The duration of the establishment of the special local regulation is needed to ensure the safety of vessels in these navigable waters during the scheduled practice and race periods. The temporary special local regulation will temporarily restrict vessel traffic adjacent to the city of San Francisco waterfront in the vicinity of the Golden Gate Bridge and Alcatraz Island and prohibit vessels and persons not participating in the race event from entering the dedicated race area without permission of 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. This rule has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866, as

amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, duration, and time of day of the special local regulation. With this special local regulation, the Coast Guard intends to maintain commercial access to the ports through an alternate vessel traffic management scheme. The special local regulation is limited in duration and is limited to a narrowly tailored geographic area. In addition, although this rule restricts access to the waters encompassed by the special local regulation, the effect of this rule will not be significant because local waterway users will be notified in advance via public Broadcast Notice to Mariners to ensure the special local regulation will result in minimum impact. Therefore, mariners will be able to plan and transit outside of the periods of enforcement of the special local regulation. The entities most likely affected are commercial vessels and pleasure craft engaged in recreational activities.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 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 received 0 comments from the Small Business Administration on this rulemaking. 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.

This rule may affect owners and operators of commercial vessels and pleasure craft engaged in recreational activities and sightseeing for a limited duration. This special local regulation will not have a significant economic impact on a substantial number of small entities for the reasons stated in section V.A above. When the special local regulation is in effect, vessel traffic can pass safely around the regulated area. The maritime public will be advised in advance of this special local regulation via Broadcast Notice to Mariners.

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 call or email 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 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.

C. 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).

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.

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, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), 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 involves a special local regulation that will create regulated areas of limited size and cumulative duration of approximately 24 hours across four days. It is categorically excluded from further review under paragraphs [L61] and [L63b] of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email 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.

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 amends 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: 46 U.S.C. 70041; 33 CFR 1.05–1.

- 2. Add § 100.T11–163 to read as follows:

§ 100.T11–163 Special Local Regulation; Sail Grand Prix 2023 Race Event, San Francisco, CA.

(a) *Regulated area.* The regulations in this section apply to all navigable

waters of the San Francisco Bay, from surface to bottom, encompassed by a line connecting the following latitude and longitude points, beginning at 37°48'24.3" N, 122°27'53.5" W; thence to 37°49'15.6" N, 122°27'58.1" W; thence to 37°49'28.9" N, 122°25'52.1" W; thence to 37°49'7.5" N, 122°25'13" W; thence to 37°48'49.6" N, 122°25'28.9" W; thence to 37°48'30.5" N, 122°26'22.6" W; thence along the shore to 37°48'26.9" N, 122°26'50.5" W and thence to the point of beginning.

(b) *Definitions.* As used in this section: (1) *Designated Representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer on a Coast Guard vessel, or a Federal, State, or local officer designated by or assisting the Captain of the Port San Francisco (COTP) in the enforcement of the special local regulation.

(2) *Zone "A"* means the Official Practice Box Area. This zone will encompass all navigable waters of the San Francisco Bay, from surface to bottom, within the area formed by connecting the following latitude and longitude points in the following order: 37°49'19" N, 122°27'19" W; thence to 37°49'28" N, 122°25'52" W; thence to 37°48'40.9" N, 122°25'43.6" W; thence to 37°49'7.5" N, 122°25'13" W and thence to the point of beginning. These coordinates are the current projected position for the Official Practice Box Area and will also be announced via Broadcast Notice to Mariners.

(3) *Zone "B"* means the Official Race Box Area, which will be marked by 12 or more colored visual markers within the special local regulation area designated in paragraph (a). The position of these markers will be specified via Broadcast Notice to Mariners at least three days prior to the event.

(4) *Zone "C"* means the Spectator Area, which is within the special local regulation area designated in paragraph (a) of this section and outside of Zone "B", the Official Race Box Area. Zone "C" will be defined by latitude and longitude points announced via Broadcast Notice to Mariners and will be managed by marine event sponsor officials. Vessels shall not anchor within the confines of Zone "C."

(c) *Special Local Regulations.* The following regulations apply between noon and 5:30 p.m. on the Sail Grand Prix official practice and race days. (1) Only support and race vessels will be authorized by the COTP or designated representative to enter Zone "B" during the race event. Vessel operators desiring to enter or operate within Zone "A" or Zone "B" must contact the COTP or a

designated representative to obtain permission to do so. Persons and vessels may request permission to transit Zone "A" on VHF-23A.

(2) Spectator vessels in Zone "C" must maneuver as directed by the COTP or a designated representative. When hailed or signaled by the COTP or designated representative by a succession of sharp, short signals by whistle or horn, the hailed vessel must come to an immediate stop and comply with the lawful direction issued. Failure to comply with a lawful direction may result in additional operating restrictions, citation for failure to comply, or both.

(3) Spectator vessels in Zone "C" must operate at safe speeds, which will create minimum wake.

(4) Vessels with approval from the COTP or designated representative to transit through the associated event zones shall maintain headway and not loiter or anchor within the confines of the regulated area.

(5) Rafting and anchoring of vessels is prohibited within the regulated area.

(d) *Enforcement periods.* This special local regulation will be enforced for the official practices and race events from noon to 5:30 p.m. each day from July 12, 2024, through July 14, 2024. At least 24 hours in advance of the official race practice and race events commencing on July 12, 2024, the COTP will notify the maritime community of periods during which these zones will be enforced via Broadcast Notice to Mariners and in writing via a Coast Guard Boating Public Safety Notice.

Dated: July 2, 2024.

Jordan M. Balduenza,
Captain, U.S. Coast Guard, Captain of the Port, Sector San Francisco.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2024-0565]

Safety Zones; Annual Fireworks Displays Within the Captain of the Port, Puget Sound Area of Responsibility—Dyes Inlet

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone near Dyes Inlet, WA for an annual firework display in the Captain

of the Port, Sector Puget Sound area of responsibility on July 26, 2024, to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Thirteenth Coast Guard District identifies the regulated area for this event near Dyes Inlet, WA. No vessel operator may enter, transit, moor, or anchor within the safety zone, except for vessels authorized by the Captain of the Port, Sector Puget Sound or a Designated Representative.

DATES: The regulations in 33 CFR 165.1332 will be enforced for the Whaling Days regulated area listed in the Table to § 165.1332 from 9 until 11 p.m. on July 26, 2024.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email LTJG Kaylee Lord at 206-217-6045, or email Sector Puget Sound Waterways Management at SectorPugetSoundWWM@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce special local regulations in 33 CFR 165.1332 for the Dyes Inlet regulated area from 9 until 11 p.m. on July 26, 2024. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Thirteenth Coast Guard District, § 165.1332, specifies the location of the regulated area for the Whaling Days event in Dyes Inlet, WA. The special requirements listed in 33 CFR 165.1332(b) apply to the activation and enforcement of the safety zone. During the enforcement periods, as reflected in § 165.1332(c), no vessel operator may enter, transit, moor, or anchor within the safety zone, except for vessels authorized by the Captain of the Port, Sector Puget Sound or Designated Representative.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via marine information broadcasts and Local Notice to Mariners. If the Safety Zone is canceled earlier than listed in this regulation, notification will be provided via Local Notice to Mariners and marine information broadcasts.

Dated: July 5, 2024.

Mark A. McDonnell,
Captain, U.S. Coast Guard, Captain of the Port Sector Puget Sound.

[FR Doc. 2024-15322 Filed 7-11-24; 8:45 am]

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