

# Rules and Regulations

Federal Register

Vol. 77, No. 106

Friday, June 1, 2012

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2011-1191; Airspace Docket No. 11-ANM-21]

#### Amendment of Class E Airspace; Colorado Springs, CO

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** This action delays the effective date for the amendment of Class E airspace at City of Colorado Springs Municipal Airport, Colorado Springs, CO, until September 20, 2012. The FAA is taking this action to allow additional time for processing and charting.

**DATES:** The effective date for final rule published February 21, 2012, at 77 FR 9840, is delayed until September 20, 2012. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203-4537.

#### SUPPLEMENTARY INFORMATION:

#### History

On February 21, 2012, the FAA published in the **Federal Register** a final rule amending Class E airspace at City of Colorado Springs Municipal Airport, Colorado Springs, CO (77 FR 9840). Airspace reconfiguration is necessary due to the decommissioning of the Black Forest Tactical Air Navigation

System. This rule was originally scheduled to become effective May 31, 2012; however, a need for additional internal processing requires a delay in the effective date until September 20, 2012.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends controlled airspace at City of Colorado Springs Municipal Airport, Colorado Springs, CO.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Delay of Effective Date

The effective date on Airspace Docket No. 11-ANM-21, published in the **Federal Register** on February 21, 2012 (77 FR 9840), is hereby delayed from May 31, 2012, to September 20, 2012.

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

Issued in Seattle, Washington, on May 23, 2012.

**John Warner,**

*Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2012-13385 Filed 5-30-12; 4:15 pm]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2012-0457]

#### Drawbridge Operation Regulation; Gulf Intracoastal Waterway, LA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Lapalco Boulevard bascule span drawbridge across the Harvey Canal Route, Gulf Intracoastal Waterway (GIWW), mile 2.8 at New Orleans, Jefferson Parish, Louisiana. The deviation is necessary to allow for the removal and replacement of the span locks of the bridge. This deviation allows the bridge to remain closed for sixty consecutive hours during two consecutive weekends.

**DATES:** This deviation is effective from 6 p.m. on Friday, June 22, 2012 until 6 a.m. on Monday, July 2, 2012.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG-2012-0457 and are available online by going to <http://www.regulations.gov>, inserting USCG-2012-0457 in the "Keyword" box and then clicking "Search". They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 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 David Frank, Bridge Branch Office, Coast Guard; telephone 504-671-2128, email [David.M.Frank@uscg.mil](mailto:David.M.Frank@uscg.mil). If you have questions on viewing

the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** Jefferson Parish has requested a temporary deviation from the operating schedule for the Lapalco Boulevard Bridge across the Harvey Canal Route, Intracoastal Waterway, mile 2.8 at New Orleans, Jefferson Parish, Louisiana. The bridge has a vertical clearance of 45 feet above mean high water in the closed-to-navigation position and unlimited in the open-to-navigation position; however, during the deviation time periods, the vertical clearance beneath the bridge will be reduced to 35 feet above mean high water.

In accordance with 33 CFR 117.451(a), the bridge currently opens on signal for the passage of vessels; except that, from 6:30 a.m. to 8:30 a.m. and from 3:45 p.m. to 5:45 p.m. Monday through Friday except holidays, the draw need not be opened for the passage of vessels. This deviation allows the bridge to remain closed to navigation from 6 p.m. on Friday, June 22, 2012 until 6 a.m. on Monday, June 25, 2012 and from 6 p.m. on Friday, June 29, 2012 until 6 a.m. on Monday, July 2, 2012. At all other times, the bridge will open on signal for the passage of vessels in accordance with 33 CFR 117.451(a).

The closure is necessary in order to remove and replace the span lock systems. This maintenance is essential for the continued operation of the bridge. Notices will be published in the Eighth Coast Guard District Local Notice to Mariners and will be broadcast via the Coast Guard Broadcast Notice to Mariners System.

Navigation on the waterway consists mainly of tugs with tows with some commercial fishing vessels and recreational craft. Coordination between the Coast Guard and the waterway users determined that there should not be any significant effects on these vessels. An alternate route is available via the GIWW (Algiers Alternate Route). The bridge can open during the maintenance for emergencies. Opening the bridge will take approximately 90 minutes to remove the tarps and equipment as required to open the bridge.

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 17, 2012.

**David M. Frank,**  
*Bridge Administrator.*

[FR Doc. 2012-13357 Filed 5-31-12; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2012-0444]

#### Drawbridge Operation Regulation; The Straights, Harkers Island, NC

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Fifth Coast Guard District, has issued a temporary deviation from the regulations governing the operation of the Route 70/Harkers Island Bridge across The Straights, at Harkers Island, NC. The deviation is necessary to facilitate maintenance to the bridge motor. This deviation allows the bridge to remain closed-to-navigation while the maintenance is conducted.

**DATES:** This deviation is effective from 9 a.m. on June 12, 2012 through 3 p.m. on June 13, 2012.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket USCG-2012-0444 and are available online by going to <http://www.regulations.gov>, inserting USCG-2012-0444 in the "Keyword" box and then clicking "Search". This material is also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 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 Mr. Jim Rousseau, Bridge Administration Branch, Fifth Coast Guard District; telephone 757-398-6557, email [James.L.Rousseau2@uscg.mil](mailto:James.L.Rousseau2@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The North Carolina Department of Transportation (NCDOT) owns and operates the swing span of the Route 70/Harkers Island Bridge across The Straights, in Harkers Island, NC. The bridge has a vertical clearance in the closed position to vessels of 14 feet, above mean high water. The current operating regulations are outlined at 33 CFR 117.5, which require the bridge to open when a request or signal to open is given.

NCDOT has requested a temporary deviation to the existing regulations for

the Route 70/Harkers Island Bridge to facilitate necessary repairs. The repairs consist of the maintenance to the bridge motor. Under this deviation, the swing span of the drawbridge will be maintained in the closed-to-navigation position from 9 a.m. on June 12, 2012, through 3 p.m. on June 13, 2012.

Bridge opening data, supplied by Harkers Island Bridge Tender and reviewed by the Coast Guard, revealed that the bridge opened for vessels on average 2 times in a 24 hour period during early June.

The Coast Guard will also inform the users of the waterway, through our Local and Broadcast Notices to Mariners, of the closure period so that vessels can arrange their transits to minimize any impact caused by the temporary deviation.

Vessels that can pass under the bridge without a bridge opening may continue to do so at anytime. There are several alternate routes available for vessels with mast heights greater than 14 feet. In the event of an emergency, the drawbridge will not be able to open for vessels.

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 regulation is authorized under 33 CFR 117.35.

Dated: May 22, 2012.

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

[FR Doc. 2012-13384 Filed 5-31-12; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2012-0374]

RIN 1625-AA00

**Safety Zones: Catawba Island Club Fire Works, Catawba Island Club, Port Clinton, OH; Racing for Recovery, Lake Erie, Sterling State Park, Monroe, MI; Put-in-Bay Fireworks, Fox's the Dock Pier, South Bass Island, Put-in-Bay, OH**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing three temporary safety zones in the waters of Lake Erie in the vicinity of Catawba Island, Port Clinton, OH; on Lake Erie in the vicinity of