

### 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 guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule involves the change to the operating schedule for the Wrightsville Beach Bridge in order to accommodate necessary repair. This rule is categorically excluded, under figure 2-1, paragraph (32)(e), of the Instruction.

Under figure 2-1, paragraph (32)(e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

### List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

### PART 117—DRAWBRIDGE OPERATION REGULATIONS

- 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 0170.1.

- 2. In § 117.821, from 7 a.m. on April 16, 2013, through 7 p.m. on March 1,

2014, suspend paragraph (a)(4) and add paragraph (a)(6) to read as follows:

#### § 117.821 Atlantic Intracoastal Waterway, Albemarle Sound to Sunset Beach.

(a) \* \* \*

(6) S.R. 74 Bridge, mile 283.1 at Wrightsville Beach, NC, between 7 a.m. and 7 p.m., the draw need only open on the hour and from 7 p.m. to 7 a.m. need not open, except with a two hour advance notice; except that from 7 a.m. to 9 a.m. on the second Saturday of July of every year, from 7 a.m. to 11 a.m. on the third and fourth Saturday of September of every year, and from 7 a.m. to 10:30 a.m. on the last Saturday of October of every year or the first or second Saturday of November of every year, the draw need not open for vessels due to annual races.

\* \* \* \* \*

Dated: April 4, 2013.

**Steven H. Ratti,**

*Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.*

[FR Doc. 2013-09549 Filed 4-22-13; 8:45 am]

**BILLING CODE 9110-04-P**

### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 162

[Docket No. USCG-2012-0952]

**RIN 1625-AB95**

#### Inland Waterways Navigation Regulation: Sacramento River, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** The Coast Guard is confirming the removal of the Decker Island restricted anchorage area in the Sacramento River. The restricted anchorage area was needed in the past to prevent non-government vessels from transiting through or anchoring in the United States Army's tug and barge anchorage zones. The United States Army relinquished control of the Island in 1975. A direct final rule detailing the removal of the restricted anchorage regulation was published in the **Federal Register** on January 23, 2013. We received no comments in response, therefore, the rule will go into effect as scheduled.

**DATES:** The effective date of the direct final rule published January 23, 2013 (78 FR 4785) is confirmed as April 23, 2013.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email Lieutenant Lucas Mancini, U.S. Coast Guard Eleventh District; telephone (510) 437-3801 or email [Lucas.W.Mancini@uscg.mil](mailto:Lucas.W.Mancini@uscg.mil).

**SUPPLEMENTARY INFORMATION:** On January 23, 2013, we published a direct final rule and request for comment entitled, “Inland Waterways Navigation Regulation: Sacramento River, CA” in the **Federal Register** (78 FR 4785). That rule announced our intent to update the inland waterways navigation regulations by removing the Decker Island restricted anchorage described in 33 CFR 162.205(c).

In the direct final rule we notified the public of our intent to make the rule effective on April 23, 2013, unless an adverse comment, or notice of intent to submit an adverse comment, was received on or before March 25, 2013. We did not receive any comments or notices of intent to submit an adverse comment on the rule. Therefore, under 33 CFR 1.05-55(d), we now confirm that the removal of the Decker Island restricted anchorage will become effective, as scheduled, on April 23, 2013.

Dated: April 9, 2013.

**K.L. Schultz,**

*Rear Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.*

[FR Doc. 2013-09518 Filed 4-22-13; 8:45 am]

**BILLING CODE 9110-04-P**

### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2013-0069]

#### Safety Zone; Fourth of July Fireworks; City of Antioch, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the safety zone for the City of Antioch Fourth of July Fireworks display in the Captain of the Port, San Francisco area of responsibility during the dates and times noted below. This action is necessary to protect life and property of the maritime public from the hazards associated with the fireworks display. During the enforcement period, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone,

unless authorized by the Patrol Commander (PATCOM).

**DATES:** This rule will be enforced from 8 a.m. until 10:15 p.m. on July 4, 2013.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email Lieutenant Junior Grade Joshua Dykman, Sector San Francisco Waterways Safety Division, U.S. Coast Guard; telephone 415-399-3585, email [D11-PF-MarineEvents@uscg.mil](mailto:D11-PF-MarineEvents@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The regulations in 33 CFR 165.1191, Table 1, Item number 14, will be enforced from 8 a.m. until 10:15 p.m. on July 4, 2013. The Coast Guard will enforce this safety zone in navigable waters around and under the fireworks barge within a radius of 100 feet during the loading, transit, and arrival of the fireworks barge to the display location and until the start of the fireworks display. From 8 a.m. until 8 p.m. on July 4, 2013, the fireworks barge will be loaded off of Fulton Shipyard Pier in Antioch, CA at position 38°01'03" N, 121°48'10" W (NAD 83). From 8 p.m. to 8:50 p.m. on July 4, 2013, the loaded barge will transit from Fulton Shipyard Pier to the launch site off the City of Antioch, CA near position 38°01'06" N, 121°48'32" W (NAD 83) where it will remain until the commencement of the fireworks display. Upon the commencement of the 30 minute fireworks display, scheduled to take place from 9:30 p.m. to 10 p.m. on July 4, 2013, the safety zone will increase in size to encompass the navigable waters around and under the fireworks barge within a radius 1,000 feet near position 38°01'06" N, 121°48'32" W (NAD 83) for the City of Antioch Fourth of July Fireworks display in 33 CFR 165.1191, Table 1, Item number 14.

Under the provisions of 33 CFR 165.1191, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone during all applicable effective dates and times, unless authorized to do so by the PATCOM. Additionally, each person who receives notice of a lawful order or direction issued by an official patrol vessel shall obey the order or direction. The PATCOM is empowered to forbid entry into and control the regulated area. The PATCOM shall be designated by the Commander, Coast Guard Sector San Francisco. The PATCOM may, upon request, allow the transit of commercial vessels through regulated areas when it is safe to do so. This notice is issued under authority of 33 CFR 165.1191 and 5 U.S.C. 552 (a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime

community with extensive advance notification of the safety zone and its enforcement period via the Local Notice to Mariners.

If the Captain of the Port determines that the regulated area need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: March 11, 2013.

**Cynthia L. Stowe,**

*Captain, U.S. Coast Guard, Captain of the Port San Francisco.*

[FR Doc. 2013-09542 Filed 4-22-13; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2012-1084]

RIN 1625-AA00

#### Safety Zones; Annual Fireworks Events in the Captain of the Port Buffalo Zone

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is amending and establishing regulations requiring safety zones for firework events that take place annually within the Captain of the Port Zone Buffalo. This final rule is intended to amend and establish restrictions on vessel access to designated areas on U.S. navigable waterways during certain fireworks displays. The safety zones amended and established by this final rule are necessary to protect spectators, participants, and vessels from the hazards associated with fireworks displays.

**DATES:** This rule is effective May 23, 2013.

**ADDRESSES:** Documents mentioned in this preamble are part of docket [USCG-2012-1084]. 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 temporary rule, call or email LT Christopher Mercurio, Chief of Waterways Management, U.S. Coast Guard Sector Buffalo; telephone 716-843-9343, email [SectorBuffaloMarineSafety@uscg.mil](mailto:SectorBuffaloMarineSafety@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

DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of Proposed Rulemaking

#### A. Regulatory History and Information

On June 18, 2008, the Coast Guard put 33 CFR 165.939 into effect, which established several permanent safety zones within U.S. navigable waters under the jurisdiction of the Captain of the Port Buffalo (73 FR 28704). Specifically, twenty-six permanent safety zones were established then. These safety zones were put in place to protect the boating public from hazards associated with annually recurring fireworks displays that take place over U.S. navigable waterways. Since those twenty-six safety zones were established in June of 2008, the Coast Guard has not amended 33 CFR 165.939. On February 20, 2013, we published a NPRM entitled Safety Zones; Annual Fireworks Events in the Captain of the Port Buffalo Zone in the **Federal Register** (78 FR 11798). We received 0 comments on the proposed rule.

#### B. Basis and Purpose

As stated above, 33 CFR 165.939 currently lists twenty-six permanent safety zones within the Captain of the Port Zone Buffalo. Each of these twenty-six safety zones corresponds to an annually recurring fireworks display. During a recent review of 33 CFR 165.939, it was determined that event details for seventeen recurring fireworks displays have changed, seven additional recurring fireworks displays now require that permanent safety zones be implemented, and four permanent safety zones require disestablishment because the corresponding fireworks displays have not occurred for an extended time. In addition, it was noted that the coordinates for the safety zones corresponding with the Browns Football Half time Fireworks and the Lorain Port Fest Fireworks are formatted differently than the other safety zones. Finally, it was noted that the radius of the safety zone associated with the Lorain Port Fest Fireworks is in yards as opposed to