

Department of Homeland Security Delegation No. 0170.1.

■ 2. Add temporary § 165.T08–0076 to read as follows:

**§ 165.T08–0076 Safety Zone; Tuscaloosa Regional Air Show; Black Warrior River; Tuscaloosa, AL.**

(a) *Location.* The following area is a safety zone: all waters encompassing the waters of the Black Warrior River between MM 335.8 to MM 336.3, in Tuscaloosa, AL.

(b) *Effective dates and enforcement period.* This rule is effective on March 26–29, 2015, from 11:30 a.m. until 5:00 p.m. each day.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Mobile or a designated representative.

(2) Persons or vessels desiring to enter into or passage through the zone must request permission from the Captain of the Port Mobile or a designated representative. They may be contacted on VHF–FM channels 16 or by telephone at 251–441–5976.

(3) If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port Mobile or designated representative.

(d) *Informational broadcasts.* The Captain of the Port Mobile or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the safety zone as well as any changes in the safety zone or the planned schedule.

Dated: February 2, 2015.

**S. Walker,**

*Captain, U.S. Coast Guard, Captain of the Port Mobile.*

[FR Doc. 2015–05744 Filed 3–12–15; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR PART 165**

[Docket No. USCG–2015–0130]

**RIN 1625–AA00**

**Safety Zone; St. Patrick's Day Fireworks, Manitowoc River, Manitowoc, Wisconsin**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a safety zone on the

Manitowoc River in Manitowoc, Wisconsin. This safety zone is intended to restrict vessels from a portion of the Manitowoc River due to a fireworks display. This safety zone is necessary to protect the surrounding public and vessels from the hazards associated with the fireworks display.

**DATES:** This rule is effective and will be enforced from 6 p.m. until 8:30 p.m. on March 13, 2015.

**ADDRESSES:** Documents mentioned in this preamble are part of docket USCG–2015–0130. 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 rule, contact or email MST1 Joseph McCollum, U.S. Coast Guard Sector Lake Michigan, at 414–747–7148 or [Joseph.P.McCollum@uscg.mil](mailto:Joseph.P.McCollum@uscg.mil). If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 1–800–647–5527.

**SUPPLEMENTARY INFORMATION:**

**Table of Acronyms**

DHS Department of Homeland Security  
FR Federal Register

NPRM Notice of Proposed Rulemaking

**A. Regulatory History and Information**

On December 24, 2014, the Coast Guard published an NPRM in the **Federal Register** which listed safety zones corresponding to annual marine events in the Sector Lake Michigan zone (79 FR 77415). This NPRM included the safety zone for the St. Patrick's Day Fireworks in Manitowoc, WI (the subject of this TFR). After the 30 day comment period for the NPRM closed, the Coast Guard published a corresponding Final Rule on February 18, 2015 (80 FR 8536).

Because the Manitowoc St. Patrick's Day Fireworks would occur within 30 days of the Final Rule's publication, the Coast Guard finds that good cause exists under 5 U.S.C. 553(d)(3), for making this rule effective less than 30 days after publication in the **Federal Register**. Waiting for a 30 day notice period to run would be impracticable, unnecessary, and contrary to the public

interest because it would inhibit the Coast Guard's ability to protect vessels from the hazards associated with the Manitowoc St. Patrick's Day Fireworks on March 13, 2015, which are discussed further below.

**B. Basis and Purpose**

The legal basis for this rule is the Coast Guard's authority to establish safety zones: 33 U.S.C. 1231; 33 CFR 1.05–1, 160.5; Department of Homeland Security Delegation No. 0170.1.

On March 13, 2015, the City of Manitowoc is expected to hold its annual St. Patrick's Day fireworks display. This fireworks display will be launched from the shore of the Manitowoc River. The Captain of the Port Lake Michigan has determined that this fireworks display will pose a significant risk to public safety and property. Such hazards include falling and/or flaming debris.

**C. Discussion of the Final Rule**

With the aforementioned hazards in mind, the Captain of the Port Lake Michigan has determined that this safety zone is necessary to ensure the safety of persons and vessels during the fireworks display on the shore of the Manitowoc River. This zone is effective and will be enforced from 6 p.m. until 8:30 p.m. on March 13, 2015. The safety zone will encompass all waters of the Manitowoc River within a 200 foot radius of an approximate launch position at 44°05.492' N, 087°39.332' W (NAD 83).

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan or her designated on-scene representative. The Captain of the Port or her designated on-scene representative may be contacted via VHF Channel 16.

**D. Regulatory Analyses**

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

**1. Regulatory Planning and Review**

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and

Budget has not reviewed it under those Orders. It is not “significant” under the regulatory policies and procedures of the Department of Homeland Security (DHS). We conclude that this rule is not a significant regulatory action because we anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule will be relatively small and enforced for only one day. Under certain conditions, moreover, vessels may still transit through the safety zone when permitted by the Captain of the Port.

## 2. Impact on Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered the impact of this rule on small entities. 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 will affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit or anchor in the affected portion of the Manitowoc River on March 13, 2015.

This safety zone will not have a significant economic impact on a substantial number of small entities for the reasons cited in the *Regulatory Planning and Review* section. Additionally, before the enforcement of this zone, we would issue local Broadcast Notice to Mariners so vessel owners and operators can plan accordingly.

## 3. Assistance for Small Entities

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 contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

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.

## 4. 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).

## 5. Federalism

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 determined that this rule does not have implications for federalism.

## 6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact 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.

## 7. 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.

## 8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

## 9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

## 10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of

Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

## 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 guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (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 the establishment of a safety zone and therefore it is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination for this zone have been previously completed and are available via <http://www.regulations.gov> under Docket Number USCG–2014–1001. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

## List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR parts 165 as follows:

## **PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS**

- 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 46 U.S.C. Chapters 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

- 2. Add § 165.T09–0130 to read as follows:

### **§ 165.T09–0130 Safety Zone; St. Patrick's Day Fireworks, Manitowoc River, Manitowoc, Wisconsin.**

(a) *Location.* All waters of the Manitowoc River within a 200 foot radius of an approximate launch position at 44°05.492' N, 087°39.332' W (NAD 83).

(b) *Effective and enforcement period.* This zone is effective and will be enforced from 6 p.m. until 8:30 p.m. on March 13, 2015.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan or her designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Lake Michigan or her designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port Lake Michigan is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port Lake Michigan to act on her behalf.

(4) Vessel operators desiring to enter or operate within the safety zone must contact the Captain of the Port Lake Michigan or her on-scene representative to obtain permission to do so. The Captain of the Port Lake Michigan or her on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Lake Michigan or her on-scene representative.

Dated: March 2, 2015.

**A.B. Cocanour,**  
*Captain, U.S. Coast Guard, Captain of the Port Lake Michigan.*

[FR Doc. 2015–05814 Filed 3–12–15; 8:45 am]

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## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Part 117**

[Docket No. USCG–2015–0109]

### **Drawbridge Operation Regulations; Hackensack River, Jersey City, NJ**

**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 operation of the Port Authority Trans-Hudson (PATH) railroad bridge across the Hackensack River, mile 3.0, at Jersey City, New Jersey. This deviation is necessary to allow the bridge owner to replace rails and ties at the bridge. This deviation allows the bridge to remain closed on Saturday and Sunday for twenty six consecutive weekends.

**DATES:** This deviation is effective from April 4, 2015 through September 27, 2015.

**ADDRESSES:** The docket for this deviation, [USCG–2015–0109] 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. 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 deviation, call or email Mr. Joe M. Arca, Project Officer, First Coast Guard District, telephone (212) 514–4336, [joe.m.arca@uscg.mil](mailto:joe.m.arca@uscg.mil). If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

**SUPPLEMENTARY INFORMATION:** The PATH railroad bridge across the Hackensack River, mile 3.0, at Jersey City, New Jersey, has a vertical clearance in the closed position of 40 feet at mean high water and 45 feet at mean low water. The existing bridge operating regulations are found at 33 CFR 117.723.

The waterway is transited by seasonal recreational vessels and commercial vessels of various sizes.

The bridge owner, Port Authority Trans-Hudson (PATH), requested a

temporary deviation from the normal operating schedule to facilitate structural repairs, replacement of the rails and ties, at the bridge.

Under this temporary deviation, the PATH railroad bridge may remain in the closed position for twenty six weekends, between 12:01 a.m. on Saturdays through 12:01 a.m. on Mondays from April 4, 2015 through September 27, 2015.

There are no alternate routes for vessel traffic; however, the vertical clearance at the bridge is 40 feet at mean high water and 45 feet at mean low water, which should allow most vessels that normally transit this bridge to pass under the closed draws during this repair period. The bridge may be opened in the event of an emergency.

The Coast Guard will inform the users of the waterways through our Local and Broadcast Notice to Mariners of the change in operating schedule for the bridges so that vessels 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: February 23, 2015.

**C.J. Bisignano,**  
*Supervisory Bridge Management Specialist, First Coast Guard District.*

[FR Doc. 2015–05809 Filed 3–12–15; 8:45 am]

**BILLING CODE 9110–04–P**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Part 165**

[Docket No. USCG–2015–0098]

**RIN 1625–AA00**

### **Safety Zone; State Route 520 Bridge Construction, Lake Washington; Seattle, WA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on Lake Washington around the east span of the State Route 520 Bridge in Seattle, Washington for the construction of the new bridge. The safety zone is necessary to ensure the safety of the maritime public and workers involved in the bridge construction. The safety zone will prohibit any person or vessel from