

would not create an environmental risk to health or risk to safety that might 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 Concerns 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 simply promulgates the operating regulations or procedures for drawbridges. 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 § 33 CFR 117.215, revise paragraph (a) to read as follows:

#### § 117.215 Niantic River.

(a) The draw of the Amtrak Bridge, mile 0.0, at Niantic, shall open on signal at all times. When a train scheduled to cross the bridge without stopping has entered the drawbridge block, a delay in opening the draw may occur until the train has cleared the block. The delay should not exceed 10 minutes.

\* \* \* \* \*

Dated: June 9, 2015.

**L.L. Fagan,**

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

[FR Doc. 2015-15190 Filed 6-18-15; 8:45 am]

**BILLING CODE 9110-04-P**

#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2015-0521]

#### Drawbridge Operation Regulation; Isle of Wight (Sinepuxent) Bay, Ocean City, MD

**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 US Route 50 Bridge across the Isle of Wight (Sinepuxent) Bay, mile 0.5, at Ocean City, MD. The deviation is necessary to facilitate the Annual July 4th Fireworks show. This deviation allows the bridge to remain closed to navigation to accommodate heavy volumes of vehicular traffic following the fireworks show.

**DATES:** This deviation is effective from 9:30 p.m. to 11:30 p.m. on July 4, 2015.

**ADDRESSES:** The docket for this deviation, [USCG-2015-0521] 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 Traci Whitfield, Bridge Management Assistant, Fifth Coast Guard District, telephone (757) 398-6629, email [Traci.G.Whitfield@uscg.mil](mailto:Traci.G.Whitfield@uscg.mil). If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366-9826.

**SUPPLEMENTARY INFORMATION:** The Ocean City Police Department on behalf of the Maryland State Highway Administration, has requested a temporary deviation from the current operating regulation of the US Route 50 Bridge across Isle of Wight (Sinepuxent) Bay, mile 0.5, at Ocean City, MD. This temporary deviation allows the US Route 50 Bridge to remain closed to navigation from 9:30 p.m. to 11:30 p.m. on July 4, 2015. This is an additional 30 minutes before and after the normal operating schedule for this bridge during that time. This additional closure has been requested to ensure the safety of spectators that attend the annual Ocean City July 4th fireworks show and allow for the heavy volume of vehicular traffic that transit across the drawbridge. For these reasons, should inclement weather prevent the fireworks event from taking place as planned, this deviation permits the bridge to remain closed from 9:30 p.m. to 11:30 p.m. on July 5th, 2015.

The vertical clearance of this bascule bridge is 13 feet above mean high water in the closed position and unlimited in the open position. The current operating regulation is outlined at 33 CFR 117.559(c), which allows the bridge to remain closed to navigation from 10 p.m. to 11 p.m. to accommodate the annual July 4th fireworks show.

Vessels able to pass under the bridge in the closed position may do so at any time. The bridge will be able to open for emergencies and the Atlantic Ocean can be used as an alternate route for vessels with mast heights greater than 13 feet. The Coast Guard will also inform the users of the waterways, through our Local and Broadcast Notices to Mariners, of the change in operating schedule for the bridge 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: June 15, 2015.

**Hal R. Pitts,**

*Bridge Program Manager, Fifth Coast Guard District.*

[FR Doc. 2015-15082 Filed 6-18-15; 8:45 am]

BILLING CODE 9110-04-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2015-0531]

RIN 1625-AA00

#### Safety Zone; Bridgefest Regatta Fireworks, Portage Canal, Hancock, MI

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a safety zone in the Portage Canal near Hancock, MI. This safety zone is intended to restrict vessels from specified waters in the Portage Canal during the Bridgefest Regatta Fireworks Display. This safety zone is necessary to protect spectators from the hazards associated with the fireworks display.

**DATES:** This rule is effective from 10 p.m. to 11 p.m. on June 20, 2015.

**ADDRESSES:** Documents mentioned in this preamble are part of docket [USCG-2015-0531]. 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, call or email Chief Petty Officer Aaron Woof, Waterways management, MSU Duluth, Coast Guard; telephone 218-725-3821, email [Aaron.M.Woof@uscg.mil](mailto:Aaron.M.Woof@uscg.mil). If you have questions on viewing or submitting material to 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

The Coast Guard is issuing this final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because doing so would be impracticable and contrary to the public interest. In May of this year, the Coast Guard discovered an error in the coordinates for the safety zone for the Bridgefest Regatta Fireworks in 33 CFR 165.943(a)(1). On May 4, 2015, the COTP Duluth signed a NPRM to correct the error (USCG-2015-0215). This NPRM has yet to publish in the **Federal Register**. Because the fireworks event is scheduled for June 20, 2015, there is insufficient time to accommodate the comment period. Thus, delaying the effective date of this rule to wait for the comment period to run would be both impracticable and contrary to the public interest because it would inhibit the Coast Guard's ability to protect spectators and vessels from the hazards associated with the fireworks display.

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**. For the same reasons discussed in the preceding paragraph, waiting for a 30 day notice period to run would be impracticable and contrary to the public interest.

#### B. Basis and Purpose

The legal basis and authorities for this rule are found in 33 U.S.C. 1231, 46 U.S.C. Chapter 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; and Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to establish and define regulatory safety zones.

Between 10 p.m. and 11 p.m. on June 20, 2015, Bridgefest Regatta fireworks display will take place within the Portage Canal in Hancock, MI. The likely combination of recreation vessels, darkness punctuated by bright flashes of light, and fireworks debris falling into the water presents risks of collisions which could result in serious injuries or

fatalities. Establishing a safety zone around the launch site will help ensure the safety of persons and recreational boats during the fireworks display.

#### C. Discussion of the Final Rule

In light of the aforementioned hazards, the Captain of the Port Duluth has determined that a temporary safety zone is necessary to ensure the safety of spectators and participants during the fireworks display. This safety zone will encompass all waters of the Portage Canal within an area bounded by a circle with a 280 foot radius at position 47° 07' 22" N, 088° 35' 39" W.

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth or his designated on-scene representative. The Captain of the Port or his 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 13 of these statutes or 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.

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 an hour on a single 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

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601-612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b)