

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117****[Docket No. USCG–2012–0534]****Drawbridge Operation Regulation; Umpqua River, Reedsport, OR****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the US 101 Highway Bridge across the Umpqua River, mile 11.1, at Reedsport, OR. This deviation is necessary to accommodate electrical system upgrades on the bridge. This deviation allows the US 101 Umpqua River Bridge to remain in the closed position during system upgrade and maintenance.

**DATES:** This deviation is effective from 8 a.m. on June 25, 2012 through 5 p.m. June 28, 2012.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG–2012–0534 and are available online by going to <http://www.regulations.gov>, inserting USCG–2012–0534 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 the Bridge Administrator, Coast Guard Thirteenth District; telephone 206–220–7282; email [randall.d.overton@uscg.mil](mailto:randall.d.overton@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 Oregon Department of Transportation has requested that the US 101 Umpqua River Bridge remain closed to vessel traffic to facilitate electrical system upgrades to the bridge’s control circuitry. The US 101 Bridge crosses the Umpqua River at mile 11.1 and provides 36 feet of vertical clearance above mean high water when in the closed position. Vessels which do not require an opening of the bridge may continue to transit beneath the bridge during this maintenance period. Under normal

conditions the US 101 Umpqua River Bridge operates in accordance with 33 CFR 117.893(a) which states that the draw shall open on signal if at least two hours advance notice is given. This deviation period is from 8 a.m. on June 25, 2012 through 5 p.m. June 28, 2012. The deviation allows the US 101 Umpqua River Bridge, mile 11.1, to remain in the closed position and need not open for maritime traffic from 8 a.m. June 25, 2012 through 5 p.m. June 28, 2012. The bridge shall operate in accordance to 33 CFR 117.893(a) at all other times. Waterway usage on this stretch of the Umpqua River includes vessels ranging from occasional commercial tug and barge to small pleasure craft. Mariners will be notified and kept informed of the bridge’s operational status via the Coast Guard Notice to Mariners publication and Broadcast Notice to Mariners as appropriate. The draw span will be required to open, if needed, for public vessels of the United States and for vessels engaged in emergency response operations during this closure period.

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: June 6, 2012.

**Randall D. Overton,**  
*Bridge Administrator.*

[FR Doc. 2012–14642 Filed 6–14–12; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117****[Docket No. USCG–2012–0192]****Drawbridge Operation Regulation; Atlantic Intracoastal Waterway (AIWW), at Wrightsville Beach, NC; Cape Fear and Northeast Cape Fear River, at Wilmington, NC****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Coast Guard Fifth District, has issued a temporary deviation from the operating schedules that govern three North Carolina Department of Transportation (NCDOT) bridges: The S.R. 74 Bridge, across AIWW, mile 283.1 at Wrightsville Beach, NC; the Cape Fear Memorial Bridge across the Cape Fear River, mile

26.8; and the Isabel S. Holmes Bridge across the Northeast Cape Fear River, mile 1.0; both at Wilmington, NC. The deviation is necessary to accommodate the YMCA Tri Span 5K & 10K races. This deviation allows the bridges to remain in the closed position during the races.

**DATES:** This deviation is effective from 7 a.m. through 9 a.m. on Saturday, July 14, 2012.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG–2012–0192 and are available online by going to <http://www.regulations.gov>, inserting USCG–2012–0192 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 Terrance Knowles, Coast Guard; telephone 757–398–6587, email [Terrance.A.Knowles@uscg.mil](mailto:Terrance.A.Knowles@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 Wilmington Family YMCA, on behalf of NCDOT, has requested a temporary deviation from the current operating schedules for the S.R. 74 Bridge, across AIWW, mile 283.1 at Wrightsville Beach, NC; the Cape Fear Memorial Bridge across the Cape Fear River, mile 26.8; and the Isabel S. Holmes Bridge across the Northeast Cape Fear River, mile 1.0; both at Wilmington, NC. The requested deviation is to accommodate the annual YMCA Tri Span 5K & 10K races scheduled for Saturday, July 14, 2012. To facilitate these events, the draw of the bridges will be maintained in the closed-to-navigation positions from 7 a.m. to 9 a.m.

The SR 74 Bridge is a double-leaf bascule drawbridge with a vertical clearance of 20 feet, above mean high water, in the closed position. The current operating schedule is set out in 33 CFR 117.821(a)(4). During the month of July, the bridge is required to open on signal, except that from 7 a.m. to 7 p.m., the draw need only open on the hour.

The Cape Fear Memorial Bridge is a vertical-lift drawbridge with a vertical clearance of 65 feet, above mean high water, in the closed position. The current operating schedule is set out in 33 CFR 117.823. During the month of

July the bridge is required to open on signal, except that on the second Saturday of July of every year, the draw need not open 8 a.m. to 10 a.m.

The Isabel S. Holmes Bridge is a double-leaf bascule drawbridge with a vertical clearance of 40 feet, above mean high water, in the closed position. The current operating schedule is set out in 33 CFR 117.829. During the month of July the bridge is required to open on signal except that the draw will be closed to pleasure craft, from 6 a.m. to 6 p.m., every day, except at 10 a.m. and 2 p.m., when the draw will open for all waiting vessels; and the draw need not open, from 8 a.m. to 10 a.m., on the second Saturday of July of every year. Vessels that can pass under these bridges in the closed position may do so at any time. The bridges will be able to open for emergencies.

There are no alternate routes available to vessels transiting these waterways. These races have been an annual event; therefore local waterway users should be familiar with the closure. To ensure that waterway users are aware of the closure, the Coast Guard will issue a Local and Broadcast Notice to Mariners to allow mariners to schedule their transits accordingly. Most waterway traffic for these bridges consists of recreational boats with a few barges and tugs in the daytime.

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: June 7, 2012.

**Waverly W. Gregory, Jr.,**

*Bridge Program Manager, Fifth Coast Guard District.*

[FR Doc. 2012-14644 Filed 6-14-12; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2012-0536]

RIN 1625-AA00

#### Safety Zone; Olde Ellison Bay Days Fireworks Display, Ellison Bay, WI

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on Lake Michigan in Ellison Bay, Wisconsin. This safety zone is intended

to restrict vessels from a portion of Lake Michigan during the Olde Ellison Bay Days Fireworks display. This temporary safety zone is necessary to protect spectators and vessels from the hazards associated with a fireworks display.

**DATES:** This rule will be effective between 9 p.m. until 10 p.m. on June 25, 2012.

**ADDRESSES:** Documents mentioned in this preamble are part of docket [USCG-2012-0536]. 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." You may visit the Docket Management Facility, 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 temporary rule, call or email CWO Jon Grob, U.S. Coast Guard Sector Lake Michigan; telephone 414-747-7188, email [Jon.K.Grob@uscg.mil](mailto:Jon.K.Grob@uscg.mil). If you have questions on viewing or submitting material to the docket, call Renee V. Wright, 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

The Coast Guard is issuing this temporary 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. The final details for this event were not known to the Coast Guard until there was insufficient time remaining before the event to publish an NPRM. Thus, delaying the effective date of this rule to wait for a comment period to run would be impracticable and it would inhibit the Coast Guard's ability to protect spectators and vessels from the hazards

associated with a maritime fireworks display, which are discussed further below.

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 30 day notice period run would be impracticable and contrary to the public interest.

#### B. Basis and Purpose

Between 9 p.m. and 10 p.m. on June 25, 2012, a fireworks display will be held on Lake Michigan in Ellison Bay, WI. The Captain of the Port, Sector Lake Michigan has determined that fireworks launched proximate to a gathering of watercraft pose a significant risk to public safety and property. Such hazards include premature and accidental detonations, dangerous projectiles, and falling or burning debris.

#### C. Discussion of Rule

With the aforementioned hazards in mind, the Captain of the Port, Sector Lake Michigan, has determined that this temporary safety zone is necessary to ensure the safety of spectators and vessels during the Town of Porter Fireworks. This zone will be effective and enforced from 9 p.m. until 10 p.m. on June 25, 2012. This zone will encompass all waters of Lake Michigan, Ellison Bay, WI within a 400 foot radius of position 45°15'39.36" N and 87°05'03" W (NAD 83).

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port, Sector Lake Michigan, 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 14 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 that Order. Executive Order 12866 or under section 1 of