

**Authority:** 33 U.S.C. 499; Department of Homeland Security Delegation No. 0170.1; 33 CFR 1.05-1(g); Section 117.255 also issued under authority of Pub. L. 102-587, 106 Stat. 5039.

■ 2. In § 117.261, from June 8, 2005 through May 15, 2006, suspend paragraph (s) and add paragraph (tt) to read as follows:

**§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.**

\* \* \* \* \*

(tt) PGA Boulevard bridge, mile 1012.6 at North Palm Beach. The draw need not open except to provide on signal a single-leaf opening on the hour and half-hour. Vessels may request double-leaf operations, which will be provided as repair work permits, and notice of the availability of double-leaf openings will be published in the Local Notice to Mariners and Broadcast Notice to Mariners.

\* \* \* \* \*

Dated: May 20, 2005.

**D.B. Peterman,**

*RADM, U.S. Coast Guard, Commander,  
Seventh Coast Guard District.*

[FR Doc. 05-11320 Filed 6-7-05; 8:45 am]

**BILLING CODE 4910-15-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[CGD08-05-035]

**Drawbridge Operating Regulations; Galveston Channel, Gulf Intracoastal Waterway, Galveston, TX**

**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 Pelican Island Causeway Bascule Span Bridge across Galveston Channel, mile 4.5, Gulf Intracoastal Waterway, mile 356.1, at Galveston, Texas.

**DATES:** This deviation is effective from 11 p.m. on Thursday, June 9, 2005, until 9 a.m. on Friday, June 10, 2005.

**ADDRESSES:** Materials referred to in this document are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, Room 1313, 500 Poydras Street, New Orleans, Louisiana, 70130-3310 between 7 a.m. and 3 p.m., Monday

through Friday, except Federal holidays. The telephone number is (504) 589-2965. The Bridge Administration Branch maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Phil Johnson, Bridge Administration Branch, telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:** The Galveston County Navigation District has requested a temporary deviation in order to replace the synchro motor position transmitter and associated electrical switches of the Pelican Island Bascule Span Bridge across the Galveston Channel, mile 4.5, Gulf Intracoastal Waterway, mile 356.1, west of Harvey Lock at Galveston, Galveston County, Texas. Replacement of the synchro motor position transmitter is necessary for the continued operation of the draw span. This temporary deviation will allow the bridge to remain in the closed-to-navigation position from 11 p.m. on Thursday, June 9, 2005, until 9 a.m. on Friday, June 10, 2005. There may be times, during the closure period, when the draw will not be able to open for emergencies.

The bridge provides 12 feet of vertical clearance in the closed-to-navigation position. Thus, most commercial vessels and some recreational vessels will not be able to transit through the bridge site when the bridge is closed. Navigation on the waterway consists of tugs with tows, fishing vessels and recreational craft including sailboats and powerboats. Due to the existence of a practical alternate route of no greater distance, it has been determined that this closure will not have a significant effect on these vessels.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: June 2, 2005.

**Marcus Redford,**

*Bridge Administrator.*

[FR Doc. 05-11424 Filed 6-3-05; 3:33 pm]

**BILLING CODE 4910-15-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Parts 148, 149, and 150**

[USCG-1998-3884]

RIN 1625-AA20 (formerly RIN 2115-AF63)

**Deepwater Ports; Voluntary Guidelines**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of availability.

**SUMMARY:** The Coast Guard announces the availability of a Navigation and Vessel Inspection Circular (NVIC), providing voluntary guidelines in connection with the regulation of deepwater oil and natural gas ports pursuant to the Deepwater Port Act of 1974, as amended. The NVIC guidelines relate to the design, plan review, fabrication, installation, inspection, maintenance, and oversight of these deepwater ports. Compliance with the NVIC is voluntary and no new legal requirements are imposed.

**DATES:** The Coast Guard issued NVIC 03-05 on May 16, 2005.

**ADDRESSES:** You may request a copy of NVIC 03-05 from U.S. Coast Guard Headquarters (G-MSO-5), Room 1508, 2100 2nd Street SW., Washington DC 20593. The NVIC is available on the Internet at: <http://www.uscg.mil/hq/g-m/nvic/>. It is also available in the public docket (USCG-1998-3884) and is available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, room PL-402, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this public docket on the Internet at <http://dms.dot.gov/>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call LCDR Kevin Tone, Deepwater Port Standards Division, Coast Guard, telephone 202-267-0226, e-mail: [ktone@comdt.uscg.mil](mailto:ktone@comdt.uscg.mil). If you have questions on viewing the docket, call Andrea M. Jenkins, Program Manager, Docket Operations, telephone: 202-366-0271.

**SUPPLEMENTARY INFORMATION:** Under the Deepwater Port Act of 1974, as amended, 33 U.S.C. 1501 *et seq.*, a deepwater port is a fixed or floating manmade structure other than a vessel, or a group of structures, located beyond State seaward boundaries and used or intended for use as a port or terminal for the transportation, storage, and further handling of oil or natural gas for

transportation to any State. The Coast Guard regulates the licensing of deepwater ports, in 33 CFR parts 148, 149, and 150, under a temporary interim rule issued in 2004 (69 FR 724, Jan. 6, 2004).

On May 16, 2005, the Coast Guard issued Navigation and Vessel Inspection Circular No. 03-05 (NVIC 03-05). NVIC 03-05 provides guidance to deepwater port license applicants and operators, to the Coast Guard, and to "certifying entities" that perform certification work on behalf of the Coast Guard. This guidance relates to the design, plan review, fabrication, installation, maintenance, and oversight of deepwater ports. NVIC 03-05 encourages voluntary compliance, but is not intended to and does not impose legally binding requirements on any person.

The **ADDRESSES** section of this notice tells how to view or obtain a copy of NVIC 03-05. The Coast Guard is issuing this notice of availability in accordance with the commitment we made in our temporary interim rule, at 69 FR 726, to keep the public informed of Coast Guard policies interpreting the deepwater port regulations. We will issue additional notices of availability, should we modify or supplement NVIC 03-05 in the future.

Dated: May 31, 2005.

**Howard L. Hime,**

*Acting Director of Standards, Marine Safety, Security, and Environmental Protection, U.S. Coast Guard.*

[FR Doc. 05-11318 Filed 6-7-05; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[CGD13-05-007]

RIN 1625-AA87

#### Security Zone: Portland Rose Festival on Willamette River

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is permanently amending the Portland Rose Festival on Willamette River security zone. This regulation is enforced annually during the Portland, Oregon Rose Festival on the waters of the Willamette River between the Hawthorne and Steel Bridges. The current regulation does not accurately describe the enforcement period. The

change clarifies the annual enforcement period for this regulation. This change will better inform the boating public and improve the level of safety at this event. Entry into the area established is prohibited unless authorized by the Captain of the Port.

**DATES:** This rule is effective June 8, 2005. In 2005, 33 CFR 165.1312 will be enforced on Wednesday, June 8, through Monday, June 13.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket are part of docket (CGD13-05-007) and are available for inspection or copying at U.S. Coast Guard Marine Safety Office, c/o Captain of the Port, 6767 North Basin Avenue Portland, OR 97217. Marine Safety Office Portland, Oregon between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** MST1 Charity Keuter, c/o Captain of the Port Portland, OR 6767 North Basin Avenue Portland, OR 97217 at (503) 240-9301.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

On May 9, 2005, we published a notice of proposed rulemaking (NPRM) entitled "Security Zone: Portland Rose Festival on Willamette River" in the **Federal Register** (70 FR 24342). We received no letters commenting on the proposed rule. No public meeting was requested, and none was held.

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**. Earlier notice was not provided to the Coast Guard that the regulation as written would not provide the required security for the vessels participating in the 2005 Portland Rose Festival. Any delay encountered in this regulation's effective date would be contrary to public interest because immediate action is necessary to ensure the safety and security of the participating vessels.

##### Background and Purpose

Each year in June, the annual Portland, Oregon Rose Festival is held on the waters of the Willamette River near Portland, Oregon. On May 29, 2003, the Coast Guard published a final rule (68 FR 31979) establishing a security zone, in 33 CFR 165.1312, for the security of naval vessels on a portion of the Willamette River during the fleet week of the Rose Festival. The security zone in 33 CFR 165.1312 is enforced each year during the event to

provide for public safety by controlling the movement of vessel traffic in the regulated area. The current regulation does not accurately describe the enforcement period.

This rule permanently amends 33 CFR 165.1312 requiring compliance with the regulation each year from the first Wednesday in June falling on the 4th or later through the following Monday in June. Specific times of compliance will be published in the **Federal Register** each year as a notice of enforcement.

The regulated area and the security zone remain unchanged.

#### Discussion of Comments and Changes

The Coast Guard received no comments and thus has made no changes from the proposed rule.

#### Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. This expectation is based on the fact that the regulated area of the Willamette River is a small area, enforced for a short period of time, and it is established for the benefit and safety of the recreational boating public.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

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 may be small entities: The owners and operators of vessels intending to transit or anchor in the security zone during the times this zone is enforced. This security zone will