standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

**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 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:


2. Revise §117.123(b)(1) and (2) to read as follows:

§117.123 Arkansas Waterway.

(b) * * * *(1) Normal flow procedures. Any vessel which requires an opening of the draw of this bridge shall establish contact by radiotelephone with the remote drawbridge operator on VHF–FM Channel 13 in Omaha, Nebraska. To establish contact, the vessel shall key the VHF–FM radio microphone four times in five seconds and listen for an acknowledgement tone. The remote drawbridge operator will then establish normal verbal radio communication on VHF–FM Channel 13 and advise the vessel whether the requested span can be immediately opened and will maintain constant radio contact with the vessel until the requested span has opened and vessel passage has been completed. The bridge is equipped with a Photoelectric Boat Detection System to prevent the span from lowering if there is an obstruction under the span. If the drawbridge cannot be opened immediately, the remote drawbridge operator will notify the calling vessel and provide an estimated time for a drawspan opening.

(2) High velocity flow procedures. The area from mile 118.2 to mile 125.4 is a regulated navigation area as described in §165.817. During periods of high velocity flow rate of 70,000 cubic feet per second or greater at the Murray Lock and Dam, mile 125.4, downstream vessels which require that the draw of this bridge be opened for unimpeded passage shall contact the remote drawbridge operator as described in paragraph (b)(1) of this section either before departing Murray Lock and Dam or before departing the mooring cells at mile 121.5 to ensure that the drawspan is opened well in advance of arrival at the bridge. The remote drawbridge operator shall immediately respond to the bridge's contact, ensure the drawspan is open for passage, and ensure that it remains in the open to navigation position until the downbound vessel has safely passed through. If it cannot be opened immediately for unimpeded passage in accordance with §165.817, the remote drawbridge operator will notify the downbound vessel and provide an estimated time for a drawspan opening. Upbound vessels shall request openings in accordance with the normal flow procedures as set forth in paragraph (b)(1) of this section. The remote drawbridge operator shall keep these approaching vessels informed of the position of the drawspan at all times until safe passage is completed.


Mary E. Landry,

Rear Admiral, U.S. Coast Guard Commander, Eighth Coast Guard District.

[FR Doc. 2010–27236 Filed 10–27–10; 8:45 am]

BILLING CODE 9110–04–P

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG–2010–0973]

**Drawbridge Operation Regulation; New Jersey Intracoastal Waterway (NJICW), Point Pleasant Canal, NJ**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Fifth Coast Guard District, has issued a temporary deviation from the regulations governing the operation of the Route 88/Veterans Memorial Bridge across Point Pleasant Canal, at NJICW mile 3.0, in Point Pleasant, NJ. This closure is necessary to facilitate extensive mechanical rehabilitation and to maintain the bridge’s operational integrity.

**DATES:** This deviation is effective from 7 a.m. on December 15, 2010 through 11:59 p.m. on March 15, 2011.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG–2010–0973 and are available online by going to http://www.regulations.gov, inserting USCG–2010–0973 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 e-mail Waverly W. Gregory, Jr., Bridge Administrator, Fifth Coast Guard District; telephone 757–398–6222, e-mail Waverly.W.Gregory@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 New Jersey Department of Transportation (NJDOT) owns and operates the vertical-lift span of the Route 88/Veterans Memorial Bridge across Point Pleasant Canal along the NJICW, in Point Pleasant, NJ. The bridge has a vertical clearance in the closed position to vessels of 10 feet, above mean high water. The current operating regulations are outlined at 33 CFR 117.5, which require the bridge to open is given.

* * *
DEPARTMENT OF HOMELAND SECURITY  

Coast Guard  

33 CFR Parts 161 and 165  
[Docket No. USCG–1998–4399]  
RIN 1625–AA58  

Vessel Traffic Service Lower Mississippi River  

AGENCY: Coast Guard, DHS.  

ACTION: Final rule.  

SUMMARY: The Coast Guard is establishing a Vessel Traffic Service (VTS) on the Lower Mississippi River and is transferring certain vessel traffic management (VTM) provisions of the Mississippi River, Louisiana—Regulated Navigation Area to the VTS. This final rule establishes a mandatory participation VTS by implementing current voluntary practices and operating procedures. This rule facilitates vessel transits, enhances good order, promotes safe navigation, and improves existing waterway operating measures. The rule also proposes minor conforming revisions to the existing VTM provisions and related regulations.  

DATES: This final rule is effective December 27, 2010.  

ADDRESSES: Comments and material received will be available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet by going to http://www.regulations.gov, inserting USCG–1998–4399 in the “Keyword” box, and then clicking “Search.”  

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or e-mail Lieutenant Commander Jim Larson, Office of Shore Forces (CG–7413), Coast Guard; telephone 202–372–1554, e-mail James.W.Larson@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.  

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I. Abbreviations  
AIS Automatic Identification System  
DHS Department of Homeland Security  
LMR Lower Mississippi River  
LMRWSAC Lower Mississippi River Waterways Safety Advisory Committee  
NDG National Dialogue Group  
NPRM Notice of Proposed Rulemaking  
PWSS Port and Waterways Safety Systems  
PWSA Ports and Waterways Safety Act  
PWSSC Ports and Waterways Safety Systems Committee  
SNPRM Supplemental Notice of Proposed Rulemaking  
VTC Vessel Traffic Center  
VTM Vessel Traffic Management  
VTS Vessel Traffic Service  

II. Regulatory History  
On April 26, 2000, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled “Vessel Traffic Service Lower Mississippi River” (65 FR 24516) and requested comments during a 90-day comment period. Due to several requests for additional time to comment, on August 18, 2000, the Coast Guard published a notice (65 FR 50479) reopening the comment period until December 1, 2000. The Coast Guard received 23 letters containing three comments in response to the NPRM.  

On September 20, 2000, the Coast Guard published a notice of public meeting (65 FR 56843) announcing the time and place of a public meeting. On October 24, 2000, the Coast Guard held the meeting in New Orleans, LA, to receive comments on the proposed rule. Twenty-four people attended the meeting and two people spoke.  

On November 12, 2009, the Coast Guard published a supplemental notice of proposed rulemaking (SNPRM) entitled “Vessel Traffic Service Lower Mississippi River” (74 FR 58223). The SNPRM addressed important changes to maritime operations that have taken place since the NPRM was issued in 2000.