

comment period of 60 days in which no comments were received.

#### 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 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. Revise § 117.1081 to read as follows:

#### § 117.1081 Black River.

The drawspan of the Canadian Pacific Railroad Bridge, mile 1.0, at La Crosse, Wisconsin is operated by remote operator located at the Canadian Pacific Railway Minneapolis Operations Center, in Minneapolis, Minnesota. Drawspan shall open upon demand by contacting remote operator via VHF-FM Channel 16 or telephone (507) 895-6087.

Dated: October 31, 2012.

**Roy A. Nash,**

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

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2012-0995]

#### Drawbridge Operation Regulation; Upper Mississippi River, Clinton, IA

**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 Clinton Railroad Drawbridge across the Upper Mississippi River, mile 518.0, at Clinton, Iowa. The deviation is necessary to allow time for performing needed maintenance and repairs to the bridge. This deviation allows the bridge to open on signal if at least 24 hours advance notice is given.

**DATES:** This deviation is effective from 12:01 a.m. December 15, 2012, until 9 a.m., March 15, 2013.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG-2012-0995 and are available online by going to <http://www.regulations.gov>, inserting USCG-2012-0995 in the "Search" 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 temporary deviation, call or email Eric A. Washburn, Bridge Administrator, Western Rivers, Coast Guard; telephone (314) 269-2378 or [eric.washburn@uscg.mil](mailto:eric.washburn@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 Union Pacific Railroad Company requested a temporary deviation for the Clinton Railroad Drawbridge, mile 518.0, at Clinton, Iowa, across the Upper Mississippi to open on signal if at least 24 hours advance notice is given in order to facilitate needed bridge maintenance and repairs. The Clinton Railroad Drawbridge currently operates in accordance with 33 CFR 117.5, which states the general requirement that drawbridges shall open promptly and

fully for the passage of vessels when a request to open is given in accordance with the subpart. In order to facilitate the needed bridge work, the drawbridge must be kept in the closed-to-navigation position. This deviation allows the bridge to open on signal if at least 24 hours advance notice is given from 12:01 a.m. December 15, 2012, until 9 a.m., March 15, 2013.

There are no alternate routes for vessels transiting this section of the Upper Mississippi River.

The Clinton Railroad Drawbridge, in the closed-to-navigation position, provides a vertical clearance of 18.7 feet above normal pool. Navigation on the waterway consists primarily of commercial tows and recreational watercraft. This temporary deviation has been coordinated with waterway users. No objections were received.

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: November 8, 2012.

**Eric A. Washburn,**

*Bridge Administrator, Western Rivers.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2012-1009]

RIN 1625-AA11

#### Regulated Navigation Area; Recovery Operations, the Port of New York and New Jersey, NJ and NY

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary interim rule and request for comments.

**SUMMARY:** The Coast Guard is establishing a temporary Regulated Navigation Area (RNA) encompassing all waters of the Sector New York and Captain of the Port (COTP) New York Zone south of the George Washington Bridge at mile 11.0 on the Hudson River and west of the Hell Gate Railroad bridge at mile 8.2 on the East River. This action is necessary to prevent maritime traffic from interfering with spilled oil recovery operations, removal of sunken recreational vessels, debris, and cargo containers, and to ensure the safety of the response crews on scene. It will do