

Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

#### List of Subjects in 33 CFR part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, and Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

#### PART 100—REGATTAS AND MARINE PARADES

■ 1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233.

■ 2. Revise paragraphs (a)(1) and (d)(6) of § 100.T11–0551B to read as follows:

#### § 100.T11–0551B Special Local Regulation; 2013 America's Cup Sailing Events.

(a) \* \* \*

(1) The following area is the Primary Regulated Area for the 2013 America's Cup sailing events: All waters of San Francisco Bay bounded by a line beginning at position 37°48'12" N, 122°24'04" W located on the foot of Pier 23, running northeast to position 37°48'24" N, 122°23'43" W, running north to position 37°49'10" N, 122°23'43" W, running northwest to position 37°49'41" N, 122°24'17" W located east of Alcatraz Island, running west to position 37°49'41" N, 122°27'35" W, running southwest to position 37°49'02" N, 122°28'21" W, running south to position 37°48'32" N, 122°28'21" W, and running eastward along the City of San Francisco shoreline ending at position 37°48'12" N, 122°24'04" W located on the foot of Pier 23. All coordinates are North American Datum 1983.

\* \* \* \* \*

(d) \* \* \*

(6) *Transit Zone.* Within the Primary Regulated Area, a transit zone, approximately 200 yards in width, is established along the City of San Francisco waterfront. The transit zone will begin at the face of Pier 23, run westward along the pier faces to the Municipal Pier, and continue westward to the northern boundary of the area defined in paragraph (d)(4). This transit zone is bounded by the following coordinates: 37°48'40" N, 122°28'21" W; 37°48'32" N, 122°28'00" W; 37°48'32" N,

122°26'24" W; 37°48'39" N, 122°25'27" W; 37°48'43" N, 122°25'13" W; 37°48'41" N, 122°24'30" W; 37°48'28" N, 122°24'04" W; 37°48'17" N, 122°23'54" W; 37°48'21" N, 122°23'49" W; 37°48'33" N, 122°24'00" W; 37°49'00" N, 122°24'00" W; 37°49'10" N, 122°23'43" W; 37°49'17" N, 122°23'51" W; 37°48'48" N, 122°24'40" W; 37°48'49" N, 122°25'16" W; 37°48'37" N, 122°26'22" W; 37°48'37" N, 122°28'00" W; 37°48'47" N, 122°28'21" W (NAD 83). This transit zone is for vessels that need to access pier space or facilities at, or to transit along, the City of San Francisco waterfront. It may be marked by buoys and/or America's Cup support vessels. No vessel may anchor, block, loiter in, or otherwise impede transit in the transit zone. In the event the eastern sections of the transit zone are temporarily closed for vessel safety, such as races finishes, vessels must follow the procedures in paragraph (d)(3) to request access.

\* \* \* \* \*

Dated: June 19, 2013.

**Gregory G. Stump,**

*Captain, U.S. Coast Guard, Captain of the Port San Francisco.*

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#### DEPARTMENT OF HOMELAND SECURITY

##### Coast Guard

##### 33 CFR Part 117

[Docket No. USCG-2013-0525]

#### Drawbridge Operation Regulation; Lake Washington Ship Canal at Seattle, WA

**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 three Seattle Department of Transportation (SDOT) bridges: The Ballard Bridge, mile 1.1, the Fremont Bridge, mile 2.6, and the University Bridge, mile 4.3, all crossing the Lake Washington Ship Canal at Seattle, WA. The deviation is necessary to accommodate heavier than normal roadway traffic associated with a fireworks display over Lake Union. This deviation allows the bridges to remain in the closed position immediately prior to until immediately after the fireworks display.

**DATES:** This deviation is effective from 9 p.m. on July 4, 2013 to 1 a.m. on July 5, 2013.

**ADDRESSES:** The docket for this deviation, [USCG-2013-0525] 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 Lieutenant Commander Steven Fischer, Thirteenth District Bridge Specialist, Coast Guard; telephone 206-220-7277, email [Steven.M.Fischer2@uscg.mil](mailto:Steven.M.Fischer2@uscg.mil). If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The SDOT has requested a temporary deviation from the operating schedule for the Ballard Bridge, mile 1.1, the Fremont Bridge, mile 2.6, and the University Bridge, mile 4.3, all crossing the Lake Washington Ship Canal at Seattle, WA. The requested deviation is to accommodate heavier than normal roadway traffic associated with the 4th of July fireworks display over Lake Union, Seattle, WA. To facilitate this event, the draws of the bridges will be maintained in the closed-to-navigation positions as follows: the Fremont Bridge, mile 2.6, need not open for vessel traffic from 9 p.m. July 4, 2013 until 12:30 a.m. July 5, 2013; the Ballard Bridge, mile 1.1, and the University Bridge, mile 4.3, need not open for vessel traffic from 10 p.m. July 4, 2013 until 1 a.m. July 5, 2013. Vessels which do not require bridge openings may continue to transit beneath these bridges during the closure periods. The Ballard Bridge, mile 1.1, provides a vertical clearance of 29 feet in the closed position, the Fremont Bridge, mile 2.6, provides a vertical clearance of 14 feet in the closed position, and the University Bridge, mile 4.3, provides a vertical clearance of 30 feet in the closed position; all clearances are referenced to the mean water elevation of Lake Washington. The current operating schedule for all three bridges is set out in 33 CFR 117.1051. The normal operating schedule for all three bridges state that the bridges need not

open from 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m. Monday through Friday for vessels less than 1000 tons. The normal operating schedule for these bridges also requires one hour advance notification for bridge openings between 11 p.m. and 7 a.m. daily. Waterway usage on the Lake Washington Ship Canal ranges from commercial tug and barge to small pleasure craft. Mariners will be notified and kept informed of the bridges' operational status via the Coast Guard Notice to Mariners publication and Broadcast Notice to Mariners as appropriate. The bridges will be required to open, if needed, 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 19, 2013.

**Daryl R. Peloquin,**

*Acting Bridge Administrator.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[USCG-2013-0408]

RIN 1625-AA00

#### Safety Zone, Tennessee River, Mile 625.5 to 626.5

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for the waters of the Tennessee River beginning at mile marker 625.5 and ending at mile marker 626.5, extending bank to bank. This zone is necessary to provide safety from the fallout from the Randy Boyd fireworks that are being launched on the Tennessee River at mile marker 626.0. Entry into this zone is prohibited unless specifically authorized by the Captain of the Port (COTP) Ohio Valley or designated representative.

**DATES:** This temporary final rule is effective from 9 p.m. through 9:30 p.m. on July 5, 2013.

**ADDRESSES:** Documents mentioned in this preamble are part of docket [USCG-2013-0408]. 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 temporary rule, call Petty Officer James Alter, Marine Safety Detachment Nashville, at (615) 736-5421. 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. The Coast Guard received notice on May 15, 2013 that this fireworks show is planned to take place on July 5, 2013. After a review of the event information and location, the Coast Guard determined that a safety zone is necessary. Given the lack of calendar days between notice from the event sponsor to the Coast Guard and the time of the scheduled event, it would be impracticable to complete the NPRM process within this short period. Immediate action is necessary to protect event participants and members of the public from the possible marine hazards present during a fireworks display on or over the waterway. Delaying the safety zone would also unnecessarily interfere with the planned event.

For the same reasons, 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**. Providing a full 30 days notice and delaying the effective date for this safety zone would be impracticable because immediate action is necessary to protect event participants and members of the public from the possible marine hazards present during a fireworks display on or over the waterway.

#### B. Basis and Purpose

The Randy Boyd fireworks display takes place on the Tennessee River and is launched from a floating platform in the middle of the river at mile marker 626.0. Fireworks displays taking place on or over a waterway pose possible hazards to the marine traffic and spectators on the waterway during the display. The Coast Guard determined that a temporary safety zone is needed to protect life and property during the fireworks display. The legal basis and authorities for this rulemaking establishing a safety zone 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; Public Law 107-295, 116 Stat. 2064; and Department of Homeland Security Delegation No. 0170.1, which collectively authorizes the Coast Guard to establish and define regulatory safety zones. The Captain of the Port Ohio Valley is establishing a safety zone for all waters of the Tennessee River, beginning at mile marker 625.5 and ending at 626.5 to protect persons and property from hazards associated with a fireworks display. Entry into this zone is prohibited unless specifically authorized by the Captain of the Port Ohio Valley or a designated representative.

#### C. Discussion of the Final Rule

The Captain of the Port Ohio Valley is establishing a safety zone for the waters of the Tennessee River, beginning at mile marker 625.5 and ending at 626.5. Vessels shall not enter into, depart from, or move within this safety zone without permission from the Captain of the Port Ohio Valley or designated representative. Persons or vessels requiring entry into or passage through a safety zone must request permission from the Captain of the Port Ohio Valley, or a designated representative. They may be contacted on VHF-FM Channel 13 or 16, or through Coast Guard Sector Ohio Valley at 1-800-253-7465. This rule is effective from 9:00 p.m. until 9:30 p.m. on July 5, 2013. The Captain of the Port Ohio Valley will inform the public through broadcast notices to mariners of the enforcement period for the safety