

for the safe movement of vehicular traffic during major plant reconstruction on one side of the waterway and the resulting change in work schedule and increase in workforce transiting the bridge. This deviation allows the bridge to remain temporarily closed to navigation for an additional one hour in the evening during weekdays for two months.

**DATES:** This deviation is effective from 5:30 p.m. on Wednesday, March 5, 2014 through 6:30 p.m. on Wednesday, April 30, 2014.

**ADDRESSES:** The docket for this deviation, [USCG-2014-0065] 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 David Frank, Bridge Administration Branch, Coast Guard; telephone 504-671-2128, email [David.M.Frank@uscg.mil](mailto:David.M.Frank@uscg.mil). If you have questions on viewing the docket, call Cheryl F. Collins, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** A member of the Louisiana State Legislature requested a temporary deviation from the operating schedule on the SR 23 vertical lift span bridge, also known as the Judge Perez Bridge, across the Gulf Intracoastal Waterway (Algiers Alternate Route), mile 3.8, at Belle Chasse, Plaquemines Parish, Louisiana. The deviation requested allows the bridge to remain closed to navigation for an additional one hour in the evening, Monday through Friday, for two months.

The Louisiana Legislature makes this request to support and assist in the safe movement of increased vehicular traffic across the bridge during the evening hours, resulting from a change in the work schedule and increased work force related to a major plant reconstruction at the Conoco/Phillips Refinery in Alliance. This temporary deviation will also help to minimize the effects of the additional traffic on local residents.

Presently, in accordance with 33 CFR 117.451(b), the draw shall open on signal; except that, from 6 a.m. to 8:30 a.m. and from 3:30 p.m. to 5:30 p.m.

Monday through Friday, except Federal holidays, the draw need not open for the passage of vessels.

This temporary deviation allows the vertical lift bridge to remain closed to navigation for one additional hour in the afternoon to extend the afternoon curfew hours from 3:30 p.m. to 6:30 p.m. Monday through Friday from Wednesday, March 5, 2014 through Wednesday, April 30, 2014. In case of an emergency, the bridge will be able to open for the passage of vessels.

The SR 23 vertical lift span drawbridge across the Gulf Intracoastal Waterway (Algiers Alternate Route), mile 3.8, at Belle Chasse, Louisiana has a vertical clearance of 40 feet above mean high water in the closed-to-navigation position and 100 feet above mean high water in the open-to-navigation position. Navigation on the waterway consists primarily of tugs with tows, commercial fishing vessels, and occasional recreational craft. Mariners may use the Gulf Intracoastal Waterway (Harvey Canal) to avoid unnecessary delays. The Coast Guard has coordinated this closure with the Gulf Intracoastal Canal Association (GICA). The GICA representative indicated that the vessel operators will be able to schedule transits through the bridge such that operations will not significantly be hindered. Thus, it has been determined that this closure will not have a significant effect on these vessels.

In accordance with 33 CFR 117.35, the draw bridge 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: February 13, 2014.

**David M. Frank,**  
*Bridge Administrator.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

### 33 CFR Part 117

**[USCG-2014-0024]**

**Drawbridge Operation Regulations; Newtown Creek, Dutch Kills, English Kills and Their Tributaries, New York City, NY**

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulations governing the operation of the Greenpoint Avenue Bridge, across Newtown Creek, mile 1.3, at New York City, New York. The deviation is necessary to facilitate bridge painting operations at the bridge. This temporary deviation authorizes the Greenpoint Avenue Bridge to remain in the closed position for up to six consecutive days followed by four consecutive days of full operation at various times during the effective period of this deviation.

**DATES:** This deviation is effective from May 1, 2014 through September 30, 2014.

**ADDRESSES:** The docket for this deviation, [USCG-2014-0024] 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 Ms. Judy Leung-Yee, Project Officer, First Coast Guard District, [judy.k.leung-yee@uscg.mil](mailto:judy.k.leung-yee@uscg.mil), or (212) 668-7165. If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The Greenpoint Avenue Bridge, across Newtown Creek, mile 1.3, at New York City, New York, has a vertical clearance in the closed position of 26 feet at mean high water and 31 feet at mean low water. The existing drawbridge operation regulations are listed at 33 CFR 117.801(g).

The waterway is transited by commercial and seasonal recreational vessels of various sizes.

The bridge owner, New York City Department of Transportation, requested approval to allow the Greenpoint Avenue Bridge to remain in the closed position for up to six consecutive days followed by four days of full operation to facilitate bridge sandblasting and painting operations. The bridge painting closures can only be implemented between May and September in order to minimize impacts to commercial barge

traffic carrying home heating oil upstream. The Coast Guard contacted all known commercial waterway users regarding this deviation and no objections were received.

Under this temporary deviation the draw of the Greenpoint Avenue Bridge may remain in the closed position at various times during this deviation for up to six consecutive days followed by four days of full bridge operation.

Each six day closure will be announced two weeks in advance in the Local Notice to Mariners (LNTM) along with a Broadcast Notice to Mariners (BNTM) to help facilitate marine transportation system planning.

In accordance with 33 CFR 117.35(e), the bridge 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: February 11, 2014.

**C.J. Bisignano,**

*Supervisory Bridge Management Specialist,  
First Coast Guard District.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2012-0080]

RIN 1625-AA11

#### Regulated Navigation Area; Southern Oahu Tsunami Vessel Evacuation Honolulu, HI

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing a permanent regulated navigation area (RNA) in the waters off Southern Oahu, Hawaii, enforcement of which will take place only when a tsunami warning is issued for the Hawaiian Islands by the Pacific Tsunami Warning Center. Tsunami warnings require the evacuation of a large number of vessels from their respective harbors. Following the evacuation, these vessels must remain offshore until the emergency situation has passed and the harbors have been deemed safe for reentry. Past tsunami warnings have created potentially dangerous offshore traffic congestion between commercial and recreational vessel traffic. Because of this, designated vessel traffic staging areas

are necessary for a safe and orderly evacuation of Southern Oahu ports.

**DATES:** This rule is effective March 31, 2014.

**ADDRESSES:** Documents mentioned in this preamble are part of docket USCG-2012-0080. 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 rule, call or email Lieutenant Commander Scott Whaley of the United States Coast Guard Sector Honolulu at 808-522-8264 ext. 3352 or [Scott.O.Whaley@uscg.mil](mailto:Scott.O.Whaley@uscg.mil), respectively. If you have questions on viewing or submitting material to the docket, call Barbara Hairston, 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
SNPRM	Supplemental Notice of Proposed Rulemaking
RNA	Regulated Navigation Area

#### A. Regulatory History and Information

The Coast Guard collaborated with the Hawaii Ocean Safety Team, the Industry Advisory Board and other industry partners in the initial development of this rule. On May 14, 2013, the Coast Guard published an NPRM in the **Federal Register** (78 FR 28170). The Coast Guard received a number of comments which, after careful consideration, prompted the Coast Guard to make significant changes to the originally proposed rule. On October 3, 2013, the Coast Guard published an SNPRM in the **Federal Register** (78 FR 61223), under the same docket number, which reflected changes from the original rule proposed based on comments received on the NPRM. The Coast Guard received a total of one comment on the SNPRM. That comment, along with the comments received during the initial NPRM state, are posted, without change, at <http://www.regulations.gov>. To view the comments in full go to <http://www.regulations.gov>, insert USCG-

2012-0080 in the "SEARCH" box, and then click "SEARCH." The following link will take you directly to the docket: <http://www.regulations.gov/#/docketDetail;D=USCG-2012-0080>.

#### B. Basis and Purpose

The purpose of this rule is to provide vessels with an off-shore area to loiter in the event of a tsunami warning for Southern Oahu. In the event of a tsunami threat, both recreational vessels and commercial vessels may desire or be mandated to leave port to avoid potential damage to their vessel and the port. The creation of an off-shore area for vessels to loiter in an organized fashion is important to decrease confusion and unsafe conditions during the tsunami threat. This regulated navigation area is also crafted to decrease potentially dangerous off-shore traffic congestion between commercial and recreational vessel traffic by separating these classes of vessels.

The Coast Guard has met with industry partners, commercial mariners, and recreational boaters in the creation of this rule.

The statutory basis for this rulemaking is 33 U.S.C. 1231, which gives the Coast Guard, under a delegation from the Secretary of Homeland Security, regulatory authority to enforce the Ports and Waterways Safety Act. A regulated navigation area is a water area within a defined boundary for which regulations for vessels navigating within the area have been established to mitigate potentially hazardous conditions, such as vessel congestion, deemed to exist in that area. The purpose of this rulemaking is to provide greater safety for vessels and maritime commerce in the event of a tsunami threat.

#### C. Discussion of Comments, Changes and the Final Rule

The Coast Guard received a total of one comment on the SNPRM published on October 3, 2013, in the **Federal Register**.

The commenter suggested changes to the rule to more accurately reflect use of the 50-fathom curve as a point of reference. The coordinates of the RNA and staging areas have been modified to reflect a more accurate use of the 50-fathom line as the northern-most border for the RNA. Other non-substantive edits, intending only to simplify the language, were made to the final rule.

#### D. Discussion of the Final Rule

Honolulu Harbor has only one entrance for large commercial vessels and is the principle harbor of Hawaii's hub and spoke maritime commerce