

**PART 2005—[REMOVED]**

■ 8. Under the authority of 19 U.S.C. 2171(e)(3), remove part 2005.

**Janice Kaye,**

*Chief Counsel for Administrative Law, Office of the U.S. Trade Representative.*

[FR Doc. 2017-08364 Filed 4-24-17; 8:45 am]

**BILLING CODE 3290-F7-P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117**

[Docket No. USCG-2017-0292]

**Drawbridge Operation Regulation; Arthur Kill, Staten Island, NY & Elizabeth, NJ**

**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 the Arthur Kill (AK) Railroad Bridge across the Arthur Kill, mile 11.6, at Staten Island, New York and Elizabeth, New Jersey. This temporary deviation is necessary to allow the bridge to remain in the closed-to-navigation position to facilitate structural inspections.

**DATES:** This deviation is effective from 9:45 a.m. on July 8, 2017 to 8:07 p.m. on July 16, 2017.

**ADDRESSES:** The docket for this deviation, [USCG-2017-0292] 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.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Judy Leung-Yee, Project Officer, First Coast Guard District, telephone (212) 514-4330, email [judy.k.leung-yee@uscg.mil](mailto:judy.k.leung-yee@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Consolidated Rail Corporation (Conrail), the owner of the bridge, requested a temporary deviation from the normal operating schedule to facilitate structural inspections. The Arthur Kill Railroad Bridge across the Arthur Kill, mile 11.6, has a vertical clearance in the closed position of 31 feet at mean high water and 35 feet at mean low water. The existing bridge operating regulations are found at 33 CFR 117.702.

Under this temporary deviation, the Arthur Kill Railroad Bridge shall remain in the closed position as follows:

July 8, 2017:  
9:45 a.m. to 1:46 p.m.  
3:46 p.m. to 7:53 p.m.  
July 9, 2017:  
10:24 a.m. to 2:27 p.m.  
4:27 p.m. to 8:27 p.m.  
July 15, 2017:  
8:17 a.m. to 12:26 p.m.  
2:26 p.m. to 6:52 p.m.  
July 16, 2017:  
9:13 a.m. to 1:15 p.m.  
3:15 p.m. to 8:07 p.m.

The waterway is transited by commercial traffic. The Coast Guard notified various companies of the commercial oil and barge vessels and they have no objections to the temporary deviation. Vessels able to pass under the bridge in the closed position may do so at any time. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass.

The Coast Guard will inform the users of the waterways through our Local Notice and Broadcast to Mariners of the change in operating schedule for the bridge so that vessel operations can arrange their transits to minimize any impact caused by the temporary deviation.

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: April 20, 2017.

**C.J. Bisignano,**

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

[FR Doc. 2017-08316 Filed 4-24-17; 8:45 am]

**BILLING CODE 9110-04-P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117**

[Docket No. USCG-2017-0161]

**Drawbridge Operation Regulation; Canaveral Barge Canal, Canaveral, FL**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation with request for comments.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the SR 401 Drawbridge, mile 5.5 at Port Canaveral, Florida. This deviation is necessary to reduce vehicular traffic congestion and

to ensure the safety of the roadways while passengers are transiting to and from Cruise Terminal 10, which is used by Norwegian Cruise Line at Port Canaveral. Since the arrival of the cruise ship Norwegian Epic to the Port of Canaveral, massive traffic back-ups have been caused by the drawbridge openings. This deviation allows the bridge to not open to navigation during prime cruise ship passenger loading and unloading times on Saturdays.

**DATES:** This deviation is effective from April 25, 2017 until October 23, 2017. Submit comments by June 26, 2017.

**ADDRESSES:** The docket for this deviation, [USCG-2017-0161] 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. We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact Mr. Michael Lieberum with the Seventh Coast Guard District Bridge Office; telephone 305-415-6744, email [Michael.B.Lieberum@uscg.mil](mailto:Michael.B.Lieberum@uscg.mil), for alternate instructions.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. Michael Lieberum with the Seventh Coast Guard District Bridge Office; telephone 305-415-6744, email [Michael.B.Lieberum@uscg.mil](mailto:Michael.B.Lieberum@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Canaveral Port Authority, with concurrence from the bridge owner, Florida Department of Transportation have requested the Coast Guard consider changing the regulation of the SR401 Bridge across the Canaveral Barge Canal, Port Canaveral, FL to allow the bridge to not open to navigation from 11 a.m. to 2 p.m. on Saturdays. The current operating regulation is under 33 CFR 117.273. The bridge logs (insert the time period of the reviewed bridge logs) indicate that, at most, approximately nine vessels may be affected by establishing this three hour bridge closure on Saturdays. The majority of the opening requests were either at the beginning or end of this closure period; therefore, by adjusting their transits slightly there should be a negligible overall effect. This deviation is effective from April 25, 2017 until October 23, 2017. The Coast Guard will continue to evaluate the impact to mariners navigating this area during the closure periods and has requested comments be submitted during the first 60 days of this deviation.

Vessels able to pass through the bridge in the closed position may do so at any time. The bridge will be able to open for emergencies and there is no immediate alternate route for vessels to pass through the bridge in closed positions. The Coast Guard will also inform the users of the waterways through Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

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.

#### Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Documents mentioned in this notice of deviation, and all public comments, are in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

Dated: April 19, 2017.

**Barry Dragon,**

*Director, Bridge Branch, Seventh Coast Guard District.*

[FR Doc. 2017-08260 Filed 4-24-17; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2015-0768]

RIN 1625-AA09

#### Drawbridge Operation Regulation; Atlantic Intracoastal Waterway and Indian Creek, Miami, FL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is modifying the operating schedule that governs the West 79th Street Bridge across the Atlantic Intracoastal Waterway mile 1084.6, Miami, FL and the operating schedule that governs the East 79th Street Bridge across Miami Beach Channel, Miami, FL. This action will place the East and West 79th Street Bridges across Miami Beach Channel and Atlantic Intracoastal Waterway, Miami, FL on a twice an hour opening schedule between 7 a.m. and 7 p.m., Monday through Friday, except Federal holidays. This action is intended to reduce vehicular traffic caused by these bridges opening on demand.

**DATES:** This rule is effective May 25, 2017.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2015-0768. In the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e- Mr. Michael Lieberum of the Coast Guard; telephone 305-415-6744, email [Michael.b.lieberum@uscg.mil](mailto:Michael.b.lieberum@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
Pub. L. Public Law  
§ Section  
U.S.C. United States Code

## II. Background Information and Regulatory History

On May 10, 2016, we published a notice of proposed rulemaking (NPRM) titled Drawbridge Operation Regulation; Atlantic Intracoastal Waterway and Indian Creek, Miami, FL in the **Federal Register** (81 FR 28795). There we stated why we issued the NPRM and invited comments on our proposed regulatory action related to the East and West 79th Street Bridges. During the comment period that ended on June 11, 2016, we received 12 comments.

## III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 499. The East and West 79th Street Bridges currently open upon request or signal, pursuant to 33 CFR 117.5, which results in frequent openings that restrict vehicle traffic during the day, especially during morning and afternoon rush hour traffic.

The Florida Department of Transportation (FDOT), the bridge owner, and the City of North Bay Village requested a change to the current operating schedule for both bridges to allow for scheduled openings twice an hour during peak traffic times. Bridge logs indicate these bridges open up to four times an hour or more during peak travel times, which results in frequent vehicular traffic disruptions. This regulation would reduce vehicle traffic backups without unreasonably restricting vessel traffic by scheduling two openings per hour during peak traffic times, thereby balancing the needs of both modes of transportation.

Additionally, other bridges on this section of the Intracoastal Waterway and Miami Channel open two times per hour. The scheduled openings will align the 79th Street bridge openings with other bridges on the Intracoastal, namely, the Broad Causeway Bridge to the North (33 CFR 117.261(mm) and The Venetian Causeway Bridge to the South (33 CFR 117.261(nn)), thereby allowing vessels to plan voyages during opening times and vehicles to schedule commutes around these openings.

The East 79th Street Bridge across Miami Beach Channel, Miami, FL has a vertical clearance of 25 feet at mean high water (MHW) in the closed to navigation position and a horizontal clearance of 60 feet between fenders.

The West 79th Street Bridge across the Atlantic Intracoastal Waterway mile 1084.6, Miami, FL has a vertical clearance of 25 feet at MHW in the closed to navigation position and a horizontal clearance of 90 feet between fenders.