

coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

#### 7. *Unfunded Mandates Reform Act*

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### 8. *Taking of Private Property*

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### 9. *Civil Justice Reform*

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### 10. *Protection of Children*

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

#### 11. *Indian Tribal Governments*

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### 12. *Energy Effects*

This action is not a “significant energy action” under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

#### 13. *Technical Standards*

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

#### 14. *Environment*

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the closure of the port to all traffic. This rule is categorically excluded from further review under paragraph 34g of Figure 2–1 of the Commandant Instruction.

#### List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T14–0014 to read as follows:

#### § 165.T14–0014 Safety Zone; Pago Pago Harbor, America Samoa.

(a) *Location.* The following area is a safety zone: All waters encompassed by a line starting at Breakers Point (eastern edge of Pago Pago Harbor entrance) thence southeast to 14° 18'47" S, 170° 38'54.5" W thence southwest to 14° 19'03" S, 170° 39'14" W, thence northwest to Tulutulu Point and then following the Pago Pago Harbor coastline back to the point of origins. This safety zone extends from the surface of the water to the ocean floor.

(b) *Enforcement period.* This section will be enforced from 7:30 a.m. to 8:30 a.m. (SST) on April 17, 2014.

(c) *Regulations.* (1) All persons and vessels not registered with the sponsor as participants or support/enforcement vessels are considered spectators. The “support/enforcement vessels” consist of any territory, or local law enforcement and sponsor provided vessels assigned or approved by the COTP Honolulu to patrol the safety zone.

(2) No spectator shall anchor, block, loiter or impede the transit of participants or support/enforcement vessels in the safety zone while this section is effective, unless cleared by or through a support/enforcement vessel.

(3) Spectator vessels may be moored to a waterfront facility within the safety zone in such a way that they shall not interfere with the progress of the events. Such mooring must be complete at least 30 minutes prior to the effective period of this section and remain moored through the duration of the events.

(d) *Informational Broadcasts.* The COTP or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the safety zone as well as any changes in the planned schedule. Once the zone is being enforced, due to the commencement of the race, transiting, anchoring, and loitering in the harbor is forbidden and the harbor will remain closed until 8:30 a.m., or earlier if the Coast Guard issues an “All Clear” after the race has concluded and the harbor is deemed safe for normal operations.

Dated: March 25, 2014.

S.N. Gilreath,

Captain, U.S. Coast Guard, COTP Honolulu.

[FR Doc. 2014–08240 Filed 4–11–14; 8:45 am]

BILLING CODE 9110–04-P

#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2014–0156]

RIN 1625–AA00

#### Eighth Coast Guard District Annual Safety Zones; Pittsburgh Pirates Fireworks; Allegheny River Mile 0.4 to 0.6; Pittsburgh, PA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone for the Pittsburgh Pirates Fireworks on the Allegheny River, from mile 0.4 to 0.6, extending the entire width of the river. This zone will be in effect on April 5, April 19, May 10, June 26, July 19, August 9, and September 20, 2014 from 9 p.m. until 11 p.m. This zone is needed to protect vessels transiting the area and event spectators from the hazards associated with the Pittsburgh Pirates Barge-based Fireworks. During the enforcement period, entry into, transiting, or

anchoring in the safety zone is prohibited to all vessels not registered with the sponsor as participants or official patrol vessels, unless specifically authorized by the Captain of the Port (COTP) Pittsburgh or a designated representative.

**DATES:** The regulations in 33 CFR 165.801 will be enforced with actual notice on April 5, April 19, May 10, June 26, July 19, August 9, and September 20, 2014.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice of enforcement, call or email Ronald Lipscomb, Marine Safety Unit Pittsburgh, U.S. Coast Guard, at telephone (412) 644-5808, email [Ronald.c.lipscomb1@uscg.mil](mailto:Ronald.c.lipscomb1@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the Safety Zone for the annual Pittsburgh Pirates Fireworks listed in 33 CFR 165.801 Table 1, Table No. 152; Sector Ohio Valley, No. 11 on August 22, 2012.

Under the provisions of 33 CFR 165.801, entry into the safety zone listed in Table 1, Table No. 152; Sector Ohio Valley, No. 11 is prohibited unless authorized by the Captain of the Port or a designated representative. Persons or vessels desiring to enter into or passage through the safety zone must request permission from the Captain of the Port Pittsburgh or a designated representative. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port Pittsburgh or designated representative.

This notice is issued under authority of 5 U.S.C. 552 (a); 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; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1. In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via Local Notice to Mariners and updates via Marine Information Broadcasts.

If the Captain of the Port Pittsburgh or designated representative determines that the Safety Zone need not be enforced for the full duration stated in this notice of enforcement, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.

Dated: March 18, 2014.

**L.N. Weaver,**

*Commander, U.S. Coast Guard, Captain of the Port, Pittsburgh.*

[FR Doc. 2014-08382 Filed 4-11-14; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 177

[Docket No. USCG-2013-0216]

RIN 1625-AC01

### Regulated Navigation Areas; Bars Along the Coasts of Oregon and Washington

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard finalizes regulations previously published as an interim rule on July 9, 2013. In this final rule, the Coast Guard removes the wave height and surface current provisions and regulated boating areas for bar crossing locations along the coasts of Oregon and Washington because they conflict with more recently promulgated wave height provisions and regulated boating areas for the same bar crossings. This amendment is necessary in order to remove confusion as to which safety requirements apply to recreational vessels, uninspected passenger vessels, small passenger vessels, and commercial fishing vessels when operating within the regulated navigation areas.

**DATES:** This final rule is effective May 14, 2014.

**ADDRESSES:** Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-2013-0216 and are 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. You may also find this docket on the Internet by going to <http://www.regulations.gov>, inserting USCG-2013-0216 in the "Keyword" box, and then clicking "Search."

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, email or call Mr. Burt Lahn, U.S. Coast Guard Office of Navigation Standards (CG-NAV-3), email [Burt.A.Lahn@uscg.mil](mailto:Burt.A.Lahn@uscg.mil), telephone 202-372-1526. If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

#### Table of Contents for Preamble

##### I. Abbreviations

- II. Regulatory History and Information
- III. Basis and Purpose
- IV. Discussion of the Final Rule
- V. Discussion of Comments on the Interim Rule
- VI. Regulatory Analyses
  - A. Regulatory Planning and Review
  - B. Small Entities
  - C. Assistance for Small Entities
  - D. Collection of Information
  - E. Federalism
  - F. Unfunded Mandates Reform Act
  - G. Taking of Private Property
  - H. Civil Justice Reform
  - I. Protection of Children
  - J. Indian Tribal Governments
  - K. Energy Effects
  - L. Technical Standards
  - M. Environment

##### I. Abbreviations

CFR Code of Federal Regulations  
 DHS Department of Homeland Security  
 FR Federal Register  
 NPRM Notice of Proposed Rulemaking  
 NTSB National Transportation Safety Board  
 RNA Regulated Navigation Area  
 U.S.C. United States Code

##### II. Regulatory History and Information

The bars along the coasts of Oregon and Washington are a maritime operating environment unique to the Pacific Northwest. Bars are commonly defined as areas of shallow water that lead into rivers and bays. At times, bars become extremely hazardous for vessels to navigate due to strong currents and large waves that can form when strong ocean currents pass over the bars. Until 2009, the bars along the coast of Oregon and Washington were regulated in 33 CFR Part 177. On February 12, 2009, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) in the **Federal Register** (74 FR 7022) that proposed to establish Regulated Navigation Areas (RNAs) in 33 CFR 165.1325 for bars along the coasts of Oregon and Washington. RNAs are areas of water within a defined boundary that, for reasons of safety or environmental concerns, the Coast Guard has implemented regulations on the operation of vessels permitted inside the defined area. The proposals in the NPRM were designed to help ensure the safety of persons and vessels operating on or in the vicinity of the bars. The Coast Guard subsequently published a final rule in the **Federal Register** on November 17, 2009 (74 FR 59098), adopting most of the NPRM's proposals.

Certain provisions in that 2009 final rule superseded other provisions in Part 177 that governed bar crossing along the coasts of Oregon and Washington. Specifically, 33 CFR 165.1325(a) sets forth the specific locations for the RNAs that cover the bars along the Oregon and Washington coasts, and supersedes the