

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 100****[Docket No. USCG–2011–0258]****National Maritime Week Tugboat Races, Seattle, WA****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the Special Local Regulation for the annual National Maritime Week Tugboat Races in Elliott Bay, WA from 12 p.m. until 4:30 p.m. on May 11, 2013. This action is necessary to ensure the safety of all participants and spectators from the inherent dangers associated with these types of races which includes large wakes. During the enforcement period, no person or vessel may enter or remain in the regulated area except for participants in the event, supporting personnel, vessels registered with the event organizer, and personnel or vessels authorized by the Coast Guard Patrol Commander.

**DATES:** This regulation will be enforced from 12 p.m. until 4:30 p.m. on May 11, 2013.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email Ensign Nathaniel P. Clinger, Sector Puget Sound Waterways Management Division, Coast Guard; telephone 206–217–6045, email [SectorPugetSoundWWM@uscg.mil](mailto:SectorPugetSoundWWM@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the Special Local Regulation for the annual National Maritime Week Tugboat Races, Seattle, WA listed in 33 CFR 100.1306 on May 11, 2013, from 12 p.m. until 4:30 p.m. This regulation can be found in the April 27, 1996, issue of the **Federal Register** (61 FR 16710).

A regulated area is established on that portion of Elliott Bay along the Seattle waterfront in Puget Sound bounded by a line beginning at: 47°37'36" N, 122°22'42" W; thence to 47°37'24.5" N, 122°22'58.5" W; thence to 47°36'08" N, 122°20'53" W; thence to 47°36'21" N, 122°20'31" W; thence returning to the origin. This regulated area resembles a rectangle measuring approximately 3,900 yards along the shoreline between Pier 57 and Pier 89, and extending approximately 650 yards into Elliott Bay. Temporary floating markers will be placed by the race sponsors to delineate the regulated area. [Datum: NAD 1983]

No person or vessel may enter or remain in the regulated area except for participants in the event, supporting personnel, vessels registered with the event organizer, and personnel or vessels authorized by the Coast Guard Patrol Commander.

The Coast Guard will establish a patrol consisting of active and auxiliary Coast Guard vessels and personnel in the regulated area described above. The patrol shall be under the direction of a Coast Guard officer or petty officer designated by the Captain of the Port as the Coast Guard Patrol Commander. The Patrol Commander may forbid and control the movement of vessels in this regulated area.

A succession of sharp, short blasts from whistle or horn from vessels patrolling the area under the direction of the Patrol Commander shall serve as a signal to stop. Vessels signaled shall stop and comply with the orders of the patrol vessel. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 100.1306 and 5 U.S.C. 552 (a).

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

Dated: April 24, 2013.

**S.J. Ferguson,**

*Captain, U.S. Coast Guard, Captain of the Port, Puget Sound.*

[FR Doc. 2013–10958 Filed 5–8–13; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165****[Docket No. USCG–2013–0103]****Safety Zones; Annual Events in the Captain of the Port Detroit Zone****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce various safety zones for annual marine events in the Captain of the Port Detroit zone from May 24, 2013, through August 31, 2013. Enforcement of these zones is necessary and intended to ensure the safety of life on the navigable

waters immediately prior to, during, and immediately after certain fireworks events. During the aforementioned period, the Coast Guard will enforce restrictions upon, and control movement of, vessels in a specified area immediately prior to, during, and immediately after certain fireworks events. During the enforcement period, no person or vessel may enter any safety zone without permission of the Captain of the Port.

**DATES:** The regulations in this notice of enforcement will be enforced at the dates and times listed below.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email LTJG Benjamin Nessia, Waterways Branch Chief, Marine Safety Unit Toledo, 420 Madison Ave., Suite 700, Toledo, Oh, 43604; telephone (419) 418–6040; email [Benjamin.B.Nessia@uscg.mil](mailto:Benjamin.B.Nessia@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zones listed in 33 CFR 165.941, Safety Zones; Annual Events in the Captain of the Port Detroit Zone, at the following times for the following events:

(1) *Put-In-Bay Fourth of July Fireworks, Put-In-Bay, OH.* The safety zone listed in 33 CFR 165.941(a)(5) will be enforced from 9:45 p.m. until 10:15 p.m. on July 4, 2013. In case of inclement weather on July 4, 2013, this safety zone will be enforced from 9:45 p.m. until 10:15 p.m. on July 5, 2013.

(2) *Toledo Country Club Memorial Celebration and Fireworks, Toledo, OH.* The safety zone listed in 33 CFR 165.941(a)(15) will be enforced from 9:30 p.m. until 10:30 p.m. on May 24, 2013.

(3) *Luna Pier Fireworks Show, Luna Pier, MI.* The safety zone listed in 33 CFR 165.941(a)(16) will be enforced from 9:30 p.m. until 10:30 p.m. on July 6, 2013.

(4) *Toledo Country Club 4th of July Fireworks, Toledo, OH.* The safety zone listed in 33 CFR 165.941(a)(17) will be enforced from 9:30 p.m. to 10:30 p.m. on June 28, 2013.

(5) *Catawba Island Club Fireworks, Catawba Island, OH.* The safety zone listed in 33 CFR 165.941(a)(21) will be enforced from 9:45 p.m. to 10:15 p.m. on July 3, 2013. In the event of inclement weather on July 3, 2013, this regulation will be enforced from 9:45 p.m. to 10:15 p.m. on July 5, 2013.

(6) *Catawba Island Club Fireworks, Catawba Island, OH.* The safety zone listed in 33 CFR 165.941(a)(28) will be enforced from 9:10 p.m. to 9:40 p.m. on August 31, 2013.

(7) *Toledo 4th of July Fireworks, Toledo, OH.* The safety zone listed in 33

CFR 165.941(a)(54) will be enforced from 9:30 p.m. to 10:00 p.m. on July 4, 2013.

(8) *Bay Point Fireworks Display, Marblehead, OH.* The safety zone listed in 33 CFR 165.941(a)(58) will be enforced from 10:00 p.m. to 10:20 p.m. on July 6, 2013.

(9) *Lakeside July 4th Fireworks, Lakeside, OH.* The safety zone listed in 33 CFR 165.941(a)(20) will be enforced from 9:45 p.m. to 10:30 p.m. on July 4, 2013.

(10) *Lakeside Labor Day Fireworks, Lakeside, OH.* The safety zone listed in 33 CFR 165.941(a)(27) will be enforced from 9:45 p.m. to 10:30 p.m. on August 31, 2013.

(11) *Catawba Island Club Memorial Day Fireworks, Catawba Island, OH.* The safety zone listed in 33 CFR 165.941 (a)(56) will be enforced from 9:45 p.m. to 10:15 p.m. on May 26, 2013.

(12) *Washington Township Summerfest Fireworks, Toledo, OH.* The safety zone listed in 33 CFR 165.941 (a)(2) will be enforced from 9:00 p.m. to 10:45 p.m. on June 22, 2013

Under the provisions of 33 CFR 165.23, entry into, transiting, or anchoring within these safety zones during an enforcement period is prohibited unless authorized by the Captain of the Port Detroit or his designated representative. Vessels that wish to transit through a safety zone may request permission from the Captain of the Port Detroit or his designated representative. Requests must be made in advance and approved by the Captain of Port Detroit before transits will be authorized. Approvals will be granted on a case by case basis. The Captain of the Port Detroit may be contacted via U.S. Coast Guard Sector Detroit on channel 16, VHF-FM. The Coast Guard will give notice to the public via a Broadcast to Mariners that the regulation is in effect.

This notice is issued under authority of 33 CFR 165.23 and 5 U.S.C. 552(a). If the Captain of the Port Detroit determines that the enforcement of these safety zones need not occur as stated in this notice, he or she may suspend such enforcement and notify the public of the suspension via a Broadcast Notice to Mariners.

Dated: April 12, 2013.

**J.E. Ogden,**

*Captain, U.S. Coast Guard, Captain of the Port Detroit.*

[FR Doc. 2013-10961 Filed 5-8-13; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2013-0323]

RIN 1625-AA00

#### Safety Zone; High Water Conditions; Illinois River

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the Illinois River from Mile Marker 187.2 to Mile Marker 285.9. This zone is intended to place restrictions on vessels due to current extreme high-water conditions. This safety zone is necessary to protect the general public, levee systems, vessels, and tows from the hazards associated with flood waters and potential catastrophic failure of the Marseilles Dam.

**DATES:** This rule will be enforced with actual notice from April 26, 2013, until May 9, 2013. This rule is effective in the Code of Federal Regulations from May 9, 2013 until May 31, 2013.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket USCG-2013-0323 and are available online at [www.regulations.gov](http://www.regulations.gov). This material is also available for inspection or copying at two locations: 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 and the U.S. Coast Guard Sector Lake Michigan, 2420 South Lincoln Memorial Drive, Milwaukee, WI 53207, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, contact MST1 Joseph McCollum, Prevention Department, Coast Guard Sector Lake Michigan, Milwaukee, WI at (414) 747-7148 or by email at [Joseph.P.McCollum@USCG.mil](mailto:Joseph.P.McCollum@USCG.mil). 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

TFR Temporary Final Rule

#### A. Regulatory History and Information

On April 18, 2013, in light of dangerously high water conditions, the Coast Guard established a safety zone on the Illinois River from Mile Marker 187.2 to Mile Marker 285.9 (see USCG-2013-0323 docket for a copy of the previous regulation). The safety zone restricted recreational and commercial vessel transits in the zone without the permission of the Captain of the Port Lake Michigan. The safety zone has been effective and enforced since April 18, 2013 and expires on April 30, 2013.

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 because doing so would be impracticable. The Coast Guard is issuing this rule in response to an immediate and emergency situation which involves river flooding—an act of nature. Thus, delaying the effective date of this rule to wait for a comment period to run would be impracticable because it would inhibit the Coast Guard’s ability to protect persons and vessels from the hazards, which are discussed further below, associated with extreme high water on the Illinois River.

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**. For the same reasons discussed in the preceding paragraph, waiting for 30 day notice period to run would be impracticable and contrary to the public interest.

#### B. Basis and Purpose

The legal basis for the rule is the Coast Guard’s authority to establish regulated navigation areas and limited access areas: 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, 160.5; Public Law 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

Heavy and extended periods of rain during the first half of the month of April have resulted in dangerously high