

TABLE TO § 165.506—Continued

[All coordinates listed in the Table to § 165.506 reference Datum NAD 1983]

No.	Date	Location	Regulated area
8. ....	July 4th .....	Neuse River, New Bern, NC; Safety Zone .....	All waters of the Neuse River within a 360 yard radius of the fireworks barge in approximate position latitude 35°06'07.1" N., longitude 077°01'35.8" W.; located 420 yards north of the New Bern, Twin Span, high-rise bridge.
9. ....	July 4th .....	Edenton Bay, Edenton, NC; Safety Zone .....	All waters within a 300 yard radius of position latitude 36°03'04" N., longitude 076°36'18" W., approximately 150 yards south of the entrance to Queen Anne Creek, Edenton, NC.
10. ....	July 4th November—Saturday following Thanksgiving Day.	Motts Channel, Banks Channel, Wrightsville Beach, NC; Safety Zone.	All waters of Motts Channel within a 500 yard radius of the fireworks launch site in approximate position latitude 34°12'29" N., longitude 077°48'27" W., approximately 560 yards south of Sea Path Marina, Wrightsville Beach, NC.
11. ....	July 4th .....	Cape Fear River, Southport, NC; Safety Zone .....	All waters of the Cape Fear River within a 600 yard radius of the fireworks barge in approximate position latitude 33°54'40" N., longitude 078°01'18" W., approximately 700 yards south of the waterfront at Southport, NC.
12. ....	July 4th .....	Big Foot Slough, Ocracoke, NC; Safety Zone .....	All waters of Big Foot Slough within a 300 yard radius of the fireworks launch site in approximate position latitude 35°06'54" N., longitude 075°59'24" W., approximately 100 yards west of the Silver Lake Entrance Channel at Ocracoke, NC.
13. ....	August—1st Tuesday .....	New River, Jacksonville, NC; Safety Zone .....	All waters of the New River within a 300 yard radius of the fireworks launch site in approximate position latitude 34°44'45" N., longitude 077°26'18" W., approximately one half mile south of the Hwy 17 Bridge, Jacksonville, North Carolina.
14. ....	July 4th .....	Pantego Creek, Belhaven, NC; Safety Zone .....	All waters on the Pantego Creek within a 600 foot radius of the launch site on land at position 35°32'35" N., 076°37'46" W.
15. ....	July 4th .....	Atlantic Intracoastal Waterway, Swansboro, NC; Safety Zone.	All waters of the Atlantic Intracoastal Waterway within a 300 yard radius of approximate position latitude 34°41'02" N., longitude 077°07'04" W., located on Pelican Island.
16. ....	September—4th or last Saturday.	Shallowbag Bay, Manteo, NC; Safety Zone .....	All waters of Shallowbag Bay within a 200 yard radius of a fireworks barge anchored at latitude 35°54'31" N., longitude 075°39'42" W.
17. ....	May—3rd Saturday .....	Pasquotank River; Elizabeth City, NC; Safety Zone	All waters of the Pasquotank River within a 300 yard radius of the fireworks barge at latitude 36°17'47" N., longitude 076°12'17" W., located north of Cottage Point at the shoreline of the Pasquotank River.
18. ....	October—2nd Saturday ...	Atlantic Intracoastal Waterway; Bogue Inlet, Swansboro, NC; Safety Zone.	All waters of the Atlantic Intracoastal Waterway within a 300 yard radius of the fireworks launch site at latitude 34°41'02" N., longitude 077°07'04" W., located at Bogue Inlet, near Swansboro, NC.

Dated: April 3, 2015.

**Stephen P. Metruck,***Rear Admiral, U.S. Coast Guard, Commander,  
Fifth Coast Guard District.*

[FR Doc. 2015-08756 Filed 4-15-15; 8:45 am]

BILLING CODE 9110-04-P

**DEPARTMENT OF HOMELAND  
SECURITY****Coast Guard****33 CFR Part 117****[Docket No. USCG-2014-0213]****RIN 1625-AA09****Drawbridge Operation Regulation;  
Coquille River, Bandon, OR****AGENCY:** Coast Guard, DHS.**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is changing the operating schedule that governs the U.S. 101 highway drawbridge also known as Bullard's Drawbridge, near Bandon, Oregon. The change will allow the drawbridge to permanently remain in the closed-to-navigation position, no longer opening for vessel traffic. While there is vessel traffic on this waterway, no one has requested a drawbridge opening since 1998. Oregon Department of Transportation (ODOT) owns the bridge and requested to update the operating schedule accordingly.

**DATES:** This rule is effective May 18, 2015.

**ADDRESSES:** Documents mentioned in this preamble are part of docket USCG–2014–0213. 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 Steven M. Fischer, Bridge Administrator, Thirteenth Coast Guard District Bridge Program Office, telephone 206–220–7282; email [d13-bridges@uscg.mil](mailto:d13-bridges@uscg.mil). 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 Acronyms**

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
§ Section Symbol  
U.S.C. United States Code

#### **A. Regulatory History and Information**

On December 22, 2014, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) entitled “Drawbridge Operation Regulation; Coquille River, Coos Bay, OR” in the **Federal Register** (79 FR 76249). We received four comments on the proposed rule but these comments did not address the substance of this rulemaking. No public meeting was requested, and none was held.

#### **B. Basis and Purpose**

ODOT owns and operates the US 101 Highway Bridge also known as Bullard’s Drawbridge on the Coquille River in Bandon, Oregon. ODOT requested that the drawbridge regulation be amended to allow the bridge to remain in the permanently closed-to-navigation position. ODOT provided the Coast Guard with bridge logs which indicated no request for bridge openings have been received since 1998.

The Coast Guard believes this rule change is reasonable, and will continue to meet the present and future needs of navigation. Based on the records provided by ODOT to the Coast Guard, it is expected that the new rule will

have no known impact to navigation or other waterway users.

US 101 Highway Bridge, in the closed-to-navigation position, provides 28.1 feet of vertical clearance at mean high water and 35 feet at low water.

#### **C. Discussion of Proposed Rule**

The operating regulations at 33 CFR 117.875 will change the operation of the US 101 Highway Bridge, also known as Bullard’s Drawbridge, on the Coquille River in Bandon, Oregon such that it will not be required to open for marine traffic at any time. The change was requested by ODOT, the owner of the bridge, because there have not been any request to open for marine traffic since 1998.

#### **D. Regulatory Analyses**

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes or executive orders.

##### *1. Regulatory Planning and Review*

This rule is not a “significant regulatory action” under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. The Coast Guard bases this finding on the fact that the bridge has remained in the closed position for the last 16 years without any impacts to waterway users.

##### *2. Impact on Small Entities*

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rule. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. The Coast Guard received no comments on the NPRM for this rule and there is no indication that any small entities will be affected by this rule since the bridge has remained in the

closed position for the last 16 years without any impacts to waterway users.

##### *3. Assistance for Small Entities*

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

##### *4. Collection of Information*

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

##### *5. Federalism*

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

##### *6. Protest Activities*

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the “For Further Information Contact” section to 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 expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### 8. Taking of Private Property

This rule would 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 would not create an environmental risk to health or risk to safety that might 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 would 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 rule 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 M16475.1D, which guides the Coast Guard in complying with the National

Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule simply promulgates the operating regulations or procedures for drawbridges. This rule is categorically excluded, under figure 2–1, paragraph (32)(e), of the Instruction.

Under figure 2–1, paragraph (32)(e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

#### List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

- 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

- 2. Revise § 117.875 to read as follows:

#### § 117.875 Coquille River.

The draws of the US 101 highway bridge, mile 3.5 at Bandon, Oregon, need not be opened for the passage of vessels; however, the draws shall be restored to operable condition within 6 months after notification by the District Commander to do so.

Dated: April 2, 2015.

**R.T. Gromlich,**

*Rear Admiral, U.S. Coast Guard, Commander, Thirteenth Coast Guard District.*

[FR Doc. 2015–08757 Filed 4–15–15; 8:45 am]

**BILLING CODE 9110–04–P**

#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2015–0236]

RIN 1625–AA00

#### Safety Zone; Sabine River, Orange, TX

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the navigable waters of the Sabine River in Orange, TX in support of Deep South Racing Association boat races. This

temporary safety zone is necessary to protect the surrounding public and vessels from the hazards associated with a boat race competition. Persons and vessels are prohibited from entering into, transiting through, or anchoring within this safety zone unless authorized by the Captain of the Port or his designated representative.

**DATES:** This rule is effective on May 30 and 31, 2015. This rule will be enforced from 8:30 a.m. until 6:00 p.m. on May 30 and May 31, 2015.

**ADDRESSES:** Documents mentioned in this preamble are part of docket [USCG–2015–0236]. 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 Mr. Scott Whalen, U.S. Coast Guard MSU Port Arthur, (409) 719–5086 or email, [scott.k.whelen@uscg.mil](mailto:scott.k.whelen@uscg.mil). 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 Acronyms

BNM Broadcast Notices to Mariners  
DSRA Deep South Racing Association  
DHS Department of Homeland Security  
FR Federal Register  
LNM Local Notice to Mariners  
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) 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 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 March 16, 2015 that this event is planned to take