

(d) The Director may, at any time within the period prescribed for a suspension or temporary prohibition issued pursuant to paragraph (b)(2) of this section, require the lessee to submit a Delineation, Testing, or Mining Plan to the Bureau of Ocean Energy Management for approval in accordance with the requirements for the approval of such plans in part 582 of this title.

(e) * * *

(2) When the Director determines that measures are necessary, on the basis of the results of the studies conducted in accordance with paragraph (e)(1) of this section and other information available to and identified by the Director, the lessee will be required to take appropriate measures to mitigate, avoid, or minimize the damage or potential damage on which the suspension or temporary prohibition is based. In choosing between alternative mitigation measures, the Director will balance the cost of the required measures against the reduction or potential reduction in damage or threat of damage or harm to life (including fish and other aquatic life), to property, to any mineral deposits (in areas leased or not leased), to the National security or defense, or to the marine, coastal, or human environment. When deemed appropriate by the Director, the lessee must submit to the Bureau of Ocean Energy Management a revised Delineation, Testing, or Mining Plan that incorporates the mitigation measures required by the Director.

* * * * *

§ 282.14 [Amended]

■ 82. Amend § 282.14(c) by revising “\$10,000” to read “\$40,000”.

§ 282.27 [Amended]

■ 83. Revise § 282.27(d)(2) to read as follows:

§ 282.27 Conduct of operations.

* * * * *

(d) * * *

(2) A lessee shall, on request by the Director, furnish food, quarters, and transportation for BSEE representatives to inspect its facilities. Upon request, you will be reimbursed by BSEE for the actual costs that you incur as a result of providing transportation to BSEE representatives. In addition, you will be reimbursed for the actual costs that you incur for providing food and quarters for a BSEE representative's stay of more than 12 hours. You must submit an invoice for reimbursement within 90 days of the inspection.

* * * * *

PART 290—APPEAL PROCEDURES

■ 84. Revise the authority citation for part 290 to read as follows:

Authority: 5 U.S.C. 305; 43 U.S.C. 1334.

■ 85. Revise § 290.4(b)(1) to read as follows:

§ 290.4 How do I file an appeal?

* * * * *

(b) * * *

(1) You must pay electronically through the Fees for Services page on the BSEE Web site at <http://www.bsee.gov>, and you must include a copy of the Pay.gov confirmation receipt page with your Notice of Appeal.

* * * * *

PART 291—OPEN AND NONDISCRIMINATORY ACCESS TO OIL AND GAS PIPELINES UNDER THE OUTER CONTINENTAL SHELF LANDS ACT

■ 86. The authority citation for part 291 continues to read as follows:

Authority: 31 U.S.C. 9701, 43 U.S.C. 1334.

■ 87. Amend part 291, in §§ 291.103 introductory text, 291.106(a), 291.107(a) and (b)(1), and 291.109(a)(1) and (b), by revising “Office of Policy Analysis” to read “Office of Policy and Analysis”.

§ 291.1 [Amended]

■ 88. Amend § 291.1 in paragraph (a), by removing “1010–0172” and adding in its place “1014–0012” and in paragraph (e), by removing “381 Elden Street, Herndon, VA 20170” and adding in its place “45600 Woodland Road, Sterling, VA 20166”.

§ 291.107 [Amended]

■ 89. Amend § 291.107, paragraph (b)(1), by removing “(202)–208–3530;” and adding in its place “(202) 208–1901;”.

■ 90. Amend § 291.108 by revising paragraph (a) to read as follows:

§ 291.108 How do I pay the processing fee?

(a) You must pay the processing fee electronically through the Fees for Services page on the BSEE Web site at <http://www.bsee.gov>, and you must include a copy of the Pay.gov confirmation receipt page with your complaint.

* * * * *

[FR Doc. 2016–12487 Filed 6–3–16; 8:45 am]

BILLING CODE 4310–VH–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 100 and 165

[Docket No. USCG–2015–1052]

RIN 1625–AA08; AA00

Special Local Regulations and Safety Zones; Recurring Marine Events Held in the Coast Guard Sector Northern New England Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is updating the special local regulations and permanent safety zones in the Coast Guard Sector Northern New England Captain of the Port Zone for annual recurring marine events. When enforced, these special local regulations and safety zones will restrict vessels from portions of water areas during certain annually recurring events. The special local regulations and safety zones are intended to expedite public notification and ensure the protection of the maritime public and event participants from the hazards associated with certain maritime events.

DATES: This rule is effective June 6, 2016.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG–USCG–2015–1052 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rulemaking, call or email Chief Marine Science Technician Chris Bains, Waterways Management Division at Coast Guard Sector Northern New England, telephone (207) 347–5003, or email Chris.D.Bains@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
§ Section
SLR Special Local Regulation
U.S.C. United States Code
COTP Captain of the Port

II. Background Information and Regulatory History

On February 25, 2016, the Coast Guard published an NPRM in the **Federal Register** titled Special Local

Regulations and Safety Zone; Recurring Marine Events Held in the Coast Guard Sector Northern New England Captain of the Port Zone, 81 FR 9380, proposing to update SLR and safety zones. There we stated why we issued the NPRM, and invited comments on our proposed regulatory action. No public comments or request for a public meeting were received during the NPRM process. Swim events, fireworks displays, and marine events are held on an annual recurring basis on the navigable waters within the Coast Guard Sector Northern New England COTP Zone. In the past, the Coast Guard has established special local regulations, regulated areas, and safety zones for these annual recurring events on a case by case basis to ensure the protection of the maritime public and event participants from the hazards associated with these events. In the past year, events were assessed for their likelihood to recur in subsequent years or to discontinue, and were added to or deleted from the tables accordingly. In addition, minor changes to existing events were made to ensure the accuracy of event details.

The purpose of this rulemaking is to reduce administrative overhead, expedite public notification of events, and ensure the protection of the maritime public during marine events in the Sector Northern New England area.

We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. The comment period for the NPRM associated with the Special Local Regulations and Safety Zone; Recurring Marine Events Held in the Coast Guard Sector Northern New England Captain of the Port Zone expired on April 25, 2016. The first events are scheduled to occur June 18, 2016. Thus, there is now insufficient time for a 30 day effective period before the need to enforce this safety zone and SLR. Delaying the enforcement of this safety zone and SLR to allow a 30 day effective period will be impracticable and contrary to the public interest because it would inhibit the Coast Guard's ability to fulfill its mission to keep the ports and waterways safe.

III. Legal Authority and Need for Rule

The Coast Guard issues this rulemaking under authority in 33 U.S.C. 1231. This rule will update the tables of annual recurring events in the existing regulation for the Coast Guard Sector Northern New England COTP Zone. The tables provide the event name, sponsor, and type, as well as approximate times, dates, and locations of the events.

Advanced public notification of specific times, dates, regulated areas, and enforcement periods for each event will be provided through appropriate means, which may include, the Local Notice to Mariners, Broadcast Notice to Mariners, and a Notice of Enforcement published in the **Federal Register** at least 30 days prior to the event date. If an event does not have a date and time listed in this regulation, then the precise dates and times of the enforcement period for that event will be announced through a Local Notice to Mariners and, if time permits, a Notice of Enforcement in the **Federal Register**.

IV. Discussion of Comments, Changes to the Rule

As noted above, we received no comments to the NPRM published February 25, 2016. The single change from the NPRM is the addition of dates to the Lake Champlain Dragon Boat Race held in Burlington, VT. The Coast Guard has added two dates in July, as well as an additional date in August to the table of Special Local regulations in 33 CFR 100.120

V. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders (Executive Orders) related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive Orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, the final rule has not been reviewed by the Office of Management and Budget.

We expect the economic impact of this rule to be minimal. Although this regulation may have some impact on the public, the potential impact will be minimized for the following reason: the Coast Guard is only modifying an existing regulation to account for new information.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 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 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.

While some owners or operators of vessels intending to transit the regulated waters may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 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** section. 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.

C. Collection of Information

This rule would not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

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 is consistent with the fundamental federalism

principles and preemption requirements described in Executive Order. 13132.

Also, 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. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. 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 would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. 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 (42 U.S.C. 4321–4370f), and have made a preliminary determination 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 water activities including swimming events and fireworks displays. They maybe categorically excluded from further review under paragraph 34(g)(Safety Zones) and (34)(h)(Special Local Regulations) of Figure 2–1 of Commandant Instruction M16475.ID. A preliminary environmental analysis checklist supporting this is available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

G. 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.

List of Subjects

33 CFR Part 100

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

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 parts 100 and 165 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233.

■ 2. In § 100.120, revise the table to read as follows:

§ 100.120 Special Local Regulations; Marine Events Held in the Coast Guard Sector Northern New England Captain of the Port Zone.

* * * * *

TABLE TO § 100.120

5.0	May occur May through September
5.1 Tall Ships Visiting Portsmouth	• Event Type: Regatta and Boat Parade. • Sponsor: Portsmouth Maritime Commission, Inc. • Date: A four day event from Friday through Monday.¹ • Time (Approximate): 9:00 a.m. to 8:00 p.m. each day. • Location: The regulated area includes all waters of Portsmouth Harbor, New Hampshire in the vicinity of Castle Island within the following points (NAD 83): 43°03'11" N., 070°42'26" W. 43°03'18" N., 070°41'51" W. 43°04'42" N., 070°42'11" W. 43°04'28" N., 070°44'12" W. 43°05'36" N., 070°45'56" W. 43°05'29" N., 070°46'09" W. 43°04'19" N., 070°44'16" W. 43°04'22" N., 070°42'33" W.
6.0	JUNE
6.1 Bar Harbor Blessing of the Fleet	• Event Type: Regatta and Boat Parade. • Sponsor: Town of Bar Harbor, Maine. • Date: A one day event between the 15th of May and the 15th of June.¹ • Time (Approximate): 12:00 p.m. to 1:30 p.m. • Location: The regulated area includes all waters of Bar Harbor, Maine within the following points (NAD 83): 44°23'32" N., 068°12'19" W. 44°23'30" N., 068°12'00" W. 44°23'37" N., 068°12'00" W. 44°23'35" N., 068°12'19" W.
6.2 Charlie Begin Memorial Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Boothbay Harbor Lobster Boat Race Committee.

TABLE TO § 100.120—Continued

	• Date: A one day event in June.¹ • Time (Approximate): 10:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Boothbay Harbor, Maine in the vicinity of John's Island within the following points (NAD 83): 43°50'04" N., 069°38'37" W. 43°50'54" N., 069°38'06" W. 43°50'49" N., 069°37'50" W. 43°50'00" N., 069°38'20" W.
6.3 Rockland Harbor Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Rockland Harbor Lobster Boat Race Committee. • Date: A one day event in June.¹ • Time (Approximate): 9:00 a.m. to 5:00 p.m. • Location: The regulated area includes all waters of Rockland Harbor, Maine in the vicinity of the Rockland Breakwater Light within the following points (NAD 83): 44°05'59" N., 069°04'53" W. 44°06'43" N., 069°05'25" W. 44°06'50" N., 069°05'05" W. 44°06'05" N., 069°04'34" W.
6.4 Windjammer Days Parade of Ships	• Event Type: Tall Ship Parade. • Sponsor: Boothbay Region Chamber of Commerce. • Date: A one day event in June.¹ • Time (Approximate): 12:00 p.m. to 5:00 p.m. • Location: The regulated area includes all waters of Boothbay Harbor, Maine in the vicinity of Tumbler's Island within the following points (NAD 83): 43°51'02" N., 069°37'33" W. 43°50'47" N., 069°37'31" W. 43°50'23" N., 069°37'57" W. 43°50'01" N., 069°37'45" W. 43°50'01" N., 069°38'31" W. 43°50'25" N., 069°38'25" W. 43°50'49" N., 069°37'45" W.
6.5 Bass Harbor Blessing of the Fleet Lobster Boat Race.	• Event Type: Power Boat Race. • Sponsor: Tremont Congregational Church. • Date: A one day event in June.¹ • Time (Approximate): 10:00 a.m. to 2:00 p.m. • Location: The regulated area includes all waters of Bass Harbor, Maine in the vicinity of Lopaus Point within the following points (NAD 83): 44°13'28" N., 068°21'59" W. 44°13'20" N., 068°21'40" W. 44°14'05" N., 068°20'55" W. 44°14'12" N., 068°21'14" W.
6.6 Long Island Lobster Boat Race	• Event Type: Power Boat Race. • Sponsor: Long Island Lobster Boat Race Committee. • Date: A one day event in June.¹ • Time (Approximate): 10:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Casco Bay, Maine in the vicinity of Great Ledge Cove and Dorseys Cove off the northwest coast of Long Island, Maine within the following points (NAD 83): 43°41'59" N., 070°08'59" W. 43°42'04" N., 070°09'10" W. 43°41'41" N., 070°09'38" W. 43°41'36" N., 070°09'30" W.
7.0	JULY
7.1 Burlington 3rd of July Air Show	• Event Type: Air Show. • Sponsor: Dan Marcotte Airshows. • Date: A one day event held near July 4th.¹ • Time (Approximate): 8:30 p.m. to 9:00 p.m. • Location: The regulated area includes all waters of Lake Champlain, Burlington, VT within the following points (NAD 83): 44°28'51" N., 073°14'21" W. 44°28'57" N., 073°13'41" W. 44°28'05" N., 073°13'26" W. 44°27'59" N., 073°14'03" W.

TABLE TO § 100.120—Continued

7.2 Moosabec Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Moosabec Boat Race Committee. • Date: A one day event held near July 4th.¹ • Time (Approximate): 10:00 a.m. to 12:30 p.m. • Location: The regulated area includes all waters of Jonesport, Maine within the following points (NAD 83): 44°31'21" N., 067°36'44" W. 44°31'36" N., 067°36'47" W. 44°31'44" N., 067°35'36" W. 44°31'29" N., 067°35'33" W.
7.3 The Great Race	• Event Type: Rowing and Paddling Boat Race. • Sponsor: Franklin County Chamber of Commerce. • Date: A one day event on a Sunday between the 15th of August and the 15th of September.¹ • Time (Approximate): 10:00 a.m. to 12:30 p.m. • Location: The regulated area includes all waters of Lake Champlain in the vicinity of Saint Albans Bay within the following points (NAD 83): 44°47'18" N., 073°10'27" W. 44°47'10" N., 073°08'51" W.
7.4 Searsport Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Searsport Lobster Boat Race Committee. • Date: A one day in July.¹ • Time (Approximate): 9:00 a.m. to 4:00 p.m. • Location: The regulated area includes all waters of Searsport Harbor, Maine within the following points (NAD 83): 44°26'50" N., 068°55'20" W. 44°27'04" N., 068°55'26" W. 44°27'12" N., 068°54'35" W. 44°26'59" N., 068°54'29" W.
7.5 Stonington Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Stonington Lobster Boat Race Committee. • Date: A one day event in July.¹ • Time (Approximate): 8:00 a.m. to 3:30 p.m. • Location: The regulated area includes all waters of Stonington, Maine within the following points (NAD 83): 44°08'55" N., 068°40'12" W. 44°09'00" N., 068°40'15" W. 44°09'11" N., 068°39'42" W. 44°09'07" N., 068°39'39" W.
7.6 Mayor's Cup Regatta	• Event Type: Sailboat Parade. • Sponsor: Plattsburgh Sunrise Rotary. • Date: A one day event in July.¹ • Time (Approximate): 10:00 a.m. to 4:00 p.m. • Location: The regulated area includes all waters of Cumberland Bay on Lake Champlain in the vicinity of Plattsburgh, New York within the following points (NAD 83): 44°41'26" N., 073°23'46" W. 44°40'19" N., 073°24'40" W. 44°42'01" N., 073°25'22" W.
7.7 The Challenge Race	• Event Type: Rowing and Paddling Boat Race. • Sponsor: Lake Champlain Maritime Museum. • Date: A one day event in July.¹ • Time (Approximate): 11:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Lake Champlain in the vicinity of Button Bay State Park within the following points (NAD 83): 44°12'25" N., 073°22'32" W. 44°12'00" N., 073°21'42" W. 44°12'19" N., 073°21'25" W. 44°13'16" N., 073°21'36" W.
7.8 Yarmouth Clam Festival Paddle Race	• Event Type: Rowing and Paddling Boat Race. • Sponsor: Maine Island Trail Association. • Date: A one day event in July.¹ • Time (Approximate): 8:00 a.m. to 4:00 p.m. • Location: The regulated area includes all waters in the vicinity of the Royal River outlet and Lane's Island within the following points (NAD 83): 43°47'47" N., 070°08'40" W.

TABLE TO § 100.120—Continued

	43°47'50" N, 070°07'13" W. 43°47'06" N, 070°07'32" W. 43°47'17" N, 070°08'25" W.
7.9 Maine Windjammer Lighthouse Parade	• Event Type: Wooden Boat Parade. • Sponsor: Maine Windjammer Association. • Date: A one day event in July.¹ • Time (Approximate): 1:00 p.m. to 3:00 p.m. • Location: The regulated area includes all waters of Rockland Harbor, Maine in the vicinity of the Rockland Harbor Breakwater within the following points (NAD 83): 44°06'14" N., 069°03'48" W. 44°05'50" N., 069°03'47" W. 44°06'14" N., 069°05'37" W. 44°05'50" N., 069°05'37" W.
7.10 Friendship Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Friendship Lobster Boat Race Committee. • Date: A one day event during a weekend between the 15th of July and the 15th of August.¹ • Time (Approximate): 9:30 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Friendship Harbor, Maine within the following points (NAD 83): 43°57'51" N., 069°20'46" W. 43°58'14" N., 069°19'53" W. 43°58'19" N., 069°20'01" W. 43°58'00" N., 069°20'46" W.
7.11 Harpswell Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Harpswell Lobster Boat Race Committee. • Date: A one day event between the 15th of July and the 15th of August.¹ • Time (Approximate): 10:00 a.m. to 3:00 p.m. • Location: The regulated area includes waters of Middle Bay near Harpswell, Maine within the following points (NAD 83): 43°44'15" N., 070°02'06" W. 43°44'59" N., 070°01'21" W. 43°44'51" N., 070°01'05" W. 43°44'06" N., 070°01'49" W.
8.0	AUGUST
8.1 Eggemoggin Reach Regatta	• Event Type: Wooden Boat Parade. • Sponsor: Rockport Marine, Inc. and Brookline Boat Yard. • Date: A one day event on a Saturday between the 15th of July and the 15th of August.¹ • Time (Approximate): 11:00 a.m. to 7:00 p.m. • Location: The regulated area includes all waters of Eggemoggin Reach and Jericho Bay in the vicinity of Naskeag Harbor, Maine within the following points (NAD 83): 44°15'16" N., 068°36'26" W. 44°12'41" N., 068°29'26" W. 44°07'38" N., 068°31'30" W. 44°12'54" N., 068°33'46" W.
8.2 Southport Rowgatta Rowing and Paddling Boat Race	• Event Type: Rowing and Paddling Boat Race. • Sponsor: Boothbay Region YMCA. • Date: A one day event in August.¹ • Time (Approximate): 8:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Sheepscot Bay and Boothbay, on the shore side of Southport Island, Maine within the following points (NAD 83): 43°50'26" N., 069°39'10" W. 43°49'10" N., 069°38'35" W. 43°46'53" N., 069°39'06" W. 43°46'50" N., 069°39'32" W. 43°49'07" N., 069°41'43" W. 43°50'19" N., 069°41'14" W. 43°51'11" N., 069°40'06" W.
8.3 Winter Harbor Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Winter Harbor Chamber of Commerce. • Date: A one day event in August.¹ • Time (Approximate): 9:00 a.m. to 3:00 p.m.

TABLE TO § 100.120—Continued

	• Location: The regulated area includes all waters of Winter Harbor, Maine within the following points (NAD 83): 44°22'06" N., 068°05'13" W. 44°23'06" N., 068°05'08" W. 44°23'04" N., 068°04'37" W. 44°22'05" N., 068°04'44" W.
8.4 Lake Champlain Dragon Boat Festival	• Event Type: Rowing and Paddling Boat Race. • Sponsor: Dragonheart Vermont. • Date: A two day event held in July and a two day event in August. • Time (Approximate): 8:00 a.m. to 6:00 p.m. • Location: The regulated area includes all waters of Burlington Bay within the following points (NAD 83): 44°28'49" N., 073°13'22" W. 44°28'41" N., 073°13'36" W. 44°28'28" N., 073°13'31" W. 44°28'38" N., 073°13'18" W.
8.5 Merritt Brackett Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Town of Bristol, Maine. • Date: A one day event in August.¹ • Time (Approximate): 10:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Pemaquid Harbor, Maine within the following points (NAD 83): 43°52'16" N., 069°32'10" W. 43°52'41" N., 069°31'43" W. 43°52'35" N., 069°31'29" W. 43°52'09" N., 069°31'56" W.
8.6 Multiple Sclerosis Regatta	• Event Type: Regatta and Sailboat Race. • Sponsor: Maine Chapter, Multiple Sclerosis Society. • Date: A one day event in August.¹ • Time (Approximate): 10:00 a.m. to 4:00 p.m. • Location: The regulated area for the start of the race includes all waters of Casco Bay, Maine in the vicinity of Peaks Island within the following points (NAD 83): 43°40'24" N., 070°14'20" W. 43°40'36" N., 070°13'56" W. 43°39'58" N., 070°13'21" W. 43°39'46" N., 070°13'51" W.
8.7 Multiple Sclerosis Harborfest Lobster Boat/Tugboat Races	• Event Type: Power Boat Race. • Sponsor: Maine Chapter, National Multiple Sclerosis Society. • Date: A one day event in August.¹ • Time (Approximate): 10:00 a.m. to 3:00 p.m. • Location: The regulated area includes all waters of Portland Harbor, Maine in the vicinity of Maine State Pier within the following points (NAD 83): 43°40'25" N., 070°14'21" W. 43°40'36" N., 070°13'56" W. 43°39'58" N., 070°13'21" W. 43°39'47" N., 070°13'51" W.
9.0	SEPTEMBER
9.1 Pirates Festival Lobster Boat Races	• Event Type: Power Boat Race. • Sponsor: Eastport Pirates Festival. • Date: A one day event in September.¹ • Time (Approximate): 11:00 a.m. to 6:00 p.m. • Location: The regulated area includes all waters in the vicinity of Eastport Harbor, Maine within the following points (NAD 83): 44°54'14" N., 066°58'52" W. 44°54'14" N., 068°58'56" W. 44°54'24" N., 066°58'52" W. 44°54'24" N., 066°58'56" W.

¹ Date subject to change. Exact date will be posted in Notice of Enforcement and Local Notice to Mariners.

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

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

Authority: 33 U.S.C. 1231; 50 U.S.C. 191;
33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5;
Department of Homeland Security Delegation
No. 0170.1.

■ 4. In § 165.171, revise the table to read as follows:

§ 165.171 Safety Zones for fireworks displays and swim events held in Coast Guard Sector Northern New England Captain of the Port Zone.

* * * * *

TABLE TO § 165.171

5.0	MAY
5.1 Ride into Summer	• Event Type: Fireworks Display. • Sponsor: Gardiner Maine Street. • Date: One night event between the 15th of May and the 15th of June.¹ • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: In the vicinity of the Gardiner Waterfront, Gardiner, Maine in approximate position (NAD 83): 44°13'52" N., 069°46'08" W.
6.0	JUNE
6.1 Rotary Waterfront Days Fireworks	• Event Type: Fireworks Display. • Sponsor: Gardiner Rotary. • Date: Two night event on a Wednesday and Saturday in June.¹ • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: In the vicinity of the Gardiner Waterfront, Gardiner, Maine in approximate position (NAD 83): 44°13'52" N., 069°46'08" W.
6.2 LaKermesse Fireworks	• Event Type: Fireworks Display. • Sponsor: Ray Gagne. • Date: One night event in June.¹ • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: Biddeford, Maine in approximate position (NAD 83): 43°29'37" N., 070°26'47" W.
6.3 Windjammer Days Fireworks	• Event Type: Fireworks Display. • Sponsor: Boothbay Harbor Region Chamber of Commerce • Date: One night event in June.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine in approximate position (NAD 83): 43°50'38" N., 069°37'57" W.
7.0	JULY
7.1 Vinalhaven 4th of July Fireworks	• Event Type: Firework Display. • Sponsor: Vinalhaven 4th of July Committee. • Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Grime's Park, Vinalhaven, Maine in approximate position (NAD 83): 44°02'34" N., 068°50'26" W.
7.2 Burlington Independence Day Fireworks	• Event Type: Firework Display. • Sponsor: City of Burlington, Vermont • Date: One night event in July.¹ • Time (Approximate): 9:00 p.m. to 11:00 p.m. • Location: From a barge in the vicinity of Burlington Harbor, Burlington, Vermont in approximate position (NAD 83): 44°28'31" N., 073°13'31" W.
7.3 Camden 3rd of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Camden, Rockport, Lincolnville Chamber of Commerce. • Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: In the vicinity of Camden Harbor, Maine in approximate position (NAD 83): 44°12'32" N., 069°02'58" W.
7.4 Bangor 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Bangor 4th of July Fireworks. • Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Bangor Waterfront, Bangor, Maine in approximate position (NAD 83): 44°47'27" N., 068°46'31" W.
7.5 Bar Harbor 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Bar Harbor Chamber of Commerce. • Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Bar Harbor Town Pier, Bar Harbor, Maine in approximate position (NAD 83): 44°23'31" N., 068°12'15" W.
7.6 Boothbay Harbor 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Boothbay Harbor. • Date: One night event in July.¹

TABLE TO § 165.171—Continued

7.7 Colchester 4th of July Fireworks	• Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine in approximate position (NAD 83): 43°50'38" N., 069°37'57" W. • Event Type: Fireworks Display. • Sponsor: Town of Colchester, Recreation Department. • Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: In the vicinity of Bayside Beach and Malletts Bay in Colchester, Vermont in approximate position (NAD 83): 44°32'44" N., 073°13'10" W.
7.8 Eastport 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Eastport 4th of July Committee. • Date: One night event in July.¹ • Time (Approximate): 9:00 p.m. to 9:30 p.m. • Location: From the Waterfront Public Pier in Eastport, Maine in approximate position (NAD 83): 44°54'25" N., 066°58'55" W.
7.9 Ellis Short Sand Park Trustee Fireworks	• Event Type: Fireworks Display. • Sponsor: William Burnham. • Date: One night event in July.¹ • Time (Approximate): 8:30 p.m. to 11:00 p.m. • Location: In the vicinity of York Beach, Maine in approximate position (NAD 83): 43°10'27" N., 070°36'26" W.
7.10 Hampton Beach 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Hampton Beach Village District. • Date: One night event in July.¹ • Time (Approximate): 8:30 p.m. to 11:00 p.m. • Location: In the vicinity of Hampton Beach, New Hampshire in approximate position (NAD 83): 42°54'40" N., 070°36'25" W.
7.11 Jonesport 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Jonesport 4th of July Committee. • Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Beals Island, Jonesport, Maine in approximate position (NAD 83): 44°31'18" N., 067°36'43" W.
7.12 Lubec Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Lubec, Maine. • Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Lubec Public Boat Launch in approximate position (NAD 83): 44°51'52" N., 066°59'06" W.
7.13 Main Street Heritage Days 4th of July Fireworks	• Event Type: Fireworks Display • Sponsor: Main Street Inc. • Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Reed and Reed Boat Yard, Woolwich, Maine in approximate position (NAD 83): 43°54'56" N., 069°48'16" W.
7.14 Portland Harbor 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Department of Parks and Recreation, Portland, Maine. • Date: One night event in July.¹ • Time (Approximate): 8:30 p.m. to 10:30 p.m. • Location: In the vicinity of East End Beach, Portland, Maine in approximate position (NAD 83): 43°40'16" N., 070°14'44" W.
7.15 St. Albans Day Fireworks	• Event Type: Fireworks Display. • Sponsor: St. Albans Area Chamber of Commerce. • Date: One night event in July.¹ • Time (Approximate): 9:00 p.m. to 10:00 p.m. • Location: From the St. Albans Bay dock in St. Albans Bay, Vermont in approximate position (NAD 83): 44°48'25" N., 073°08'23" W.
7.16 Stonington 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Deer Isle-Stonington Chamber of Commerce. • Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Two Bush Island, Stonington, Maine in approximate position (NAD 83): 44°08'57" N., 068°39'54" W.
7.17 Southwest Harbor 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Sharon Gilley. • Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: Southwest Harbor, Maine in approximate position (NAD 83): 44°16'25" N., 068°19'21" W.
7.18 Prentice Hospitality Group Fireworks	• Event Type: Fireworks Display. • Sponsor: Prentice Hospitality Group.

TABLE TO § 165.171—Continued

7.19 Shelburne Triathlons	• Date: One night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: Chebeague Island, Maine in approximate position (NAD 83): 43°45'12" N., 070°06'27" W. • Event Type: Swim Event. • Sponsor: Race Vermont. • Date: Up to three Saturdays throughout July and August.¹ • Time (Approximate): 7:00 a.m. to 11:00 a.m. • Location: The regulated area includes all waters of Lake Champlain in the vicinity of Shelburne Beach in Shelburne, Vermont within a 400 yard radius of the following point (NAD 83): 44°21'45" N., 075°15'58" W.
7.20 St. George Days Fireworks	• Event Type: Fireworks. • Sponsor: Town of St. George. • Date: One night event in July.¹ • Time (Approximate): 8:30 p.m. to 10:30 p.m. • Location: The regulated area includes all waters of Inner Tenants Harbor, ME, in approximate position (NAD 83): 43°57'42" N., 069°12'47" W.
7.21 Tri for a Cure Swim Clinics and Triathlon	• Event Type: Swim Event. • Sponsor: Maine Cancer Foundation. • Date: A multi-day event held throughout July.¹ • Time (Approximate): 8:30 a.m. to 11:30 a.m. • Location: The regulated area includes all waters of Portland Harbor, Maine in the vicinity of Spring Point Light within the following points (NAD 83): 43°39'01" N., 070°13'32" W. 43°39'07" N., 070°13'29" W. 43°39'06" N., 070°13'41" W. 43°39'01" N., 070°13'36" W.
7.22 Richmond Days Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Richmond, Maine. • Date: A one day event in July.¹ • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: From a barge in the vicinity of the inner harbor, Tenants Harbor, Maine in approximate position (NAD 83): 44°08'42" N., 068°27'06" W.
7.23 Colchester Triathlon	• Event Type: Swim Event. • Sponsor: Colchester Parks and Recreation Department. • Date: A one day event in July.¹ • Time (Approximate): 7:00 a.m. to 11:00 a.m. • Location: The regulated area includes all waters of Malletts Bay on Lake Champlain, Vermont within the following points (NAD 83): 44°32'18" N., 073°12'35" W. 44°32'28" N., 073°12'56" W. 44°32'57" N., 073°12'38" W.
7.24 Peaks to Portland Swim.	• Event Type: Swim Event. • Sponsor: Cumberland County YMCA. • Date: A one day event in July.¹ • Time (Approximate): 5:00 a.m. to 1:00 p.m. • Location: The regulated area includes all waters of Portland Harbor between Peaks Island and East End Beach in Portland, Maine within the following points (NAD 83): 43°39'20" N., 070°11'58" W. 43°39'45" N., 070°13'19" W. 43°40'11" N., 070°14'13" W. 43°40'08" N., 070°14'29" W. 43°40'00" N., 070°14'23" W. 43°39'34" N., 070°13'31" W. 43°39'13" N., 070°11'59" W.
7.25 Friendship Days Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Friendship. • Date: A one day event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Town Pier, Friendship Harbor, Maine in approximate position (NAD 83): 43°58'23" N., 069°20'12" W.
7.26 Bucksport Festival and Fireworks	• Event Type: Fireworks Display. • Sponsor: Bucksport Bay Area Chamber of Commerce. • Date: A one day event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Verona Island Boat Ramp, Verona, Maine, in approximate position (NAD 83): 44°34'90" N., 068°47'28" W.
7.27 Nubble Light Swim Challenge	• Event Type: Swim Event.

TABLE TO § 165.171—Continued

	• Sponsor: Nubble Light Challenge. • Date: A one day event in July.¹ • Time (Approximate): 9:00 a.m. to 12:30 p.m. • Location: The regulated area includes all waters around Cape Neddick, Maine and within the following coordinates (NAD 83): 43°10'28" N., 070°36'26" W. 43°10'34" N., 070°36'06" W. 43°10'30" N., 070°35'45" W. 43°10'17" N., 070°35'24" W. 43°09'54" N., 070°35'18" W. 43°09'42" N., 070°35'37" W. 43°09'51" N., 070°37'05" W.
7.28 Paul Coulombe Anniversary Fireworks	• Event Type: Fireworks Display. • Sponsor: Paul Coulombe. • Date: A one day event in July.¹ • Time: 8:00 p.m. to 11:30 p.m. • Location: In the vicinity of Pratt Island, Southport, ME, in approximate position (NAD 83): 43°48'44" N., 069°41'11" W.
7.29 Castine 4th of July Fireworks	• Event Type: Fireworks Display. • Sponsor: Randy Sterns. • Date: One night event in July.¹ • Time (Approximate): 9:00 p.m. to 10:30 p.m. • Location: In the vicinity of the town dock in the Castine Harbor, Castine, Maine in approximate position (NAD 83): 44°23'10" N., 068°47'28" W.
8.0	AUGUST
8.1 Sprucewold Cabbage Island Swim	• Event Type: Swim Event. • Sponsor: Sprucewold Association. • Date: A one day event in August.¹ • Time (Approximate): 1:00 p.m. to 6:00 p.m. • Location: The regulated area includes all waters of Linekin Bay between Cabbage Island and Sprucewold Beach in Boothbay Harbor, Maine within the following points (NAD 83): 43°50'37" N., 069°36'23" W. 43°50'37" N., 069°36'59" W. 43°50'16" N., 069°36'46" W. 43°50'22" N., 069°36'21" W.
8.2 Westerlund's Landing Party Fireworks	• Event Type: Fireworks Display. • Sponsor: Portside Marina. • Date: A one day event in August.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Westerlund's Landing in South Gardiner, Maine in approximate position (NAD 83): 44°10'19" N., 069°45'24" W.
8.3 Y-Tri Triathlon	• Event Type: Swim Event. • Sponsor: Plattsburgh YMCA. • Date: A one day event in August.¹ • Time (Approximate): 9:00 a.m. to 10:00 a.m. • Location: The regulated area includes all waters of Treadwell Bay on Lake Champlain in the vicinity of Point Au Roche State Park, Plattsburgh, New York within the following points (NAD 83): 44°46'30" N., 073°23'26" W. 44°46'17" N., 073°23'26" W. 44°46'17" N., 073°23'46" W. 44°46'29" N., 073°23'46" W.
8.4 York Beach Fire Department Fireworks	• Event Type: Fireworks Display. • Sponsor: York Beach Fire Department. • Date: A one day event in August.¹ • Time (Approximate): 8:30 p.m. to 11:30 p.m. • Location: In the vicinity of Short Sand Cove in York, Maine in approximate position (NAD 83): 43°10'27" N., 070°36'25" W.
8.5 Rockland Breakwater Swim	• Event Type: Swim Event. • Sponsor: Pen-Bay Masters. • Date: A one day event in August.¹ • Time (Approximate): 7:30 a.m. to 1:30 p.m. • Location: The regulated area includes all waters of Rockland Harbor, Maine in the vicinity of Jameson Point within the following points (NAD 83): 44°06'16" N., 069°04'39" W. 44°06'13" N., 069°04'36" W. 44°06'12" N., 069°04'43" W. 44°06'17" N., 069°04'44" W.

TABLE TO § 165.171—Continued

8.6 Tri for Preservation	44°06'18" N., 069°04'40" W. • Event Type: Swim Event. • Sponsor: Tri-Maine Productions. • Date: A one day event in August.¹ • Time (Approximate): 7:30 a.m. to 9:00 a.m. • Location: In the vicinity of Crescent Beach State Park in Cape Elizabeth, Maine in approximate position (NAD 83): 43°33'46" N., 070°13'48" W. 43°33'41" N., 070°13'46" W. 43°33'44" N., 070°13'40" W. 43°33'47" N., 070°13'46" W.
8.7 North Hero Air Show	• Event Type: Air Show. • Sponsor: North Hero Fire Department. • Date: A one day event in August.¹ • Time (Approximate): 10:00 a.m. to 5:00 p.m. • Location: In the vicinity of Shore Acres Dock, North Hero, Vermont in approximate position (NAD 83): 44°48'24" N., 073°17'02" W. 44°48'22" N., 073°16'46" W. 44°47'53" N., 073°16'54" W. 44°47'54" N., 073°17'09" W.
8.8 Islesboro Crossing Swim	• Event Type: Swim Event. • Sponsor: Lifeflight Foundation. • Date: A one day event in August.¹ • Time (Approximate): 6:00 a.m. to 11:00 a.m. • Location: West Penobscot Bay from Ducktrap Beach, Lincolnville, ME to Grindel Point, Islesboro, ME, in approximate position (NAD 83): 44°17'44" N., 069°00'11" W. 44°16'58" N., 068°56'35" W.
8.9 Paul Columbe Party Fireworks	• Event Type: Fireworks Display. • Sponsor: Paul Columbe. • Date: A one day event in August.¹ • Time (Approximate): 9:00 p.m. to 10:30 p.m. • Location: From a barge in the vicinity of Pratt Island, Southport, Maine in approximate position (NAD 83): 43°48'69" N., 069°41'18" W.
9.0	SEPTEMBER
9.1 Windjammer Weekend Fireworks	• Event Type: Fireworks Display. • Sponsor: Town of Camden, Maine. • Date: A one night event in September.¹ • Time (Approximate): 8:00 p.m. to 9:30 p.m. • Location: From a barge in the vicinity of Northeast Point, Camden Harbor, Maine in approximate position (NAD 83): 44°12'10" N., 069°03'11" W.
9.2 Eastport Pirate Festival Fireworks	• Event Type: Fireworks Display. • Sponsor: Eastport Pirate Festival. • Date: A one night event in September.¹ • Time (Approximate): 7:00 p.m. to 10:00 p.m. • Location: From the Waterfront Public Pier in Eastport, Maine in approximate position (NAD 83): 44°54'17" N., 066°58'58" W.
9.3 The Lobsterman Triathlon	• Event Type: Swim Event. • Sponsor: Tri-Maine Productions. • Date: A one day event in September.¹ • Time (Approximate): 8:00 a.m. to 11:00 a.m. • Location: The regulated area includes all waters in the vicinity of Winslow Park in South Freeport, Maine within the following points (NAD 83): 43°47'59" N., 070°06'56" W. 43°47'44" N., 070°06'56" W. 43°47'44" N., 070°07'27" W. 43°47'57" N., 070°07'27" W.
9.4 Eliot Festival Day Fireworks	• Event Type: Fireworks Display. • Sponsor: Eliot Festival Day Committee. • Date: A one night event in September.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Eliot Town Boat Launch, Eliot, Maine in approximate position (NAD 83): 43°08'56" N., 070°49'52" W.
9.5 Lake Champlain Swimming Race	• Event Type: Swim Event. • Sponsor: Christopher Lizzaraque. • Date: A one day event in September.¹

TABLE TO § 165.171—Continued

- Time (Approximate): 9:00 a.m. to 3 p.m.
- Location: Essex Beggs Point Park, Essex, NY, to Charlotte Beach, Charlotte, VT within the following points (NAD 83):
44°18'32" N., 073°20'52" W.
44°20'03" N., 073°16'53" W.

¹ Date subject to change. Exact date will be posted in Notice of Enforcement and Local Notice to Mariners.

Dated: May 16, 2016.

M.A. Baroody,

Captain, U.S. Coast Guard, Captain of the Port, Sector Northern New England.

[FR Doc. 2016–13334 Filed 6–3–16; 8:45 a.m.]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2016–0344]

RIN 1625–AA09

Drawbridge Operation Regulation; Kennebec River, Richmond and Dresden, ME

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is removing the existing drawbridge operation regulation for the Route-197 Bridge (Maine-Kennebec Bridge), across Kennebec River between Richmond and Dresden, Maine. The drawbridge was replaced with a fixed bridge in 2015 and the operating regulation is no longer applicable or necessary.

DATES: This rule is effective June 6, 2016.

ADDRESSES: To view documents in this preamble as being available in the docket, go to <http://www.regulations.gov>, Type [USCG–2016–0344]. 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 email Mr. Jim Rousseau, Project Officer, First Coast Guard District Bridge Branch, Coast Guard, telephone 617–223–8619, email james.l.rousseau2@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
SNPRM Supplemental notice of proposed rulemaking

Pub. L. Public Law
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this 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), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the Route-197-Bridge, that once required draw operations in 33 CFR 117.525(b) was removed from the Kennebec River and replaced with a fixed bridge in 2015. Therefore, the regulation is no longer applicable and should be removed from publication. It is unnecessary to publish an NPRM because this regulatory action does not place any restrictions on mariners but rather removes restrictions that have no further use or value.

We are issuing this rule under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective in less than 30 days after publication in the **Federal Register**. The bridge has been fixed bridge for 4 months and this rule merely requires an administrative change to the Code of Federal Regulations, in order to omit a regulatory requirement that is no longer applicable or necessary. The modification has already taken place and the removal of the regulation will not affect mariners currently operating on this waterway. Therefore, a delayed effective date is unnecessary.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority 33 U.S.C. 499.

The Route-197 Bridge (Maine Kennebec Bridge) was removed and replaced with a fixed bridge in 2015. The elimination of this drawbridge necessitates the removal of the drawbridge operation regulation, 33

CFR 117.525, that pertains to the former drawbridge.

IV. Discussion of the Final Rule

The Coast Guard is changing the regulation in 33 CFR 117.525 by removing restrictions and the regulatory burden related to the draw operations for this bridge that is no longer a drawbridge. The change removes the paragraph (b) of the regulation governing the Route-197 Bridge since the bridge has been replaced with a fixed bridge. This change does not affect waterway or land traffic. This change does not affect nor does it alter the operating schedule in 33 CFR 117.525 that govern the remaining active drawbridge on the Kennebec River.

V. Regulatory Analysis

We developed this rule after considering numerous statutes and Executive Orders related to rulemaking. Below we summarize our analyses based on a number of these statutes or Executive Orders, and we discuss First Amendment rights of protesters.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

This regulatory action determination is based on the fact that the bridge was removed from the waterway and no longer operates as a drawbridge. The removal of the operation schedule from 33 CFR part 117 will have no effect on the movement of waterway or land traffic.

B. 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