DEPARTMENT OF HOMELAND
SECURITY

Coast Guard

33 CFR Part 117
[Docket No. USCG–2017–0383]

Drawbridge Operation Regulation; Petaluma River, Haystack Landing, CA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Northwestern
Pacific (Haystack Landing) railroad bridge across Petaluma River, mile 12.4, at Haystack Landing (Petaluma), CA. The
deviation is necessary to allow the bridge owner to perform necessary bridge maintenance. This deviation allows
the bridge to remain in the closed-to-navigation position during the deviation period.

DATES: This deviation is effective from 7 a.m. on May 31, 2017 to 3 p.m. on June 1, 2017.

ADDRESSES: The docket for this deviation, USCG–2017–0383, is
available at http://www.regulations.gov. Type the docket number in the
“SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary
deviation, call or email Carl T. Hausner, Chief, Bridge Section, Eleventh Coast
Guard District; telephone 314–269–3232, email Carl.T.Hausner@uscg.mil

SUPPLEMENTARY INFORMATION: Sonoma–Marin Area Rail Transit has requested a
temporary change to the operation of the Northwestern Pacific (Haystack
Landing) railroad bridge, mile 12.4, over Petaluma River, at Haystack Landing
(Petaluma), CA. The drawbridge navigation span provides a vertical
clearance of 3 feet above Mean High Water in the closed-to-navigation
position. The draw operates as required by 33 CFR 117.187(a). Navigation on the
waterway is commercial and recreational.

The drawspan will be secured in the closed-to-navigation position from 7 a.m. on May 31, 2017 to 3 p.m. on June 1, 2017, to allow the bridge owner to perform necessary bridge maintenance and change the gear reducer fluid. This temporary deviation has been coordinated with the waterway users. No objections to the proposed temporary deviation were raised. Vessels able to pass through the bridge in the closed position may do so at anytime. The bridge will not be able to open for emergencies, and there is no immediate alternate route for vessels to pass. The Coast Guard will also inform the users of the waterway through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 18, 2017.

C.T. Hausner,
District Bridge Chief, Eleventh Coast Guard District.

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BILLING CODE 9110–04–P

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary 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 the Coast Guard did not receive the application until February 23, 2017. After full review of the details for the planned and locally advertised displays, the Coast Guard determined action is needed to protect people and property from safety hazards associated with the fireworks display on the Upper Mississippi River (UMR) near St. Louis, MO. It is impracticable to publish an NPRM because we must establish this safety zone by May 28, 2017. As such, it is impracticable to publish an NPRM because we lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

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. Delaying the effective date of the rule is contrary to the public interest as it would delay the effectiveness of the