DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100
[Docket Number USCG–2017–0703]
RIN 1625–AA08

Special Local Regulation; Tennessee River, Huntsville, AL

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a special local regulation for all navigable waters of the Tennessee River from mile marker (MM) 333.2 to MM 337.0. This action is necessary to provide for the safety of life on these navigable waters near Huntsville, AL during the Swim Hobbs Island event. Entry of persons or vessels into this regulated area is prohibited unless authorized by the Captain of the Port Sector Ohio Valley (COTP) or a designated representative.

DATES: This rule is effective from 7 a.m. through 2 p.m. on September 17, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to http://www.regulations.gov, type USCG–2017–0703 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 on this notice of enforcement, call Petty Officer Jonathan Braddy, Marine Safety Detachment Nashville, U.S. Coast Guard; telephone 615–736–5421, email MSDNashville@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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<th>CFR</th>
<th>Code of Federal Regulations</th>
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<td>COTP</td>
<td>Captain of the Port Sector Ohio Valley</td>
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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 it is impracticable. We must establish this special local regulation by September 17, 2017 and 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. This rule is necessary for the safety of life during the Swim Hobbs Island on these navigable waters. Delaying the effective date of this rule would be impracticable and contrary to the public interest because immediate action is needed to protect the persons and property from the dangers associated with the race.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1233. The Captain of the Port Sector Ohio Valley (COTP) has determined that potential hazards associated with the race from 7 a.m. through 2 p.m. on September 17, 2017 will present a safety concern for anyone on the navigable waters on the Tennessee River extending from mile...