C. Collection of Information

This rule will 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 does 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 will not result in such 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 M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined 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 the establishment of a special local regulation lasting ten hours for an event spanning 0.4 miles of the Red River in the vicinity of Alexandria, LA. It is categorized excluded from further review under paragraphs L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A Record of Environmental Consideration is available in the docket where indicated under ADDRESSES.

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 in 33 CFR Part 100

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

§ 100.35T08–0312 Special Local Regulation; Red River, Alexandria, LA.

(a) Location. The following area is a special local regulation: All navigable waters of the Red River from mile marker (MM) 88.0 To MM 88.4, Alexandria, LA.

(b) Regulations. (1) In accordance with the general regulations in § 100.801 of this part, no vessel or person shall enter the regulated area unless authorized by the Captain of the Port Sector Lower Mississippi River (COTP) or a designated representative.

(2) Persons and vessels permitted to enter this regulated area must transit outside of the race area at their slowest safe speed to minimize wake and comply with all lawful directions issued by the COTP or the designated representative.

(c) Effective period. This section is effective from 6 a.m. through 4 p.m. on May 5, 2018.

(d) Informational broadcasts. The COTP or a designated representative will inform the public through Broadcast Notices to Mariners (BNMs) of the enforcement period for the regulated area as well as any changes in the dates and times of enforcement.
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)(3)(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 regulation by April 27, 2018 and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing this rule.

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. Delaying the effective date of this rule would be impracticable and contrary to the public interest because immediate action is necessary to protect persons and property from the dangers associated with the marine event.

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 Oak Ridge Rowing Association Dogwood Junior Championship Regatta marine event, occurring from 5 a.m. through 6 p.m. each day from April 27, 2018 through April 29, 2018, will be a safety concern for all navigable waters on the Clinch River, extending the entire width of the river, from mile marker (MM) 49.5 to MM 52.0. The purpose of this rule is to ensure the safety of life and vessels on these navigable waters before, during, and after the scheduled event.

IV. Discussion of the Rule

This rule establishes a temporary special local regulation from 5 a.m. on April 27, 2018 through 6 p.m. on April 29, 2018 for all navigable waters of the Clinch River, extending the entire width of the river, from MM 49.5 to MM 52.0. Enforcement of the regulated area will occur from 5 a.m. to 6 p.m. daily. The duration of the special local regulation is intended to ensure the safety of life and vessels on these navigable waters before, during, and after the scheduled event. No vessel or person will be permitted to enter the special local regulated area without obtaining permission from the COTP or a designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of Sector Ohio Valley. They may be contacted on VHF–FM Channel 16 or by telephone at 1–800–253–7465. Persons and vessels permitted to enter this regulated area must transit at their slowest safe speed and comply with all lawful directions issued by the COTP or the designated representative.

V. Regulatory Analyses

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 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 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, location, duration, and time-of-day of the special local regulation. This temporary special local regulation will cover a two and a half mile stretch of the Clinch River during daytime hours only for two days. The Coast Guard will issue written Local Notice to Mariners (LNMs) and Broadcast Notice to Mariners (BNMs) via VHF–FM marine channel 16 about the temporary special local regulation, and this rule also allows vessels to seek permission from the COTP or a designated representative to enter the area.

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 entity” describes 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 special local regulation, 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 will 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 does 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
will 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
Directive 023–01 and Commandant
Instruction MI16475.1D, 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 the
establishment of a special local
regulation that prohibits entry on less
than three miles of the Clinch River for
thirteen hours on two days. It is
categorically excluded from further
review under paragraph L63(a) of
Appendix A, Table 1 of DHS Instruction
Manual 023–01–001–01, Rev. 01. A
Record of Environmental Consideration
supporting this determination is
available in the docket where indicated
under ADDRESSES.

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 in 33 CFR Part 100

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

For the reasons discussed in the
preamble, the Coast Guard amends 33
CFR part 100 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; 33 CFR 1.05–
1.

2. Add § 100.35T08–0143 to read as follows:

§ 100.35T08–0143 Special Local
Regulation; Clinch River, Oak Ridge, TN.

(a) Location. The following area is a temporary special local regulation: All
navigable waters of the Clinch River, extending the entire width of the river,
between mile marker (MM) 49.5 and MM 52.0, Oak Ridge, TN.

(b) Effective period. This special local
regulation is effective from 5 a.m. on
April 27, 2018 through 6 p.m. on April
29, 2018.

(c) Special local regulations. (1) Entry
into this area is prohibited unless
authorized by the Captain of the Port
Sector Ohio Valley (COTP) or a
designated representative. A designated
representative is a commissioned,
warrant, or petty officer of the U.S.
Coast Guard assigned to units under the
operational control of USCG Sector
Ohio Valley.

(2) Persons or vessels seeking to enter
the regulated area must request
permission from the COTP or a
designated representative on VHF–FM
channel 16 or by telephone at 1–800–
253–7465.

(3) Persons and vessels permitted to
enter this regulated area must transit at
their slowest safe speed and comply
with all lawful directions issued by the
COTP or the designated representative.

(d) Informational broadcasts. The
COTP or a designated representative
will inform the public through local
notice to mariners and Broadcast
Notices to Mariners of the enforcement
period for the regulated area as well as
any changes in the planned schedule.

M.B. Zamperini,
Captain, U.S. Coast Guard, Captain of the
Port Sector Ohio Valley.

[FR Doc. 2018–08769 Filed 4–25–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2018–0287]

Drawbridge Operation Regulation; Isle
of Wight (Sinepuxent) Bay, Ocean City,
MD

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 US 50/Harry
W. Kelly Memorial Bridge, which
carries US 50 and Ocean Gateway across
the Isle of Wight (Sinepuxent) Bay, mile
0.5, at Ocean City, MD. The deviation is
necessary to facilitate the “Island to
Island” Half Marathon. This deviation
allows the bridge to remain in the
closed-to-navigation position.

DATES: The deviation is effective from
8 a.m. through 10:30 a.m. on April 28,
2018.

ADDRESSES: The docket for this
deviation, [USCG–2018–0287] is
Type the docket number in the
“SEARCH” box and click “SEARCH”.

FOR FURTHER INFORMATION CONTACT:
If you have questions on this temporary
deviation, call or email Mr. Michael
Thorogood, Bridge Administration
Branch Fifth District, Coast Guard,
telephone 757–398–6557, email
Michael.B.Thorogood@uscg.mil.

SUPPLEMENTARY INFORMATION: The OC
Tri Running Sports, on behalf of the
Maryland State Highways
Administration, owner and operator of
the US 50/Harry W. Kelly Memorial
Bridge that carries US 50 and Ocean
Gateway across the Isle of Wight
(Sinepuxent) Bay, mile 0.5, at Ocean
City, MD, has requested a temporary
development from the current operating
regulations to ensure the safety of the
participants and spectators associated
with the “Island to Island” Half
Marathon on Saturday, April 28, 2018.
This bridge is a double bascule
drawbridge, with a vertical clearance of
13 feet above mean high water in the
closed position and unlimited vertical
clearance in the open position.

The current operating regulation is set
out in 33 CFR 117.559. Under this
temporary deviation, the bridge will be
maintained in the closed-to-navigation