

Under the regular operating schedule, the Norfolk Southern #5 Railroad Bridge, mile 1.1, in Norfolk, VA, the draw must open promptly and fully for the passage of vessels when a request or signal to open is given. The draw normally is open and only closes for train crossings or periodic maintenance. The Norfolk Southern #5 railroad Bridge, at mile 1.1, across the Elizabeth River (Eastern Branch) in Norfolk, VA, has a vertical clearance in the closed position to vessels of 6 feet above mean high water.

Under this temporary deviation, the drawbridge will be maintained in the closed to navigation position each day, from 7 a.m. to 5 p.m., on November 4, 2013 until December 8, 2013 the bridge will operate under normal operating schedule at all other times. The bridge normally is maintained in the open-to-navigation position with several vessels transiting a week and only closes when trains transit. Emergency openings cannot be provided. There are no alternate routes for vessels transiting this section of the Elizabeth River Eastern Branch but vessels may pass before 7 a.m. and after 5 p.m.

The Elizabeth River Eastern Branch is used by a variety of vessels including military, tug, commercial, and recreational vessels. The Coast Guard has carefully coordinated the restrictions with these waterway users. The Coast Guard will also inform additional waterway users through our Local and Broadcast Notices to Mariners of the closure periods for the bridge so that vessels can arrange their transits to minimize any impacts caused by the temporary deviation. Mariners able to pass under the bridge in the closed position may do so at any time and are advised to proceed with caution.

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

Dated: October 21, 2013.

**Waverly W. Gregory, Jr.,**

*Bridge Program Manager, Fifth Coast Guard District.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2013-0909]

#### Drawbridge Operation Regulation; Atlantic Intracoastal Waterway (AIWW), Chesapeake, VA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulations.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the I64 Bridge across the Atlantic Intracoastal Waterway, South Branch of the Elizabeth River, mile 7.1, at Chesapeake, VA. This deviation is necessary to facilitate maintenance work on the rotary span limit switches. This temporary deviation allows the drawbridge to remain in the closed to navigation position.

**DATES:** This deviation is effective from 7 a.m. on November 15, 2013 to 12 p.m. November 17, 2013.

**ADDRESSES:** The docket for this deviation, [USCG-2013-0909] 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. 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 temporary deviation, call or email Mrs. Kashanda Booker, Bridge Administration Branch Fifth District, Coast Guard; telephone (757) 398-6227, email [Kashanda.l.booker@uscg.mil](mailto:Kashanda.l.booker@uscg.mil). If you have questions on reviewing the docket, call Barbara Hairston, Program Manager, Docket Operations, (202) 366-9826.

**SUPPLEMENTARY INFORMATION:** The Virginia Department of Transportation, who owns and operates this drawbridge, has requested a temporary deviation from the current operating regulation set out in 33 CFR 117.997(e), to facilitate maintenance of the moveable spans on the structure.

The current operating schedule for the drawbridge is set out in 33 CFR 117.997(e) which requires the drawbridge open on signal if at least 24

hours notice is given. The I64 Bridge has a vertical clearance in the closed position of 65 feet above mean high water.

Under this temporary deviation, the drawbridge will be closed to navigation from 7 a.m., on Friday, November 15, 2013 to 12 p.m., on Sunday, November 17, 2013.

Vessels able to pass under the drawbridge in the closed position may do so at anytime and are advised to proceed with caution. The drawbridge will not be able to open for emergencies. The Coast Guard will also inform additional waterway users through our Local and Broadcast Notices to Mariners of the closure periods for the drawbridge so that vessels can arrange their transits to minimize any impacts 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: October 21, 2013.

**Waverly W. Gregory, Jr.,**

*Bridge Program Manager, Fifth Coast Guard District.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[USCG-2013-0880]

#### Drawbridge Operation Regulations; Hackensack River, Jersey City, NJ

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulations governing the operation of the Path (Railroad) Bridge across the Hackensack River, mile 3.0, at Jersey City, New Jersey. Under this temporary deviation, the bridge may remain in the closed position for 26 consecutive weekends to facilitate bridge repairs.

**DATES:** This deviation is effective on weekends from 12:01 a.m. Saturday November 23, 2013 through 12:01 Monday May 19, 2014.

**ADDRESSES:** The docket for this deviation, [USCG-2013-0880] 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. 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 temporary deviation, call or email Joe Arca, Project Officer, First Coast Guard District, [joe.m.arca@uscg.mil](mailto:joe.m.arca@uscg.mil), or (212) 668-7165. If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The Path railroad bridge has a vertical clearance of 40 feet at mean high water, and 45 feet at mean low water in the closed position. The existing drawbridge operating regulations are found at 33 CFR 117.5.

The bridge owner, Port Authority Trans-Hudson Corporation (PATH), requested a bridge closure for 26 consecutive weekends to facilitate replacement of rails and ties at the lift span.

Under this temporary deviation, the Path Railroad Bridge may remain in the closed position for 26 consecutive weekends from 12:01 a.m. Saturdays to 12:01 a.m. Mondays effective November 23, 2013 through May 19, 2014.

Vessels that can pass under the closed draw may do so at all times.

The Hackensack River in the vicinity of the Path Railroad Bridge is transited primarily by commercial vessels. Most vessels that habitually transit under the bridge do not require bridge openings.

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

Dated: October 11, 2013.

**Gary Kasso,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. 2013-26523 Filed 11-4-13; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2013-0855]

RIN 1625-AA00

#### Safety Zone; HITS Triathlon Series; Colorado River; Lake Havasu, AZ

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a safety zone upon the navigable waters of the Colorado River in support of the HITS Triathlon Series. This safety zone is necessary to provide for the safety of the participants, crew, spectators, participating vessels, and other vessels and users of the waterway. 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 from 7 a.m. on November 9, to 1 p.m. on November 10, 2013.

**ADDRESSES:** Documents mentioned in this preamble are part of docket [USCG-2013-0855]. 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 Petty Officer Bryan Gollogly, Waterways Management, U.S. Coast Guard Sector San Diego; telephone (619) 278-7656, email [d11marineeventssd@uscg.mil](mailto:d11marineeventssd@uscg.mil). If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone (202) 366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Table of Acronyms

DHS Department of Homeland Security  
FR Federal Register  
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) (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 an NPRM would be impracticable. Logistical details did not present the Coast Guard enough time to draft and publish an NPRM. As such, the event would occur before the rulemaking process was complete. Immediate action is needed to ensure the safety of the swimmers from the dangers associated with transiting vessels.

Under 5 U.S.C. 553(d)(3), for the same reasons mentioned above, the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Any delay in the effective date of this rule would be contrary to the public interest, because immediate action is necessary to protect the swimmers from the dangers associated with transiting vessels.

## B. Basis and Purpose

The legal basis and authorities for this rule are found in 33 U.S.C. 1231, 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Public Law 107-295, 116 Stat. 2064; and Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to propose, establish, and define regulatory safety zones. The HITS Inc. is sponsoring the HITS Triathlon Series, which will involve 1,200 swimmers transiting North Thompson Bay in Lake Havasu, AZ.

The safety zone will encompass the waters in the northern portion of Thompson Bay, within the following coordinates:

034°27'55.7" N, 114°20'51.3" W  
034°27'53.6" N, 114°20'48.0" W  
034°27'19.7" N, 114°20'53.2" W  
034°27'36.8" N, 114°20'26.2" W

This temporary safety zone is necessary to prevent vessels from transiting the area and to protect the swimmers from potential damage and injury.