

7.4 Jones Beach State Park Fireworks .....	<ul style="list-style-type: none"> <li>• Date: July 4, 2017.</li> <li>• Rain Date: July 5, 2017.</li> <li>• Time: 8:30 p.m. to 10:30 p.m.</li> <li>• Location: "No Entry Area": All waters off of Jones Beach State Park, Wantagh, NY within a 1000 foot radius of the launch platform in approximate position 40°34'56.68" N., 073°30'31.19" W. (NAD 83).</li> <li>• Additional Stipulations: "Slow/No Wake Area": All navigable waters between Meadowbrook State Parkway and Wantagh State Parkway and contained within the following area. Beginning in position at 40°35'49.01" N., 073°32'33.63" W.; then north along the Meadowbrook State Parkway to its intersection with Merrick Road in position at 40°39'14" N., 073°34'0.76" W.; then east along Merrick Road to its intersection with Wantagh State Parkway in position at 40°39'51.32" N., 073°30'43.36" W.; then south along the Wantagh State Parkway to its intersection with Ocean Parkway in position at 40°35'47.30" N., 073°30'29.17" W.; then west along Ocean Parkway to its intersection with Meadowbrook State Parkway at the point of origin (NAD 83). All positions are approximate. "No Southbound Traffic Area": All navigable waters of Zach's Bay south of the line connecting a point near the western entrance to Zach's Bay in position at 40°36'29.20" N., 073°29'22.88" W. and a point near the eastern entrance of Zach's Bay in position at 40°36'16.53" N., 073°28'57.26" W. (NAD 83). All positions are approximate.</li> </ul>
8.1 Riverfront Dragon Boat and Asian Festival	<ul style="list-style-type: none"> <li>• Date: August 19, 2017.</li> <li>• Time: 7:30 a.m. to 5:00 p.m.</li> <li>• Location: All waters of the Connecticut River in Hartford, CT between the Bulkeley Bridge at 41°46'10.10" N., 072°39'56.13" W. and the Wilbur Cross Bridge at 41°45'11.67" N., 072°39'13.64" W. (NAD 83). All positions are approximate.</li> </ul>
8.4 Island Beach Two Mile Swim .....	<ul style="list-style-type: none"> <li>• Date: August 5, 2017.</li> <li>• Time: 7:30 a.m. to 11:00 a.m.</li> <li>• Location: All waters of Captain Harbor between Little Captain's Island and Bower's Island that are located within the box formed by connecting four points in the following positions. Beginning at 40°59'23.35" N. 073°36'42.05" W.; then northwest to 40°59'51.04" N. 073°37'57.32" W.; then southwest to 40°59'45.17" N. 073°38'01.18" W.; then southeast to 40°59'17.38" N. 073°36'45.9" W.; then northeast to the point of origin (NAD 83). All positions are approximate.</li> </ul>
8.6 Smith Point Triathlon .....	<ul style="list-style-type: none"> <li>• Date: August 13, 2017.</li> <li>• Time: 6:30 a.m. to 9:30 a.m.</li> <li>• Location: All waters of Narrow Bay near Smith Point Park in Mastic Beach, NY within the area bounded by land along its southern edge and points in position at 40°44'14.28" N., 072°51'40.68" W.; then north to a point at position 40°44'20.83" N., 072°51'40.68" W.; then east to a point at position 40°44'20.83" N., 072°51'19.73" W.; then south to a point at position 40°44'14.85" N., 072°51'19.73" W.; and then southwest along the shoreline back to the point of origin (NAD 83). All positions are approximate.</li> </ul>

Dated: May 18, 2017.

A.E. Tucci,

Captain, U.S. Coast Guard, Captain of the Port Sector Long Island Sound.

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2017-0532]

#### Drawbridge Operation Regulation; Back River, Barter's Island, ME

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 Maine Department of Transportation (Barter's Island) Highway Bridge over the Back

River, mile 4.6, between Barter's Island and Hodgdon Island, Maine. This deviation is necessary to conduct geotechnical borings needed to design a new bridge. This deviation allows the bridge to be closed to vessel traffic for three days.

**DATES:** This deviation is effective without actual notice from June 20, 2017 through 5:30 p.m. on June 14, 2017. For the purposes of enforcement, actual notice will be used from June 15, 2017, until June 20, 2017.

**ADDRESSES:** The docket for this deviation, USCG-2017-0532, 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 Jeffrey Stieb; Bridge Management Specialist, First Coast Guard District, telephone 617-223-8364, email [Jeffrey.D.Stieb@uscg.mil](mailto:Jeffrey.D.Stieb@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

The bridge owner, State of Maine Department of Transportation (Maine DOT), requested a temporary deviation from the normal operating schedule of the Maine Department of Transportation (Barter's Island) Highway Bridge, mile 4.6, across the Back River between Barter's Island and Hodgdon Island, Maine. The drawbridge navigation span has a vertical clearance of six feet at mean high water in the closed position. The existing bridge operating regulations are found at 33 CFR 117.523. The approved temporary deviation allows the bridge to remain closed for vessel traffic between the hours of 7 a.m. through 5:30 p.m. from June 12 through June 14.

The waterway is transited by fishing and sailing vessels of various sizes. For the last three years, the bridge averaged less than three openings a day during the month of June. Maine DOT contacted the primary stakeholders, none of which objected to the deviation. Vessels able to pass through the bridge

in the closed position may continue to do so at any time. Vessels have the option of going around the North Side of Barter's Island to reach the Sheepscot River. During the hours of deviation the bridge will not be able to open for emergencies.

The Coast Guard will inform the users of the waterway through our Local Notice and Broadcast Notice to Mariners of the change in operating schedule so that 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 deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: June 15, 2017.

C.J. Bisignano,

*Supervisory Bridge Management Specialist,  
First Coast Guard District.*

[FR Doc. 2017-12780 Filed 6-19-17; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2016-1048]

RIN 1625-AA00

#### Safety Zone; Kosciuszko Bridge Construction, Newtown Creek, Brooklyn and Queens, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing two safety zones on the navigable waters of Newtown Creek, NY. The first safety zone is within 500 feet of the two barges and assist vessels to be used for the removal and loading of the existing center span from the Kosciuszko Bridge at mile 2.1. The second is from approximately 370 yards south (upstream) of the Kosciuszko Bridge at mile 2.1 and Newtown Creek's confluence with the East River at mile 0.0 during transport of the existing center span to an offsite location. This action is necessary to provide for the safety of life on these navigable waters during the lowering and securing of the existing bridge's center span onto two barges within the Federal navigation channel and during the barge's outbound transit through Newtown Creek to the East River, tentatively scheduled on June 21-22, 2017. This

rulemaking prohibits persons and vessels from being in the safety zones unless authorized by the Captain of the Port New York or a designated representative.

**DATES:** This rule is effective from June 20, 2017 through December 31, 2017.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2016-1048 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 rule, call or email Mr. Jeff Yunker, Sector New York Waterways Management Division; telephone 718-354-4195, email [jeff.m.yunker@uscg.mil](mailto:jeff.m.yunker@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

COTP Captain of the Port New York  
CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FDNY New York City Fire Department  
FR Federal Register  
NPRM Notice of proposed rulemaking  
NYSDOT New York State Department of Transportation  
§ Section  
U.S.C. United States Code

##### II. Background Information and Regulatory History

The Coast Guard issued a Bridge Permit dated August 21, 2013 approving the location and construction of the Kosciuszko Bridge across Newtown Creek, mile 2.1, between the Boroughs of Queens and Brooklyn, NY. On November 29, 2016, NYSDOT notified the Coast Guard that it will be lowering the existing center span from the Kosciuszko Bridge over Newtown Creek at mile 2.1 onto two barges within the Newtown Creek Federal navigation channel, securing the center span to the barges for transit, rotating the barges, and towing the barges through Newtown Creek to the East River for final upland disposal.

In response, on February 22, 2017, the Coast Guard published a NPRM titled "Safety Zone; Kosciuszko Bridge Construction, Newtown Creek, Brooklyn and Queens, NY" (82 FR 11332). There we stated why we issued the NPRM, and invited comments on our proposed regulatory action related to this bridge project. During the comment period that ended March 24, 2017, we received no comments.

On May 1, 2017, the contractor provided June 21-22 as the expected primary dates for the removal and loading of the existing center span onto

two barges. The contractor has informed the Coast Guard that the backup dates for the removal and transport of the existing center are June 28-29 and July 5-6, 2017.

The Coast Guard is making this temporary rule effective less than 30 days after publication in the **Federal Register** pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(d)). This provision authorizes an agency to make a rule effective less than 30 days after publication for good cause. 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** because waiting 30 days would be impracticable and contrary to the public interest. It is impracticable and contrary to the public interest to provide a full 30-days notice because this rule must be effective on June 21-22, 2017 due to favorable tides on that day necessary for the barge transits. If this rule is not made effective by this date, then it would inhibit the Coast Guard's ability to perform its statutory mission to ensure the safety of the maritime public. Though we are not providing a full 30 day notice period before the rule becomes effective, the Coast Guard did provide notice and opportunity to comment through the NPRM process.

##### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The COTP has determined that potential hazards associated with these operations will be a safety concern for anyone within a 500-foot radius of the tugs and barges. The purpose of this rule is to ensure safety of vessels and the navigable waters within a 500-foot radius of the two barges and assist vessels when loading, securing, and transporting the center span of the Kosciuszko Bridge through Newtown Creek before, during, and after the operations.

##### IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published February 22, 2017. There are no changes to the regulatory text of this rule from the proposed rule in the NPRM.

This rule establishes a safety zone from June 21 through December 31, 2017. The safety zone will cover all navigable waters of Newtown Creek within 500 feet of the two barges and assist vessels to be used for the removal and loading of the existing center span from the Kosciuszko Bridge at mile 2.1,