

Management Directive 023-01 and Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (32)(e), of the Instruction.

Under figure 2-1, paragraph (32)(e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

#### List of Subjects in 33 CFR Part 117

Bridges.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 0170.1.

■ 2. In § 117.478 paragraph (a) is revised to read as follows:

#### § 117.478 Lower Grand River.

(a) The draw of the LA 75 bridge, mile 38.4 (Alternate Route) at Bayou Sorrel, shall open on signal; except that from about August 15 to about June 5 (the school year), the draw need not be opened from 6 a.m. to 8 a.m. and from 3 p.m. to 4:30 p.m., Monday through Friday except holidays. The draw shall open on signal at any time for an emergency aboard a vessel.

\* \* \* \* \*

Dated: March 15, 2010.

**Mary E. Landry,**

*Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.*

[FR Doc. 2010-7167 Filed 3-30-10; 8:45 am]

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#### DEPARTMENT OF HOMELAND SECURITY

##### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2010-0167]

#### Drawbridge Operation Regulations; Acushnet River, New Bedford and Fairhaven, MA, Event—Road Race

**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 regulation governing the operation of the Route 6 New Bedford Fairhaven Bridge across the Acushnet River, mile 0.0, between New Bedford and Fairhaven, Massachusetts. This temporary deviation is necessary to facilitate a public event, the Greater New Bedford Community Health Center 5K Road Race, by allowing the bridge to remain in the closed position for two hours during the running of the 5K Road Race.

**DATES:** This deviation is effective from 10 a.m. through 12 p.m. on May 30, 2010.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG-2010-0167 and are available online at <http://www.regulations.gov>, inserting USCG-2009-0001 in the "Keyword" and then clicking "Search". They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 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 e-mail Mr. John McDonald, Project Officer, First Coast Guard District, telephone (617) 223-8364, [john.w.mcdonald@uscg.mil](mailto:john.w.mcdonald@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

The Route 6 New Bedford Fairhaven Bridge, across the Acushnet River at mile 0.0, between New Bedford and Fairhaven, Massachusetts, has a vertical clearance in the closed position of 6 feet at mean high water and 10 feet at mean low water. The Drawbridge Operation Regulations are listed at 33 CFR 117.585. The bridge opens on the hour from 6 a.m. through 10 a.m. and at a quarter past the hour between 11:15 a.m. and 6:15 p.m. The bridge opens on signal at all other times.

The owner of the bridge, Massachusetts Department of Transportation, requested this temporary deviation to facilitate a public event, the Greater New Bedford Community Health Center 5K Road Race.

Under this deviation, the Route 6 New Bedford Fairhaven Bridge may remain

in the closed position between 10 a.m. and 12 p.m. on May 30, 2010. The 10 a.m. and 11:15 a.m. openings will be missed as a result of this temporary deviation. Vessels able to pass under the closed draw may do so at any time.

In accordance with 33 CFR 117.35(e), the bridge 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: March 16, 2010.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. 2010-7246 Filed 3-30-10; 8:45 am]

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#### DEPARTMENT OF HOMELAND SECURITY

##### Coast Guard

#### 33 CFR Part 117

[USCG-2010-0029]

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

**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 regulation governing the operation of the Route 1 & 9 (Lincoln Highway) Bridge, mile 1.8, across the Hackensack River at Jersey City, New Jersey. This deviation allows the bridge owner to require a two hour advance notice for bridge openings April through September and several bridge closures to facilitate bridge painting operations. Vessels that can pass under the draw without a bridge opening may do so at all times.

**DATES:** This deviation is effective from April 1, 2010 through September 15, 2010.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2010-0029 and are available online at <http://www.regulations.gov>. They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays, and the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston,

Massachusetts 02110, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule call Joe Arca, Project Officer, First Coast Guard District, at (212) 668-7165. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The Route 1 & 9 (Lincoln Highway) Bridge across the Hackensack River at mile 1.8, at Jersey City, New Jersey, has a vertical clearance in the closed position of 35 feet at mean high water and 40 feet at mean low water. The bridge opens on signal as required by 33 CFR 117.723(a)(5).

The bridge owner, the New Jersey Department of Transportation, requested a temporary deviation to require at least a two hour advance notice for bridge openings to allow workers sufficient time to clear painting equipment from the lift span in order to provide bridge openings.

In addition, several bridge closures will be necessary during the effective time period for this temporary deviation in order to facilitate various phases of this bridge painting project that must be completed with the bridge closed.

The exact times and dates for the bridge closures could not be determined prior to publication of this temporary deviation. They will be announced in the Local Notice to Mariners two weeks prior to their implementation. A broadcast notice to mariners will also be initiated twenty four hours in advance to further inform mariners of the proposed bridge closures.

Under this deviation the Route 1 & 9 (Lincoln Highway) Bridge shall require at least a two hour advance notice for bridge openings from April 1, 2010 through September 15, 2010. In addition, several bridge closures to be announced as stated above, will occur during the effective period of this temporary deviation from April 1, 2010 and September 15, 2010.

Vessels able to pass under the closed draw may do so at all times.

The waterway is primarily used by deep draft tankers, tugs and barge units. Waterway users were advised of the requested bridge closure period and offered no objection.

In accordance with 33 CFR 117.35(e), the bridge 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: March 16, 2010.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. 2010-7238 Filed 3-30-10; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2010-0198]

RIN 1625-AAOO

#### Safety Zone; Red River, MN

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard Captain of the Port (COTP), Marine Safety Unit Duluth, MN is establishing a temporary safety zone on the waters of the Red River, MN. This safety zone is being established to ensure the safety of the public. The safety zone will prevent individuals from entering all navigable waters of the Red River in the State of Minnesota north of a line drawn across latitude 46°20'00" N, including those portions of the river in Wilkin, Clay, Norman, Polk, Marshall and Kittson counties, to the United States-Canada international border.

**DATES:** *Effective Date:* This rule is effective in the CFR from March 31, 2010 until 5 p.m. on April 24, 2010. This rule is effective with actual notice for purposes of enforcement beginning 12 p.m. March 19, 2010.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2010-0198 and are available online by going to <http://www.regulations.gov>, inserting USCG-2010-0198 in the "Keyword" box, and then clicking "Search." They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 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 rule, call or e-mail Aaron L. Gross, Chief of Port Operations, Marine Safety Unit Duluth, Coast Guard; telephone 218-720-5286 ext 111, e-mail [Aaron.L.Gross@uscg.mil](mailto:Aaron.L.Gross@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager,

Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory 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 immediate action is necessary to provide for the safety of life and property on navigable waters.

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**. Good cause for making this rule effective less than 30 days after publication exists because delaying the effective date would be contrary to public interest because of the dangers associated with emergency flooding conditions on the Red River.

##### Background and Purpose

Flooding conditions along the Red River have created serious dangers to the boating public. The strong currents and floating debris associated with the flooding of the Red River necessitate the Coast Guard limiting access to the portions of the river affected by this rule in order to protect the public.

This temporary safety zone is necessary to ensure the safety of the public from hazards involved with the flooding of the Red River. Restricted access to the Red River by the public will help ensure the safety of persons and property along the Red River.

##### Discussion of Rule

The Coast Guard is establishing a temporary safety zone to encompass certain waters of the Red River in the Duluth Captain of the Port (COTP) Zone. The safety zone will prevent individuals from entering all navigable waters of the Red River in the State of Minnesota north of a line drawn across latitude 46°20'00" N, including those portions of the river in Wilkin, Clay, Norman, Polk, Marshall and Kittson counties, to the United States-Canada international border.

The COTP may stop enforcement of this safety zone before 5 p.m. on April