

activities unless the agency provides Congress, through OMB, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies. This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### M. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 0023.1 and Commandant Instruction M16475.1D, which guide 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 section 2.B.2, figure 2–1, paragraph (34)(a), (b) and (i) of the Instruction. This rule involves regulations which are editorial, regulations delegating authority and regulations in aid of vessel traffic services, and marking of navigation systems. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under ADDRESSES.

#### List of Subjects in 33 CFR Part 64

Navigation (water), Reporting and recordkeeping requirements.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 64 as follows:

#### PART 64—MARKING OF STRUCTURES, SUNKEN VESSELS AND OTHER OBSTRUCTIONS

■ 1. The authority citation for part 64 continues to read as follows:

**Authority:** 14 U.S.C. 633; 33 U.S.C. 409, 1231; 42 U.S.C. 9118; 43 U.S.C. 1333; Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 64.11 to read as follows:

##### § 64.11 Marking, notification, and approval requirements.

(a) The owner and/or operator of a vessel, raft, or other craft wrecked and sunk in a navigable channel must mark it immediately with a buoy or beacon

during the day and with a light at night. The requirement to mark the vessel, raft, or other craft with a light at night may be waived by the District Commander pursuant to § 64.13 of this subpart.

(b) The owner and/or operator of a sunken vessel, raft, or other craft that constitutes a hazard to navigation must mark it in accordance with this subchapter.

(c) The owner and/or operator of a sunken vessel, raft, or other craft must promptly report to the District Commander, in whose jurisdiction the vessel, raft, or other craft is located, the action they are taking to mark it. In addition to the information required by 46 CFR 4.05, the reported information must contain—

(1) Name and description of the sunken vessel, raft, or other craft, including type and size;

(2) Accurate description of the location of the sunken vessel, raft, or other craft, including how the position was determined;

(3) Water depth; and

(4) Location and type of marking established, including color and shape of buoy or other beacon and characteristic of the light, if fitted.

(d) The owner and/or operator of a vessel, raft, or other craft wrecked and sunk in waters subject to the jurisdiction of the United States or sunk on the high seas, if the owner is subject to the jurisdiction of the United States, must promptly report to the District Commander, in whose jurisdiction the obstruction is located, the action they are taking to mark it in accordance with this subchapter. The reported information must contain the information listed in paragraph (c) of this section, including the information required by 46 CFR 4.05.

(e) Owners and/or operators of other obstructions may report the existence of such obstructions and mark them in the same manner as prescribed for sunken vessels.

(f) Owners and/or operators of marine pipelines that are determined to be hazards to navigation must report and mark the hazardous portion of those pipelines in accordance with 49 CFR parts 192 or 195, as applicable.

(g) All markings of sunken vessels, rafts, or crafts and other obstructions established in accordance with this section must be reported to and approved by the appropriate District Commander.

(h) Should the District Commander determine that these markings are inconsistent with part 62 of this subchapter, the markings must be replaced as soon as practicable with approved markings.

■ 3. Revise § 64.13 to read as follows:

##### § 64.13 Approval for waiver of markings.

(a) Owners and/or operators of sunken vessels, rafts or other craft sunk in navigable waters may apply to the District Commander, in whose jurisdiction the vessel, raft, or other craft is located, for a waiver of the requirement to mark them with a light at night as required under § 64.11(a) of this subpart. Information on how to contact the District Commander is available at <http://www.uscg.mil/top/units>.

(b) The District Commander may grant a waiver if it is determined that—

(1) Marking the wrecked vessel, raft or other craft with a light at night would be impractical, and

(2) The granting of such a waiver would not create an undue hazard to navigation.

Dated: December 12, 2013.

Gary C. Rasicot,

Director, U.S. Coast Guard, Marine Transportation Systems.

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#### DEPARTMENT OF HOMELAND SECURITY

##### Coast Guard

##### 33 CFR Part 117

[Docket No. USCG–2013–1020]

##### Drawbridge Operation Regulation; Albemarle Sound to Sunset Beach, Atlantic Intracoastal Waterway (AICW), Wrightsville Beach, NC

**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 operation of the S.R. 74 Bridge, at mile 283.1, over the AICW, at Wrightsville Beach, NC. The deviation is necessary to facilitate bearing replacement to the bridge. This temporary deviation allows one span of the double leaf bascule drawbridge to remain in the closed to navigation position at a time.

**DATES:** This deviation is effective from 7 a.m. on January 8, 2014 to 11 p.m. January 29, 2014.

**ADDRESSES:** The docket for this deviation, [USCG–2013–1020] 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 Mr. Jim Rousseau, Bridge Administration Branch Fifth District, Coast Guard; telephone (757) 398-6557, email [James.L.Rousseau2@uscg.mil](mailto:James.L.Rousseau2@uscg.mil). If you have questions on reviewing the docket, call Barbara Hairston, Program Manager, Docket Operations, (202) 366-9826.

**SUPPLEMENTARY INFORMATION:** The North Carolina Department of Transportation, the owner and operator of this bascule bridge, has requested a temporary deviation from the current operating regulations set out in 33 CFR 117.821(a)(6), to facilitate bearing replacement to the bridge.

Under the current operating schedule, the draw for the S.R. 74 Bridge, at mile 283.1 over the AICW, at Wrightsville Beach, NC shall open on the hour between 7 a.m. to 7 p.m. and from 7 p.m. to 7 a.m. need not open except with a two hour advance notice.

Under this temporary deviation, one span of the drawbridge will be maintained in the closed to navigation position at a time, beginning at 7 a.m., on Wednesday, January 8, 2014 until and including to 11 p.m., on Wednesday January 29, 2014. The bridge will operate under its current operating schedule at all other times. The Coast Guard has carefully coordinated the restrictions with commercial and recreational waterway users.

Due to scaffolding hanging below the bridge the S.R. 74 Bridge has a temporary vertical clearance in the closed position of 18 feet above mean high water for ongoing maintenance. Vessels able to pass under the bridge in the closed position may do so at anytime and are advised to proceed with caution. Or, if they can pass through a single span opening, they may request such under the current operating schedule. There is no immediate alternate route for vessels transiting this section of the AICW that cannot pass a single span opening. 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.

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: December 13, 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-2013-1023]

#### Drawbridge Operation Regulation; Shark River, NJ

**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 bascule span of the Route 71 Bridge across Shark River (South Channel), mile 0.8, at Belmar, NJ. The deviation is necessary to facilitate the replacement of motor seals and instrumentation on the drawbridge. This deviation allows the bridge to remain in the closed to navigation position during the rehabilitation project.

**DATES:** This deviation is effective from 7 p.m. on Monday, January 6, 2014 until 5 a.m. on Friday, January 17, 2014.

**ADDRESSES:** The docket for this deviation [USCG-2013-1023] 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 Terrance Knowles, Environmental Protection Specialist, Coast Guard; telephone 757-398-6587, email [Terrance.A.Knowles@uscg.mil](mailto:Terrance.A.Knowles@uscg.mil). If you have questions on viewing the docket, call Barbara

Hairston, Program Manager, Docket Operations, at 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The New Jersey Department of Transportation (NJDOT), the owner and operator of this bascule drawbridge, has requested a temporary deviation from the current operating regulations to help facilitate the replacement of motor seals and instrumentation on the bridge. The Route 71 Bridge across Shark River (South Channel), mile 0.8, at Belmar, NJ, has a vertical clearance in the closed position of 13 feet above mean high water (MHW).

Under the current operating schedule set out in 33 CFR 117.5 and 117.751(b), the draw must open promptly and fully for the passage of vessels when a request or signal to open is given, from October 1 through May 14 of any year. Under this temporary deviation, the bridge will be closed-to-navigation for the rehabilitation, which will restrict the operation of the draw span from 7 p.m., on January 6, 2014 through 5 a.m., January 10, 2014 and from 7 p.m., on January 13, 2014 through 5 a.m., January 17, 2014. Vessels able to pass through the bridge in the closed position may do so at anytime. The bridge will not be able to open for emergencies and there is no alternate route for vessels to pass this section of Shark River.

The Coast Guard will inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessels can arrange their transits to minimize any impact caused by the temporary deviation. Waterway traffic consists of recreational boats, tugs, and barges.

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: December 13, 2013.

**Waverly W. Gregory, Jr.,**  
*Bridge Program Manager, Fifth Coast Guard District.*

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