

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 proposed rule involves the establishment of a regulated navigation area. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A preliminary environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

#### List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1226, 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, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T01–1063 to read as follows:

#### § 165.T01–1063 Regulated Navigation Area; Arthur Kill, NY and NJ.

(a) *Regulated Area*. The following area is a regulated navigation area: all waters from Port Ivory to Graselli High Wires north of Pralls Island in the Arthur Kill; bounded in the northeast by a line drawn from position 40° 38'43.260" N, 074° 10'47.208" W; to a point in position 40° 38'52.152" N, 074° 10'47.748" W; and bounded in the southwest by a line drawn from position 40° 37'8.940" N, 074° 12'19.116" W; to a point in position 40° 37'03.252" N, 074° 12'02.052" W. All geographic coordinates are North American Datum of 1983 (NAD 83).

(b) *Effective Dates and Enforcement Periods*. This rule is effective from 8:00 a.m. on December 1, 2014 until 5:00 p.m. on October 31, 2018. This rule will be enforced upon notice by the Captain of the Port (COTP) New York or the COTP's designated representative.

#### (c) Regulations.

(1) The general regulations contained in §§ 165.10, 165.11, and 165.13 apply.

(2) In accordance with the general regulations, entry into, anchoring, or

movement within the RNA, during periods of enforcement, is prohibited unless authorized by the COTP or the COTP's designated representative.

(3) During periods of enforcement, entry and movement within the RNA is subject to a "Slow-No Wake" speed limit. Vessels may not produce more than a minimum wake and may not attain speeds greater than three knots unless a higher minimum speed is necessary to maintain steerageway when traveling with a strong current. In no case may the wake produced by the vessel be such that it creates a danger of injury to persons, or damage to vessels or structures of any kind.

(4) During periods of enforcement, upon being hailed by a Coast Guard vessel by siren, radio, flashing light or other means, the operator must proceed as directed.

(5) Vessel operators desiring to enter or operated within the regulated area when it is closed shall contact the COTP or the designated on-scene representative via VHF channel 16 or (718) 354–4353 (Sector New York Command Center) to obtain permission.

(6) Vessel Movement Reporting System (VMRS) users are prohibited from meeting or overtaking other vessels when transiting alongside an active work area where dredging and drilling equipment are being operated.

(7) Notwithstanding anything contained in this section, the Rules of the Road (33 CFR Chapter I, Subchapter E, part 83–90 inland navigation rules) are still in effect and must be strictly adhered to at all times.

Dated: March 25, 2014.

V.B. Gifford,

Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.

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### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 1

[GN Docket Nos. 12–268, 13–185; WT Docket No. 05–211; DA 14–414]

#### Wireless Telecommunications Bureau Seeks Comment on Request for Clarification or Waiver of the Commission's Attributable Material Relationship Rule

**AGENCY:** Federal Communications Commission.

**ACTION:** Petition for clarification or waiver, comment requested.

**SUMMARY:** In this document, the Wireless Telecommunications Bureau

seeks comment on a request for clarification or waiver of the Commission's "attributable material relationship" rule.

**DATES:** Comments are due on or before April 25, 2014, and reply comments are due on or before May 9, 2014.

**ADDRESSES:** All filings in response to this notice must refer to GN Docket Nos. 12–268, 13–185 and WT Docket No. 05–211. The Wireless Telecommunications strongly encourages interested parties to file comments electronically using the Commission's Electronic Comment Filing System (ECFS). Comments may be submitted by any of the following methods:

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

- **Paper Filers:** Parties who choose to file by paper must file an original and five copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Attn: WTB/ASAD, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street SW., Room TW–A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW., Washington, DC 20554.

*People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202–418–0530 or TTY: 202–418–0432.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554. Parties should also send a copy of their filings to Kelly A. Quinn, by email to [kelly.quinn@fcc.gov](mailto:kelly.quinn@fcc.gov). Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street SW., Room CY–B402, Washington, DC

20554, (202) 488–5300, or via email to [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

**FOR FURTHER INFORMATION CONTACT:** *Wireless Telecommunications Bureau, Auctions and Spectrum Access Division:* Kelly A. Quinn at (202) 418–7384 or [kelly.quinn@fcc.gov](mailto:kelly.quinn@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of a public notice released on March 27, 2014 by the Wireless Telecommunications Bureau, Federal Communications Commission. The complete text of the public notice, including all related Commission documents, is available for public inspection and copying from 8:00 a.m. to 4:30 p.m. Eastern Time (ET) Monday

through Thursday or from 8:00 a.m. to 11:30 a.m. ET on Fridays in the FCC Reference Information Center, 445 12th Street SW., Room CY–A257, Washington, DC 20554. The public notice also may be purchased from the Commission’s duplicating contractor, Best Copy and Printing, Inc. (BCPI), 445 12th Street SW., Room CY–B402, Washington, DC 20554, telephone 202–488–5300, fax 202–488–5563, or you may contact BCPI at its Web site: <http://www.BCPIWEB.com>. Copies of the public notice, the request for clarification and waiver that is the subject of the public notice and related documents also are available on the

Commission’s Web site at: <http://www.fcc.gov/cgb/ecfs/>.

1. On March 4, 2014, Grain Management, LLC filed a request for clarification or waiver of the Commission’s “attributable material relationship” rule, 47 CFR 1.2110(b)(3)(iv)(A).

2. The Wireless Telecommunications Bureau invites interested parties to file comments on the request.

Federal Communications Commission.

**Gary D. Michaels,**

*Deputy Chief, Auctions and Spectrum Access Division, WTB.*

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