

## Regulations

For the reasons set out in the preamble, the Coast Guard proposes to amend 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; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Section 117.211(b)(2) is revised to read as follows:

#### § 117.211 Mystic River

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

(2) From November 1 through April 30, from 8 p.m. to 4 a.m., the draw shall open on signal if at least six hours notice is given by calling the number posted at the bridge.

Dated: July 29, 1999.

**R.M. Larrabee,**

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

[FR Doc. 99-20953 Filed 8-12-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD01-99-085]

RIN 2115-AE47

#### Drawbridge Operation Regulations; Housatonic River, CT

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to change the operating rules governing the US 1 Bridge, mile 3.5, across the Housatonic River in Stratford, Connecticut. The bridge owner asked the Coast Guard to change the regulations to require a six hour advance notice for openings at night during the winter months because there have been few requests to open the bridge during that time period. This rulemaking is expected to relieve the bridge owner of the burden of crewing the bridge at all times while meeting the reasonable needs of navigation.

**DATES:** Comments must reach the Coast Guard on or before October 12, 1999.

**ADDRESSES:** You may mail comments to Commander (obr), First Coast Guard District, 408 Atlantic Avenue, Boston,

MA 02110-3350, or deliver them at the same address between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223-8364. The First Coast Guard District Bridge Branch maintains the public docket for this rulemaking. Comments and documents as indicated in this preamble will become part of this docket and will be available for inspection or copying at the above address 7 a.m. to 3 p.m. Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. John W. McDonald, Project Officer, First Coast Guard District, (617) 223-8364.

#### SUPPLEMENTARY INFORMATION:

#### Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identifying this rulemaking (CGD01-99-085) and the specific section of this document to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposed rule in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the address under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

#### Background

The US 1 Bridge, mile 3.5, across the Housatonic River, in Stratford, Connecticut, has a vertical clearance of 32 feet at mean high water and 37 feet at mean low water.

The existing operating regulations listed at 33 CFR 117.207(a) for the bridge require it to open on signal; except that, from 7 a.m. to 9 a.m., Monday through Friday and 4 p.m. to 5:45 p.m. daily, the draw need not be opened for the passage of vessels.

The owner of the bridge, the Connecticut Department of Transportation (CONNDOT) has asked

the Coast Guard to change the regulations to require a six-hour advance notice for openings from 8 p.m. to 4 a.m., December 1 through March 31. The bridge opening log data for 1998 and 1999, December 1 through March 31, from 8 p.m. to 4 a.m. indicate the following number of openings: December 1, N/A, January 5, 6, February 4, 3, March 0, 3, respectively.

#### Discussion of Proposal

The Coast Guard proposes to revise the operating rules, listed at 33 CFR 117.207(a), which govern the US 1 Bridge, mile 3.5, across the Housatonic River. This change will require the bridge to open on signal; except that, from 7 a.m. to 9 a.m., Monday through Friday and 4 p.m. to 5:45 p.m. daily, the draw need not be opened for the passage of vessels. From December 1 through March 31, from 8 p.m. to 4 a.m., the draw shall open on signal if at least six-hour advance notice is given. This proposal will relieve the bridge owner of the requirement to crew the bridge at night during the winter months while meeting the reasonable needs of navigation.

The Coast Guard believes this proposal is reasonable based upon the low number of opening requests at night during the winter months.

#### Regulatory Evaluation

This proposed rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. It has not been reviewed by the Office of Management and Budget under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; Feb. 26, 1979). The Coast Guard expects the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the fact that the bridge has not had many requests to open in the evening during the winter months. Mariners will still be able to obtain bridge openings during the regulated time period provided they give six-hour notice.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considers whether this proposed rule, if adopted, will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are

independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. Therefore, the Coast Guard certifies under section 5 U.S.C. 605(b), for the reasons discussed in the Regulatory Evaluation section above, that this proposed rule, if adopted, will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact on your business or organization, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and to what degree this proposed rule will economically affect it.

### Collection of Information

This proposed rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

### Federalism

The Coast Guard has analyzed this proposed rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this proposed rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

### Environment

The Coast Guard considered the environmental impact of this proposed rule and concluded that, under Section 2.B.2., Figure 2-1, paragraph (32)(e) of Commandant Instruction M16475.1C, this proposed rule is categorically excluded from further environmental documentation because promulgation of drawbridge regulations have been found not to have a significant effect on the environment. A written "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

### List of Subjects in 33 CFR Part 117

Bridges.

### Regulations

For the reasons set out in the preamble, the Coast Guard proposes to amend 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; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued

under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Section 117.207(a) is revised to read as follows:

#### § 117.207 Housatonic River

(a) The draw of the US 1 Bridge, mile 3.5, at Stratford, shall open on signal; except that, from 7 a.m. to 9 a.m., Monday through Friday, and 4 p.m. to 5:45 p.m. daily, the draw need not open for the passage of vessels. From December 1 through March 31, from 8 p.m. to 4 a.m., the draw shall open on signal if at least six hours notice is given by calling the number posted at the bridge.

\* \* \* \* \*

Dated: July 29, 1999.

**R.M. Larrabee,**

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

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD01-99-076]

RIN 2115-AE47

#### Drawbridge Operation Regulations; Hackensack River, Passaic River, NJ

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to change the operating regulations governing the Harold J. Dillard (Court Street) Bridge, at mile 16.2, at Hackensack, across the Hackensack River, the Avondale Bridge, mile 10.7, at Lyndhurst, across the Passaic River, and the Douglas O. Mead (Union Avenue) Bridge, mile 13.2, at Rutherford, across the Passaic River, in New Jersey. The brige owner has asked the Coast Guard to change the regulations for these bridges to require a four-hour advance notice for openings at all times because there have been few requests to open these bridges since 1994. This rulemaking is expected to relieve the bridge owner of the burden of crewing the bridges at all times while meeting the reasonable needs of navigation.

**DATES:** Comments must reach the Coast Guard on or before October 12, 1999.

**ADDRESSES:** You may mail comments to Commander (obr), First Coast Guard District, 408 Atlantic Avenue, Boston, MA. 02110-3350, or deliver them at the same address between 7 a.m. and 4 p.m., Monday through Friday, except

Federal holidays. The telephone number is (617) 223-8364. The First Coast Guard District Bridge Branch maintains the public docket for this rulemaking. Comments and documents as indicated in this preamble will become part of this docket and will be available for inspection or copying at the above address 7 a.m. to 3 p.m. Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. John W. McDonald, Project Officer, First Coast Guard District, (617) 223-8364.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD01-99-076) and the specific section of this document to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposed rule in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the address under ADDRESSES. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

##### Background

The Harold J. Dillard (Court Street) Bridge, mile 16.2, across the Hackensack River in Hackensack, New Jersey, has a vertical clearance of 3 feet at mean high water and 8 feet at mean low water. The Douglas O. Mead (Union Avenue) Bridge, mile 13.2, across the Passaic River, in Rutherford, New Jersey, has a vertical clearance of 13 feet at mean high water and 18 feet at mean low water. The Avondale Bridge, mile 10.7, across the Passaic River in Lyndhurst, New Jersey, has a vertical clearance of 7 feet at mean high water and 12 feet at mean low water.

The existing operating regulations for the Harold J. Dillard (Court Street) Bridge listed at § 117.723(g) require the