

dominant in their fields and governmental jurisdictions with populations of less than 50,000.

Local commercial fishing vessels will only be inconvenienced for two hours on one evening. Thus, the economic impact is expected to be minimal. There is no indication that other waterway users would suffer any type of economic hardship if they are precluded from transiting the waterway during the two hours that the draw is scheduled to remain in the closed-to-navigation position. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this temporary rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

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

#### Federalism

The Coast Guard has analyzed this temporary rule under the principles and criteria contained in Executive Order 12612 and has determined that this temporary rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment. The authority to regulate the permits of bridges over the navigable waters of the U.S. belongs to the Coast Guard by Federal statutes.

#### Environmental

The Coast Guard considered the environmental impact of this temporary rule and concluded that under Figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, this temporary rule is categorically excluded from further environmental documentation. A 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.

For the reasons set out in the preamble, the Coast Guard is amending part 117 of title 33, Code of Federal Regulations, as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

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

**Authority:** 33 U.S.C. Sec. 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. Effective 9 p.m. to 11 p.m. on July 4, 1999, § 117.301 is temporarily added to read as follows:

#### § 117.301 Massalina Bayou.

The draw of the Tarpon Dock bascule span bridge, Massalina Bayou, mile 0.0 at Panama City, shall open on signal, except that from 9 p.m. until 11 p.m. on July 4, 1999, the draw need not open for vessel traffic and may be maintained in the closed-to-navigation position.

Dated: May 20, 1999.

**Paul J. Pluta**

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

[FR Doc. 99-13939 Filed 6-1-99; 8:45 am]

BILLING CODE 4910-15-M

#### DEPARTMENT OF TRANSPORTATION

##### Coast Guard

##### 33 CFR Part 117

[CGD08-99-029]

#### Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Harvey Canal, LA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation governing the operation of the Lapalco Boulevard bascule span drawbridge across the Harvey Canal, Intracoastal Waterway, mile 2.8 at New Orleans, Jefferson Parish, Louisiana. This deviation allows the draw of the Lapalco Boulevard bascule span drawbridge to remain closed to navigation continuously from 6 p.m. on July 9, 1999 until 6 a.m. on July 26, 1999 and from 6 a.m. until 6 p.m. on August 7, 1999. This temporary deviation will allow for replacement of worn components in the electrical and mechanical operating mechanisms.

**DATES:** This deviation is effective from 6 p.m. on July 9, 1999 through 6 p.m. on August 7, 1999.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The Bridge Administration Branch of the Eighth Coast Guard District maintains

the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Phil Johnson, Bridge Administration Branch, at the address given above, telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:** The Lapalco Boulevard bascule span drawbridge across the Intracoastal Waterway, Harvey Canal, mile 2.8, in New Orleans, Louisiana has a vertical clearance of 45 feet above mean high water in the closed-to-navigation position and unlimited in the open-to-navigation position. Navigation on the waterway consists of tugs with tows, small ships, fishing vessels, sailing vessels and other recreational craft. The Jefferson Parish Public Works Department requested a temporary deviation for the operation of the drawbridge to accommodate maintenance work, involving removing and replacing numerous components of the electrical and mechanical operating mechanisms. This work is essential for continued efficient operation of the bridge.

The District Commander has, therefore, issued a deviation from the regulations in 33 CFR 117.451(a), authorizing the draw of the Lapalco Boulevard bascule span drawbridge to remain closed to navigation continuously from 6 p.m. on July 9, 1999 until 6 a.m. on July 26, 1999 and from 6 a.m. until 6 p.m. on August 7, 1999.

Presently, the draw opens on signal; except that, from 6:30 a.m. to 8:30 a.m. and from 3:45 p.m. to 5:45 p.m. Monday through Friday except holidays, the draw need not be opened for the passage of vessels. In the event of an approaching tropical storm or hurricane, the draw will return to normal operation within 12 hours notice from the Coast Guard.

Dated: May 20, 1999.

**Paul J. Pluta,**

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

[FR Doc. 99-13938 Filed 6-1-99; 8:45 am]

BILLING CODE 4910-15-M

#### DEPARTMENT OF TRANSPORTATION

##### Coast Guard

##### 33CFR Part 117

[CCGD08-99-020]

RIN 2115-AE47

#### Drawbridge Operating Regulation; Muskingum River, OH

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule; request for comments.

**SUMMARY:** The Commander, Eighth Coast Guard District is temporarily changing the regulation governing the Lock Street Drawbridge, Mile 49.7, Muskingum River. The drawbridge need not open for vessel traffic and may remain in the closed-to-navigation position from May 15, 1999 to March 17, 2000 while Lock No. 7 is closed for renovation. This temporary rule is issued to allow for the repair of the subject bridge.

**DATES:** This temporary rule is effective from 12:01 a.m. on May 15, 1999 to 12:01 a.m. on March 17, 2000.

**ADDRESSES:** The Public docket and all documents referred to in this notice will be available for inspection and copying at room 2.107f in the Robert A. Young Federal Building at Director, Western Rivers Operations (ob), Eighth Coast Guard District, 1222 Spruce Street, St. Louis, MO 63103-2832, between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Roger K. Weibusch, Bridge Administrator, Director, Western Rivers Operations, Eighth Coast Guard District, Bridge Branch, 1222 Spruce Street, St. Louis, MO 63103-2832, telephone 314-539-3900 extension 378.

**SUPPLEMENTARY INFORMATION:**

**Request For Comments**

The Coast Guard encourages interested parties to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD 08-99-020) 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 acknowledgement of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

The Coast Guard will consider all comments received during the comment period. This final rule may be changed in view of the comments.

**Discussion of Temporary Rule**

The Lock Street Drawbridge navigation span has a vertical clearance of 18 feet above normal pool in the closed-to-navigation position. Navigation on the waterway consists of recreational watercraft. Presently, the draw opens on signal for passage of

river traffic. This temporary drawbridge operation amendment has been coordinated with waterway users and no objections were raised.

In order to minimize public inconvenience the Ohio Department of Natural Resources (OHDNR) intends to run the bridge repairs simultaneously with the repairs to Lock No. 7. Accommodating this repair schedule leaves insufficient time to provide for notice and an opportunity to comment or for a delayed effective date for this rule. Therefore, in accordance with 5 U.S.C. 553, good cause exists for issuing this rule without notice and opportunity for comment and for making this rule effective in less than 30 days after publication in the **Federal Register**.

**Background and Purpose**

On April 14, 1999, the Ohio Department of Natural Resources (OHDNR) submitted plans for repairs on the Lock Street Drawbridge which will be accomplished while the river is closed for renovation of the Lock No. 7, located 2,000 feet downstream of the bridge. The repairs are necessary to meet the navigational needs of the waterway, which depend on both the bridge and lock being operational.

The Lock Street Drawbridge serves as a pedestrian crossing from the riverbank to an island separating the river from the canal. The OHDNR requested permission to undertake bridge repairs at the same time as the lock renovation so that the public would be inconvenienced only once by the lock and canal closure.

**Regulatory Evaluation**

This temporary 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. The Office of Management and Budget has not reviewed it under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979).

The Coast Guard expects the economic impact of this temporary rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. This is because there are no commercial users of this waterway.

**Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this temporary rule will have a significant economic

impact on a substantial number of small entities. "Small entities" may include small businesses and 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.

Since there are no commercial users of the waterway spanned by the Lock Street Drawbridge, the Coast Guard expects there to be no significant impact on any waterway users as a result of the closure. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b), that this action will not have a significant economic impact on a substantial number of small entities.

**Collection of Information**

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

**Federalism**

The Coast Guard has analyzed this temporary rule under the principles and criteria contained in Executive Order 12612, and has determined that this temporary rule does not raise sufficient implications of federalism to warrant the preparation of a Federalism Assessment. The authority to regulate the permits of bridges over the navigable waters of the U.S. belongs to the Coast Guard by Federal statutes.

**Environmental**

The Coast Guard considered the environmental impact of this temporary rule and concluded that under Figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, this temporary rule is categorically excluded from further environmental documentation. A 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.

For the reasons set out in the preamble, the Coast Guard is amending part 117 of title 33, Code of Federal Regulations, as follows:

**PART 117—DRAWBRIDGE OPERATION REGULATIONS**

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

**Authority:** 33 U.S.C. Sec. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Public Law 102-587, 106 Stat. 5039.

2. Effective 12:01 a.m. May 15, 1999 to 12:01 a.m. March 17, 2000, § 117.T 848 is added to read as follows:

**§ 117.T848 Muskingum River.**

Lock Street Drawbridge Mile 49.7, Muskingum River. From 12:01 a.m. May 15, 1999 to 12:01 a.m. March 17, 2000, the drawspan need not open for vessel traffic and may be maintained in the close-to-navigation position.

Dated: May 7, 1999.

**A.L. Gerfin, Jr.,**

*Captain, Coast Guard, Acting Commander, 8th Coast Guard Dist.*

[FR Doc. 99-13937 Filed 6-1-99; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD08-99-035]

#### Drawbridge Operating Regulation; Falgout Canal, LA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation in 33 CFR 117.444 governing the operation of the SR 315 drawbridge across the Falgout Canal, mile 3.1, in Terrebonne Parish, Louisiana. This deviation allows the Louisiana Department of Transportation and Development to maintain the bridge in the closed-to-navigation position from 7 a.m. until 3 p.m. on Monday through Wednesday, from June 7 through June 30, 1999 and from July 12 through July 21, 1999. During the scheduled closures, the bridge will open for the passage of vessels at 9 a.m. and 12 noon. At all other times outside the closed-to-navigation period, the bridge will open on signal for the passage of vessels. This temporary deviation is issued to allow for the painting of the bridge structure.

**DATES:** This deviation is effective from 7 a.m. on June 7, 1999, until 3 p.m., July 21, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Frank, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130-3396, telephone number 504-589-2965.

**SUPPLEMENTARY INFORMATION:**

Navigation on the waterway consists of tugs with tows, fishing vessels, and other recreational craft. Louisiana Department of Transportation and

Development requested a temporary deviation from the normal operation of the bridge in order to accommodate the contractor in scheduling his work crews to repair the bridge structure.

This deviation allows the draw of the SR 315 drawbridge across the Falgout Canal, miles 3.1, in Terrebonne Parish, Louisiana, to remain in the closed-to-navigation position from 7 a.m. on Monday through Wednesday, from June 7, 1999 through June 30, 1999 and from 7 a.m. until 3 p.m. on Monday through Wednesday, from July 12, 1999 through July 21, 1999. During the scheduled closures, the bridge will open for the passage of vessels at 9 a.m. and 12 noon. At all other times, the bridge will open on signal for the passage of vessels.

Dated: May 20, 1999.

**Paul J. Pluta,**

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

[FR Doc 99-13940 Filed 6-1-99; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP Los Angeles-Long Beach, CA; 99-003]

RIN 2115-AA97

#### Safety Zone; San Pedro Bay, CA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule, request for comments.

**SUMMARY:** The Coast Guard is extending the effective period of an existing temporary safety zone in the navigable waters of San Pedro Bay, California, south of the Middle Breakwater, part of the breakwater system enclosing the Ports of Los Angeles and Long Beach. This safety zone is established as a result of the construction of an artificial habitat and is necessary to protect vessels from the hazards associated with the construction.

All vessels with a draft of 50 feet or more are prohibited from entering this exclusionary area, unless specifically authorized by the Captain of the Port, for the entire time that this regulation is enforced by the Captain of the Port. All other vessels are prohibited from entering the area, unless specifically authorized by the Captain of the Port, only when actual construction activities are in progress. The Captain of the Port will announce, via Broadcast Notice to Mariners and any other means practicable, when the area is closed to

vessels less than 50 feet in draft (because construction activities are in progress).

**DATES:** This safety zone will be in effect from 11:59 p.m. PDT on May 17, 1999 until 11:59 p.m. PST on December 31, 1999. Comments must be received on or before August 2, 1999.

**ADDRESSES:** Comments should be mailed to Commanding Officer, Coast Guard Marine Safety Office, 165 N. Pico Avenue, Long Beach, CA 90802. Comments received will be available for inspection and copying within the Waterways Management Division at Marine Safety Office Los Angeles-Long Beach. Normal office hours are 8 a.m. to 4 p.m. PDT, Monday through Friday, except federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Lieutenant Rob Collier, Chief, Waterways Management Division, Marine Safety Office Los Angeles-Long Beach, 165 N. Pico Ave., Long Beach, CA 90802; (562) 980-4425.

**SUPPLEMENTARY INFORMATION:**

#### Regulatory Information

In accordance with 5 U.S.C. 553, there is good cause why a notice of proposed rulemaking (NPRM) was not published for this regulation, and good cause exists for making it effective less than 30 days after **Federal Register** publication. Publishing an NPRM and delaying the effective date would be contrary to the public interest since the details concerning the construction of the artificial habitat and the completion date were not known until a date fewer than 30 days prior to the continuation of the construction.

Although this rule is being published as a temporary final rule without prior notice, an opportunity for public comment is nevertheless desirable to ensure the regulation is both reasonable and workable. Accordingly, persons wishing to comment may do so by submitting written comments to the office listed in **ADDRESSES** in this preamble. Those providing comments should identify the docket number for the regulation (COTP Los Angeles-Long Beach, CA; 99-003) and also include their name, address, and reason(s) for each comment presented. Based upon the comments received, the regulation may be changed.

The Coast Guard plans no public meeting. Persons may request a public meeting by writing to Marine Safety Office Los Angeles-Long Beach at the address listed in **ADDRESSES** in this preamble.