

have a significant economic impact on a substantial number of small entities.

### Collection of Information

This final 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 final rule under the principles and criteria contained in Executive Order 12612 and has determined that this final rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

### Unfunded Mandates

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) [Public Law 104-4, 109 Stat. 48] requires Federal agencies to assess the effects of certain regulatory actions on State, local, and tribal governments, and the private sector. UMRA requires a written statement of economic and regulatory alternatives for rules that contain Federal mandates. A "Federal mandate" is a new or additional enforceable duty imposed on any State, local, or tribal government, or the private sector. If any Federal mandate causes those entities to spend, in the aggregate, \$100 million or more in any one year, the UMRA analysis is required. This final rule does not impose Federal mandates on any State, local, or tribal governments, or the private sector.

### Environment

The Coast Guard has considered the environmental impact of this final rule and concluded that under paragraph 2-1, paragraph 34(f), of Commandant Instruction M16475.1C, this final 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 110

Anchorage grounds.

### Regulation

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 110 as follows:

### PART 110—[AMENDED]

1. The authority citation for Part 110 continues to read as follows:

**Authority:** 33 U.S.C. 471, 1221 through 1236, 2030, 2035, 2071; 49 CFR 1.46 and 33 CFR 1.05-1(g).;

2. In § 110.155, add paragraph (c)(6) to read as follows:

#### § 110.155 Port of New York.

\* \* \* \* \*

(c) \* \* \*

(6) Anchorage No. 19-A. An area located west of Hyde Park enclosed by the coordinates starting at 41°48'35"N 073°57'00"W; to 41°48'35"N 073°56'44"W; to 41°47'32"N 073°56'50"W; to 41°47'32"N 073°57'10"W; thence back to 41°48'35"N 073°57'00"W (NAD 1983).

(i) No vessel may anchor in Anchorage 19-A from December 16 to the last day of February without permission from the Captain of the Port, New York.

(ii) No vessel less than 20 meters in length may anchor in Anchorage 19-A without prior approval of the Captain of the Port, New York.

\* \* \* \* \*

Dated: June 30, 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

[CGD07-99-038]

RIN 2115-AE47

### Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (AIWW), Beaufort, SC

**AGENCY:** Coast Guard, DOT.

**ACTION:** Interim rule; request for comments.

**SUMMARY:** The Coast Guard is changing the regulations governing the operation of the Lady's Island Bridge at Beaufort, SC. This rule changes the operating requirements for a seasonal operating schedule to a single annual schedule that coincides with daily traffic volume. The rule permits the draw to remain closed Monday through Friday during morning and afternoon rush hours, from 7:30 a.m. to 9 a.m. and from 4 p.m. to 6 p.m., and to open on the hour and half hour between rush hours.

**DATES:** This rule becomes effective August 23, 1999. Comments must be received on or before November 17, 1999.

**ADDRESSES:** Comments may be mailed to Commander (oan), Seventh Coast Guard District, Bridge Section, Brickell Plaza

Federal Building, 909 S.E. First Avenue, Miami, Florida 33131-3050, or may be delivered to Room 406 at the same address between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (305) 536-5621.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gary D. Pruitt, Project Manager, Bridge Management Specialist, Seventh Coast Guard District, Bridge Section at (843) 747-5335.

### 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 the rulemaking [CGD07-99-038] and the specific section of this rule to which each comment applies, and give the reason for each comment. Please submit 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 stamped, self-addressed postcards or envelopes.

The Coast Guard will consider all comments received during the comment period and may revise this rule before making it final.

#### Background and Purpose

The Lady's Island Bridge (also known as the Woods Memorial Bridge) over the AIWW, mile 536.0 at Beaufort, has a vertical clearance of 30 feet at mean high water and 37 feet at mean low water. Presently, the draw opens on signal, except that from 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m., Monday through Saturday the draw need open only on the hour. During the months of April, May, June, September, October, and November, Monday through Friday from 9 a.m. to 4 p.m., the draw need open only on the hour, twenty minutes after the hour and forty minutes after the hour.

The City of Beaufort has requested that the Coast Guard change the existing regulations by eliminating openings during morning and evening rush hours, and limiting the openings to twice an hour between rush hours. The operating regulations for this bridge have not been changed since 1986 and vehicular traffic has increased. The new schedule will allow individuals crossing the swingbridge by vehicle to plan their transit times across this swingbridge to avoid delays from bridge openings. The Commander, Seventh Coast Guard

District has examined the operating requirements listed in 33 CFR 117.911(f) governing the Lady's Island Bridge and has determined that the revised schedule is appropriate for local conditions and should balance the needs of vehicular and vessel traffic. Under this interim rule, from Monday through Friday except Federal holidays, the Lady's Island Bridge will open on signal except that during the morning and afternoon rush hours from 7:30 a.m. to 9 a.m. and 4 p.m. to 6 p.m., the draw need not open. Between rush hours, the draw need only open twice an hour. At all other times, the draw will open on signal. The draw shall open at any time for public vessels of the United States, State and local vessels used in public safety, and vessels in distress where a delay would endanger life or property.

In accordance with 5 U.S.C. 553, good cause exists for not publishing a notice of proposed rulemaking (NPRM) for this interim rule. Publishing a NPRM would unnecessarily delay the implementation of the revised bridge opening schedules, since tests have indicated that this operating schedule would balance the needs of vehicular traffic and navigation. The public will have an opportunity to comment on the rule during the first 120 days of its implementation, and changes to the rule may be made before it is finalized.

### Regulatory Evaluation

This rule is not a significant regulatory action under the regulatory 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; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

### Small Entities

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

The interim rule is a reasonable balance between waterway and land

transportation. Therefore, because it expects the impact of this rule to be so minimal, the Coast Guard certifies that under 5 U.S.C. 604(b) this rule 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 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 rule will economically affect it.

### Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

### Federalism

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

### Environmental Assessment

The Coast Guard has considered the environmental impact of this rule and has determined, under Figure 2-1, paragraph (32)(e) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" has been prepared and is available in the docket for inspection or copying.

### List of Subjects in 33 CFR Part 117

Bridges.

Regulations: In consideration of the foregoing, the Coast Guard amends Part 117 of Title 33, Code of Federal Regulations, as follows:

### PART 117—[AMENDED]

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. Revise § 117.911(f) to read as follows:

**§ 117.911 Atlantic Intracoastal Waterway, Little River to Savannah River.**

\* \* \* \* \*

(f) *Lady's Island Bridge, across the Beaufort River, Mile 536.0 at Beaufort.* The draw shall operate as follows:

(1) On Monday through Friday, except Federal holidays:

(i) from 7:30 a.m. to 9 a.m. and 4 p.m. to 6 p.m., the draw need not open; and,  
(ii) from 9 a.m. to 4 p.m., the draw need open only on the hour and half-hour.

(2) At all other times the draw shall open on signal.

Dated: July 13, 1999.

**Thad W. Allen,**

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

[FR Doc. 99-18488 Filed 7-16-99; 10:03 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

### 33 CFR Part 117

[CGD01-98-091]

RIN 2115-AE47

### Drawbridge Operation Regulations; Hackensack River, NJ

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is changing the drawbridge operation regulations governing the S46 Bridge, mile 14.0, across the Hackensack River at Little Ferry, New Jersey to open on signal after a twenty four hour advance notice is given by calling the number posted at the bridge. There have been no requests to open the S46 Bridge since 1978. This rule is expected to relieve the bridge owner of the requirement to crew the bridge and still meet the needs of navigation.

**DATES:** This final rule is effective August 19, 1999.

**ADDRESSES:** Documents as indicated in this preamble are available for inspection or copying at the First Coast Guard District Office, 408 Atlantic Avenue, Boston, MA, 02110-3350, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223-8364.

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

### SUPPLEMENTARY INFORMATION:

### Regulatory History

On February 18, 1999, the Coast Guard published a notice of proposed rulemaking entitled drawbridge operation regulations; Hackensack River, NJ, in the **Federal Register** [64 FR 8033]. The Coast Guard received no letters commenting on the proposed rulemaking. A hearing was not requested and none was held.