

regulated area should contact the Coast Guard patrol commander on VHF Channel 16. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated area with a Coast Guard designated escort.

(4) All persons and vessels shall comply with the instructions of the Coast Guard on-scene patrol commander. On-scene patrol personnel may include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon hearing five or more short blasts from a U.S. Coast Guard vessel, the operator of a vessel shall proceed as directed. Members of the Coast Guard Auxiliary may also be present to inform vessel operators of this regulation and other applicable laws.

(c) *Effective period.* This section is in effect on August 24, 1996, and each year thereafter on the fourth Saturday in August. If the event is canceled due to weather, this section is effective the following day.

Dated: August 22, 1996.

James D. Garrison,

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

[FR Doc. 96-29688 Filed 11-19-96; 8:45 am]

BILLING CODE 4910-14-M

## Coast Guard

### 33 CFR Part 117

[CGD11-90-03]

RIN-2115-A47

#### Drawbridge Operation Regulations; Cerritos Channel, CA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** At the request of the Port of Los Angeles, the Coast Guard is temporarily changing the regulation for operation of the Henry Ford Avenue Railroad Bridge (Ford Bridge), across Cerritos Channel of Los Angeles/Long Beach Harbor, mile 4.8, Long Beach, California, to authorize it to remain in the closed to navigation position for 5 months, from February 1 to June 30, 1997. This action is necessary both to facilitate reconstruction of the bridge and to avoid disrupting essential rail service during reconstruction. If, due to the state of construction, passage through the draw becomes temporarily possible during the effective period, the Coast Guard will publish that fact in the Local Notice to Mariners.

**EFFECTIVE DATE:** This temporary final rule will be effective from February 1 through June 30, 1997.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of Commander (Pow), Eleventh Coast Guard District, Building 50-6, Coast Guard Island, Alameda, CA 94501-5100 between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (510) 437-3514. Commander (Pow) maintains the public docket for this rulemaking.

**FOR FURTHER INFORMATION CONTACT:** Susan Worden, Bridge Administrator, Eleventh Coast Guard District, at (510) 437-3514.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

On August 28, 1990, the Coast Guard published a notice of proposed rulemaking (NPRM) in the Federal Register (55 FR 35154). The NPRM discussed a six and one-half month closure during efforts to rehabilitate the historic bridge. On July 8, 1996, the Coast Guard published a supplemental notice of proposed rulemaking (SNPRM) in the Federal Register (61 FR 35702). The SNPRM responded to all comments submitted in response to the NPRM and discussed a five month closure during efforts to replace portions of the bridge and to reconstruct other portions. The comment period established in the SNPRM ended on August 7, 1996. The Coast Guard received no comments on the proposal discussed in the SNPRM. A public hearing was not requested and no hearing was held.

##### Drafting Information

The principal persons involved in drafting this regulation are Susan Worden, Project Manager, Eleventh Coast Guard District, and Lieutenant (junior grade) Martin Sarch, Project Attorney, Maintenance & Logistics Command Pacific Legal Division.

##### Background and Purpose

At the request of the Port of Los Angeles, the Coast Guard is temporarily changing the regulation for operation of the Ford Bridge at mile 4.8, Los Cerritos Channel, in the Los Angeles/Long Beach Harbor. The Ford Bridge, also known as the Badger Avenue Bridge, provides the only rail access to Terminal Island. It crosses a waterway used by oceangoing cargo ships, tugs and barges, tour boats, commercial fishing vessels, and recreational boats. Existing regulations require the bridge to remain fully open except for the passage of trains or for maintenance.

The bridge is over 70 years old and no longer meets California seismic standards or Federal Railroad Administration clearance standards.

Interruption or delay of rail and water traffic is likely if the existing bridge were either to malfunction or to be damaged by seismic activity. In 1995, the Coast Guard issued a permit to replace the bridge. Replacement cannot be accomplished without closing the bridge span for a period of five months. Closure of the bridge will require maritime traffic to use an alternate route through the outer harbor. Detours of 5 miles are expected; maximum detours of 10 miles may be experienced. The short term costs attributable to these detours are outweighed by the long-term benefits to be gained by the installation of a new bridge likely to provide uninterrupted rail service and timely, reliable openings for waterborne traffic for many years.

This temporary rule authorizes a five month (150 day) closure of the bridge. This action is necessary both to facilitate replacement of the span and reconstruction of the bridge support towers, as well as to avoid disrupting essential rail service during reconstruction. The SNPRM advertised a closure beginning in November 1996, however, construction is behind schedule and the closure is now scheduled to begin February 1, 1997. In the event that passage through the draw becomes temporarily possible during the effective period notwithstanding construction efforts, the Coast Guard will publish that fact in the Local Notice to Mariners.

##### Regulatory Evaluation

This 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 been exempted from review by the Office of Management and Budget under that order. It is not significant under the Department of Transportation Regulatory Policies and Procedures (44 FR 11040, February 26, 1979). The Coast Guard expects the economic impact of this rule to be approximately \$1 million to waterway users (to detour around the work site) and \$2.5 million to the bridge owner (to expedite work). These figures are below the threshold levels requiring a formal Regulatory Evaluation. The draft economic analysis published with the NPRM was superseded by a more detailed economic analysis in the Environmental Impact Statement, which is available in the docket for inspection or copying where indicated under **ADDRESSES**.

##### 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" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000. The estimated cost to each recreational mariner affected by this regulation is less than \$100. The estimated cost per "small business" towing company for personnel hours and fuel consumption during detours is less than \$100,000. Because the impact of this proposal is expected to be limited and of relatively short duration, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this rule will not have a significant impact on a substantial number of small entities.

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

#### Environment

The Coast Guard has considered the environmental impact of this rule. The Coast Guard prepared an Environmental Impact Statement (EIS) for the replacement of this historic bridge. The EIS analyzed the environmental and economic impact of this 5 month bridge closure. The draft Environmental Assessment published with the NPRM has been superseded by the more detailed environmental analysis in the EIS, which is available in the docket for inspection or copying where indicated under **ADDRESSES**.

#### List of Subjects in 33 CFR Part 117 Bridges.

#### Regulation

For the reasons set out in the preamble, the Coast Guard is amending 33 CFR Part 117 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; AND 33 CFR 1.05–1(g); section 117.255 also

issued under the authority of Pub. 102–587, 106 Stat. 5039.

#### **§ 117.147 [Amended]**

2. Effective February 1, 1997 through June 30, 1997, § 117.147 is amended by suspending paragraph (b) and adding a new paragraph (c) to read as follows:

#### **§ 117.147 Cerritos Channel**

\* \* \* \* \*

(c) During the period February 1, 1997 through June 30, 1997, the bridge will be undergoing reconstruction and the draw need not open for the passage of vessels.

Dated: October 28, 1996.

R.T. Rufe, Jr.,

*Vice Admiral, U.S. Coast Guard, Commander,  
Eleventh Coast Guard District.*

[FR Doc. 96–29690 Filed 11–19–96; 8:45 am]

BILLING CODE 4910–14–M

#### **33 CFR Part 165**

[COTP Morgan City, LA 96–002]

RIN 2115–AA97

#### **Safety zone; Gulf Intracoastal Waterway, Houma, LA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the GIWW from Mile Marker 54 WHL to Mile Marker 59 WHL, at its intersection with Bayou Terrebonne In Houma, LA. The zone is needed to protect workers engaged in the dismantling of the East Park Avenue bridge from the hazard created by vessel traffic. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port. The East Park Avenue Bridge will be closed to vehicular traffic during the times specified below. However, the new twin bridges will remain open to vehicular traffic.

**DATES:** This regulation is effective at 6:00 a.m. on December 2, 1996 and terminates at 6:00 p.m. on December 6, 1996.

#### **FOR FURTHER INFORMATION CONTACT:**

LTJG Carlos Gavilanes, Chief of Port Safety and Security, Coast Guard Captain of the Port Morgan City, 800 David Drive Rm 232, Morgan City, LA 70380, (054) 385–2936.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background and Purpose**

Shappert Engineering Company will begin to dismantle the East Park Bridge at 6:00 a.m. on December 2, 1996. In order to facilitate the removal of the lift

span, a blockage of the GIWW for daylight hours will be required over a five day period. The operation will utilize a barge-mounted crane positioned in the Intracoastal Waterway adjacent to the bridge. The existing steel beams and girders will be removed and loaded on to a deck barge to be transported offsite.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after Federal Register publication. Publication of a notice of proposed rulemaking and delay of effective date would be contrary to the public interest because immediate action is necessary to protect personnel engaged in the dismantling operation.

#### **Regulatory Evaluation**

This 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; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

#### **Collection of Information**

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

#### **Federalism**

The Coast Guard has analyzed this rule under the principles 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.

#### **Environment**

The Coast Guard considered the environmental impact of this rule and concluded that, under paragraph 2.B.2 of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation.

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

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