

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.

Drafting Information

The principal persons involved in drafting this document are Linda L. Gilliam, Project Manager, Bridge Administration Section, and CDR T.R. Cahill, Project Counsel, Fifth Coast Guard District Legal Office.

Background and Purposes

The current regulations found at 33 CFR 117.253 provide that the draw of the CONRAIL bridge, mile 3.4, on the Anacostia River, shall open on signal on Saturdays, Sundays, and Federal Holidays from April 1 through September 30; between 7 a.m. and 11 p.m. on weekdays that are not Federal Holidays from April 1 through September 30; and on eight hours notice at all other times. CONRAIL has requested that 33 CFR 117.253 be amended to reduce the periods during which it must open the bridge on signal. In support of its request, CONRAIL contends that its records show that the period of heavy boating traffic is from May 15 through September 15, not April 1 through September 30 as provided in the current regulations. CONRAIL has also asked that the hours during which the bridge must open on signal be reduced, and that the same schedule be adopted for both weekdays and weekends.

The Coast Guard has reviewed CONRAIL's bridge logs for 1993 and 1994, copies of which are available for inspection at Room 10-9, Fifth Coast Guard District. According to the logs for 1993 and 1994, the railroad bridge only opened a total of 11 times from April 1 through May 15, and 6 times between September 15 through September 30. For 1993 and 1994 during the weekdays, the bridge opened 10 times between noon and 1 p.m.; 4 times between 6 p.m. and 7 p.m.; and 5 times after 7 p.m. During 1993 and 1994 on the weekends, the bridge opened 9 times between 7 p.m. and 9 a.m.

Based on the above information, the Coast Guard is proposing changes to 33 CFR 117.253. The proposed changes would require the bridge to open on signal between 9 a.m. and 12 noon and between 1 p.m. and 6 p.m. every day from May 15 through September 30. The bridge would also open on signal between 6 p.m. and 7 p.m. every day from May 15 through September 30 if notice is given to the bridgetender prior to 6 p.m. on the day for which the

opening is requested. Requirements would be the same for both weekend and weekday openings. The bridge will continue to open on eight hours notice at all other times.

As discussed above, openings have been infrequent during the periods which would be affected by these proposed changes. The Coast Guard believes that these proposed changes will relieve CONRAIL of the burden of requiring a bridgetender to be on duty during periods of little or no vessel traffic while not unduly restricting navigation.

Regulatory Evaluation

This proposed action 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 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.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impact of this proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This proposal 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 principals and criteria contained in Executive Order 12612, and it has determined that this proposal will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under section 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B (as amended, 59 FR 38654, 29 July 1994), this proposal is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 117

Bridges.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 117 of Title 33, Code of Federal Regulations to read 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. In § 117.253, paragraphs (b)(1) (ii) and (iii) are revised to read as follows:

§ 117.253 Anacostia River.

* * * * *

(b) * * *

(1) * * *

(i) * * *

(ii) Between 9 a.m. and 12 noon and between 1 p.m. and 6 p.m. from May 15 through September 30.

(iii) Between 6 p.m. and 7 p.m. from May 15 through September 30 if notice is given to the bridgetender not later than 6 p.m. on the day for which the opening is requested.

* * * * *

Dated: December 21, 1995.

W.J. Ecker,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 651

[I.D. 010496C]

New England Fishery Management Council; Modification of Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Modification of public meeting.

SUMMARY: NMFS previously announced a public meeting (60 FR 67116, December 28, 1995) of the New England Fishery Management Council for 2 days to consider actions affecting New England fisheries in the exclusive economic zone. This modification announces that only the Groundfish Committee of the New England Fishery Management Council will be meeting.

DATES: The meeting will begin on Wednesday, January 10, 1996, at 10 a.m. and on Thursday, January 11, 1996, at 8:30 a.m.

ADDRESSES: The meeting will be held at the Tara's Ferncroft Conference Resort

and Hotel, 50 Ferncroft Road, Danvers, MA; telephone: (508) 277-2500.

Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1097; telephone: (617) 231-0422.

FOR FURTHER INFORMATION CONTACT: Douglas G. Marshall, Executive Director, (617) 231-0422.

SUPPLEMENTARY INFORMATION: The January 10-11 meeting is being convened specifically to address the remaining groundfish issues that relate to finalizing draft Amendment 7 to the Northeast Multispecies (Groundfish) Fishery Management Plan. The intent of this amendment is to implement measures to rebuild severely overfished

stocks, with particular emphasis on cod, haddock, and yellowtail flounder. If time allows, the Committee may consider other relevant business.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Douglas G. Marshall (see **ADDRESSES**) at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: January 4, 1996.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

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