

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD08-96-003]

RIN 2115-AE47

Drawbridge Operation Regulation; Lower Grand River, Louisiana

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the Iberville Parish School Board, the Coast Guard is changing the regulation governing the operation of the pontoon drawbridge on LA State Road 77 across the Lower Grand River (Intracoastal Waterway, Morgan City to Port Allen, Alternate Route), mile 47.0 at Grosse Tete, Iberville Parish, Louisiana. The bridge will open on signal; except that from 6:00 a.m. to 8:00 a.m. and from 2:30 p.m. to 4:30 p.m., Monday through Friday, other than Federal holidays, and only during the months when local schools are in session, the bridge will remain closed to navigation.

EFFECTIVE DATE: This regulation becomes effective on October 18, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. Phil Johnson, Bridge Administration Branch, (504) 589-2965.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are Mr. Phil Johnson, project officer, and LTJG Stephen Alvarez, project attorney.

Regulatory History

On April 26, 1996 the Coast Guard published a notice of proposed rulemaking entitled Drawbridge Operation Regulation; Lower Grand River, LA in the Federal Register (61 FR 18532) dated April 26, 1996. The Coast Guard Received no letters commenting on the proposal. No public hearing was requested and none was held.

Background and Purpose

The Iberville Parish School Board requested the regulation because a new, staggered starting time has been implemented for the schools in the Parish. The extension of the morning closure for the LA 77 bridge will assist school buses in transporting the students to their classes in a timely manner. The new regulation allows for the free flow of vehicular traffic, while still serving the reasonable needs of navigational interests. For these reasons, the Coast Guard for good cause finds,

under 5 U.S.C. § 553(b)(B) that notice and public procedure on the notice are unnecessary.

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 cost 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. The basis for this conclusion is that, during the regulated periods, there will be very little inconvenience to vessels using the waterway. In addition, mariners requiring the bridge openings are repeat users of the waterway and scheduling their arrivals to avoid the regulated periods should involve little or no additional expense to them.

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 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). This rule will have little impact on either vehicular or navigational traffic. Since this final rule also considers the needs of local commercial fishing vessels, and the economic impact is expected to be minimal, the coast Guard certifies under 5 U.S.C. 605(b) that this proposal will not have a significant economic 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 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

This final rulemaking has been thoroughly reviewed by the Coast Guard and it has been determined to be categorically excluded from further environmental documentation in accordance with section 2.B.2g.5 of Commandant Instruction M16475.1B. A Categorical Exclusion Determination has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 117

Bridges.

Regulation

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended 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).

2. Paragraph (b) of § 117.478 is revised to read as follows:

§ 117.478 Lower Grand River (Intracoastal Waterway).

* * * * *

(b) The draw of the LA 77 bridge, mile 47.0 (Alternate Route) at Grosse Tete, shall open on signal; except that, from about August 15 to about June 5 (the school year), the draw need not be opened from 6 a.m. to 8 a.m. and from 2:30 p.m. to 4:30 p.m., Monday through Friday except Federal holidays. The draw shall open on signal at any time for an emergency aboard a vessel.

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Dated: August 14, 1996.

T.W. Josiah,
Rear Admiral, U.S. Coast Guard, Commander Eighth Coast Guard District.

[FR Doc. 96-23793 Filed 9-17-96; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FL-60-1-6929a; FRL-5609-3]

Approval and Promulgation of Lead State Implementation Plan for the State of Florida

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On August 18, 1994, the Florida Department of Environmental