

Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that under figure 2-1, paragraph (32)(e) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation because promulgation of changes to drawbridge regulations have been found to not have a significant effect on the environment. A written "Categorical Exclusion Determination" is not required for this rule.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 117 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. From April 30, 2001 through December 31, 2001, § 117.795 is temporarily amended by suspending paragraph (a) and adding a new paragraph (d) to read as follows:

§ 117.795 Jamaica Bay and connecting waterways.

* * * * *

(d) The draw of the Marine Parkway Bridge, mile 3.0, over Rockaway Inlet, shall open on signal, to a maximum vertical height of 105 feet above mean high water, Monday through Friday from 8 a.m. to 4 p.m. At all other times, the draw shall open on signal, to a maximum vertical height of 105 feet above mean high water, if at least an

eight-hour notice is given; however, the draw shall open on signal if at least one-hour notice is given for the passage of U.S. Navy or National Oceanic and Atmospheric Administration vessels.

Dated: March 29, 2001.

G.N. Naccara,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD08-01-008]

Drawbridge Operating Regulation; Lake Pontchartrain, 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 governing the operation of the north bascule span of the US 11 bridge across Lake Pontchartrain between New Orleans and Slidell, Orleans and St. Tammany Parishes, Louisiana. This deviation allows one leaf of the north bascule span of the US 11 bridge to be maintained in the closed-to-navigation position continuously from 1 a.m. on Monday, May 1, 2001 until 6 p.m. on Friday, June 29, 2001. This temporary deviation was issued to allow for the replacement of the south leaf trunnions of the north channel bascule span and the cleaning and painting of both leaves of the bascule span. Presently, the draw opens on signal for the passage of vessels.

DATES: This deviation is effective from 1 a.m. on Monday, May 1, 2001 through 6 p.m. on Friday, June 29, 2001.

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, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130-3396. The Bridge Administration Branch of the Eighth Coast Guard District maintains the public docket for this temporary deviation.

FOR FURTHER INFORMATION CONTACT: David Frank, Bridge Administration Branch, telephone (504) 589-2965.

SUPPLEMENTARY INFORMATION: The US 11 bascule bridge across Lake

Pontchartrain, between New Orleans and Slidell, has a vertical clearance of 13 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, fishing vessels, sailing vessels, and other recreational craft. The Louisiana Department of Transportation and Development requested a temporary deviation from the normal operation of the drawbridge in order to accommodate the repair and maintenance work including the cleaning and painting of both leaves of the north channel bascule. A similar span restriction occurred in 2000 for the replacement of the north leaf trunnions of the north channel bascule span. During that closure, traffic was able to pass with little inconvenience.

This deviation allows one of the leaves of the north channel bascule span of the US 11 bridge across Lake Pontchartrain, between New Orleans and Slidell, Orleans and St. Tammany Parishes, Louisiana, to be maintained in the closed-to-navigation position continuously from 1 a.m. on Monday, May 1, 2001 until 6 p.m. on Friday, June 29, 2001.

Dated: March 27, 2001.

J.C. Van Sice,

Captain, U.S. Coast Guard, Commander, 8th Coast Guard District, Acting.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-01-023]

Drawbridge Operation Regulations; Kennebec River, ME

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations for the Carlton Bridge, mile 14.0, across the Kennebec River between Bath and Woolwich, Maine. This deviation from the regulations authorizes the bridge owner to need not open the Carlton Bridge for vessel traffic from April 2, 2001 through May 13, 2001. This deviation is necessary in order to facilitate necessary repairs at the bridge.

DATES: This deviation is effective from April 2, 2001, through May 13, 2001.