

significant economic impact on a substantial number of small entities.

#### *Unfunded Mandates Reform Act of 1995*

This rule does not impose unfunded mandates as defined by the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4, March 22, 1995, 109 Stat. 48). This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year (2 U.S.C. 1531 *et seq.*)

#### *Executive Order 13132 (Federalism)*

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 13132, and the FHWA has determined that this action does not have a substantial direct effect or sufficient federalism implications on States and local governments that would limit the policymaking discretion of the States and local governments. This action merely adds guidance and supporting information for the decisionmaking process concerning whether or not to install accessible pedestrian signals. The FHWA has also determined that this action does not preempt any State law or State regulation or affect the States' ability to discharge traditional State governmental functions.

#### *Executive Order 13175 (Tribal Consultation)*

The FHWA has analyzed this action under Executive Order 13175, dated November 6, 2000, and believes that it will not have substantial direct effects on one or more Indian tribes; will not impose substantial direct compliance costs on Indian tribal governments; and will not preempt tribal law. This action merely adds guidance and supporting information for the decisionmaking process concerning whether or not to install accessible pedestrian signals. Therefore, a tribal summary impact statement is not required.

#### *Executive Order 12372 (Intergovernmental Review)*

Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

#### *Paperwork Reduction Act*

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501, *et seq.*), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of

information they conduct, sponsor, or require through regulations. The FHWA has determined that this action does not contain a collection of information requirement for the purposes of PRA.

#### *Executive Order 12988 (Civil Justice Reform)*

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

#### *Executive Order 13045 (Protection of Children)*

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

#### *Executive Order 12630 (Taking of Private Property)*

This action would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### *Executive Order 13211 (Energy Effects)*

We have analyzed this final rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a significant regulatory action under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, a Statement of Energy Effects under Executive Order 13211 is not required.

#### *National Environmental Policy Act*

The agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that it will not have any effect on the quality of the environment.

#### *Regulation Identification Number*

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

#### **List of Subjects in 23 CFR Part 655**

Design standards, Grant programs—Transportation, Highways and roads, Incorporation by reference, Signs, Traffic regulations.

#### **PART 655—TRAFFIC OPERATIONS**

##### **Subpart F—Traffic Control Devices on Federal-Aid and Other Streets and Highways**

In consideration of the foregoing and under the authority of 23 U.S.C. 101(a), 104, 109(d), 114(a), 217, 315, and 402(a); 23 CFR 1.32; and 49 CFR 1.48(b), the interim final rule amending 23 CFR Part 655, Subpart F which was published at 67 FR 7073 on February 15, 2002, is adopted as a final rule without change.

Issued on: July 24, 2002.

**Mary E. Peters,**

*Federal Highway Administrator.*

[FR Doc. 02-19142 Filed 7-29-02; 8:45 am]

BILLING CODE 4910-22-P

#### **DEPARTMENT OF TRANSPORTATION**

##### **Coast Guard**

##### **33 CFR Parts 100, 117 and 165**

[USCG-2002-11544]

##### **Safety Zones, Security Zones, Drawbridge Operation Regulations and Special Local Regulations**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary rules issued.

**SUMMARY:** This document provides required notice of substantive rules issued by the Coast Guard and temporarily effective between April 1, 2002 and June 30, 2002, which were not published in the **Federal Register**. This quarterly notice lists temporary local regulations, drawbridge operation regulations, security zones, and safety zones of limited duration and for which timely publication in the **Federal Register** was not possible.

**DATES:** This notice lists temporary Coast Guard rules that became effective and were terminated between April 1, 2002 and June 30, 2002.

**ADDRESSES:** The Docket Management Facility maintains the public docket for this notice. Documents indicated in this notice will be available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street SW., Washington, DC 20593-0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal

Holidays. You may electronically access the public docket for this notice on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** For questions on this notice, contact LTJG Sean Fahey, Office of Regulations and Administrative Law, at telephone number (202) 267-2830. For questions on viewing, or on submitting material to the docket, contact Dorothy Beard, Chief, Dockets, Department of Transportation at (202) 366-5149.

**SUPPLEMENTARY INFORMATION:** Coast Guard District Commanders and Captains of the Port (COTP) must be immediately responsive to the safety and security needs of the waters within their jurisdiction; therefore, District Commanders and COTPs have been delegated the authority to issue certain local regulations. Safety zones may be established for safety or environmental purposes. A safety zone may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion. Security zones limit access to prevent injury or damage to vessels, ports, or waterfront facilities. Drawbridge operation regulations authorize changes to drawbridge schedules to accommodate bridge

repairs, seasonal vessel traffic, and local public events. Special local regulations are issued to enhance the safety of participants and spectators at regattas and other marine events.

Timely publication of these rules in the **Federal Register** is often precluded when a rule responds to an emergency, or when an event occurs without sufficient advance notice. The affected public is, however, informed of these rules through Local Notices to Mariners, press releases, and other means. Moreover, actual notification is provided by Coast Guard patrol vessels enforcing the restrictions imposed by the rule. Because **Federal Register** publication was not possible before the beginning of the effective period, mariners were personally notified of the contents of these special local regulations, drawbridge operation regulations, security zones, or safety zones by Coast Guard officials on-scene prior to any enforcement action. However, the Coast Guard, by law, must publish in the **Federal Register** notice of all substantive rules adopted. To meet this obligation without imposing undue expense on the public, the Coast Guard periodically publishes a list of these

temporary special local regulations, drawbridge operation regulations, security zones, and safety zones.

Permanent rules are not included in this list because they are published in their entirety in the **Federal Register**. Temporary rules may also be published in their entirety if sufficient time is available to do so before they are placed in effect or terminated. The safety zones, special local regulations, drawbridge operation regulations, and security zones listed in this notice have been exempted from review under Executive Order 12866, Regulatory Planning and Review, because of their emergency nature, or limited scope and temporary effectiveness.

The following rules were placed in effect temporarily during the period from April 1, 2002, through June 30, 2002, unless otherwise indicated. This notice also includes rules that were not received in time to be included on the quarterly notice for the second, third and fourth quarters of 2001 and the first quarter of 2002.

Dated: July 23, 2002.

**S.G. Venckus**,  
Chief, Office of Regulations and Administrative Law.

#### COTP QUARTERLY REPORT—2ND QUARTER 2002

COTP docket	Location	Type	Effective date
Baltimore 02-004	Annapolis, Maryland	Security Zone	05/24/2002
Charleston 02-039	Myrtle Beach, SC	Safety Zone	04/29/2002
Guam 02-009	Outer Apra Harbor, Guam	Safety Zone	04/16/2002
Guam 02-010	North of Glass Breakwater, Guam	Safety Zone	04/18/2002
Houston-Galveston 02-005	Galveston, Texas	Security Zone	04/05/2002
Houston-Galveston 02-008	COPT Houston-Galveston Zone	Security Zone	04/15/2002
Houston-Galveston 02-013	Dredge Operation, Channel Closure	Safety Zone	04/22/2002
Houston-Galveston 02-014	Dredge Operation, Channel Closure	Safety Zone	05/21/2002
Houston-Galveston 02-015	Dredge Operation, Channel Closure	Safety Zone	06/08/2002
Huntington 02-002	Kanawha River, M. 57.5 to 62	Safety Zone	04/27/2002
Jacksonville 02-076	Indian River, New Smyrna Beach, FL	Safety Zone	06/29/2002
LA/Long Beach 02-008	Flight Demonstration, Long Beach, CA	Safety Zone	04/13/2002
Louisville 02-001	Ohio River, M. 470 to 471.5	Security Zone	06/17/2002
Miami 02-029	Palm Beach County, FL	Safety Zone	05/03/2002
Miami 02-031	Air Sea Show, Fort Lauderdale, FL	Safety Zone	05/01/2002
Miami 02-040	M/V Conti Seattle, Miami, FL	Safety Zone	05/02/2002
Miami 02-043	FL Keys National Marine Sanctuary	Safety Zone	05/12/2002
Miami 02-071	FL Keys National Marine Sanctuary	Safety Zone	05/20/2002
Morgan 02-003	Little Lake, Louisiana	Safety Zone	04/10/2002
New Orleans 02-007	LWR Mississippi River, M. 94 to 96	Safety Zone	04/13/2002
New Orleans 02-009	LWR Mississippi River, M. 94 to 96	Safety Zone	05/15/2002
Pittsburgh 02-008	Allegheny River, M. 3 to 6	Safety Zone	04/12/2002
Pittsburgh 02-009	Monongahela River, M. 14.1 to 11.2	Safety Zone	06/17/2002
San Diego 02-003	Lake Moovally, Colorado River, AZ	Safety Zone	04/06/2002
San Diego 02-005	Colorado River, Davis Dam	Safety Zone	06/01/2002
San Diego 02-006	San Diego Bay, CA	Safety Zone	04/26/2002
San Diego 02-007	Oceanside, California	Safety Zone	05/05/2002
San Diego 02-011	Colorado River	Safety Zone	05/11/2002
San Diego 02-012	San Diego, CA	Safety Zone	05/23/2002
San Francisco 02-004	Suisun Bay, Concord, CA	Security Zone	04/15/2002
San Francisco 02-005	Suisun Bay, Concord, CA	Security Zone	04/24/2002
San Francisco 02-006	San Francisco Bay, San Francisco, CA	Safety Zone	05/01/2002
San Francisco 02-007	San Francisco Bay, San Francisco, CA	Safety Zone	05/11/2002
San Francisco Bay 02-009	Oakland Inner Harbor, Oakland, CA	Safety Zone	05/18/2002
San Francisco Bay 02-012	San Francisco Bay, San Francisco, CA	Safety Zone	06/14/2002
San Francisco Bay 02-013	Oakland Estuary, Alameda, CA	Security Zone	06/14/2002

## COTP QUARTERLY REPORT—2ND QUARTER 2002—Continued

COTP docket	Location	Type	Effective date
San Juan 02-072 .....	San Juan Harbor, San Juan, PR .....	Safety Zone .....	06/20/2002
Savannah 02-027 .....	Atlantic Intercoastal Waterway, GA .....	Safety Zone .....	04/04/2002
Savannah 02-028 .....	Memorial Park, Savannah, GA .....	Safety Zone .....	04/06/2002
St. Louis 02-006 .....	Illinois River, M. 0 to 187 .....	Safety Zone .....	05/16/2002

## DISTRICT QUARTERLY REPORT—2ND QUARTER 2002

District docket	Location	Type	Effective date
01-02-006 .....	Mystic Offshore Gran Prix, New London, CT .....	Safety Zone .....	05/03/2002
01-02-065 .....	Yarmouth, Nantucket Sound, MA .....	Safety Zone .....	06/07/2002
01-02-073 .....	Hingham, Massachusetts .....	Safety Zone .....	06/29/2002
05-02-018 .....	Washington Channel, Washington DC .....	Security Zone .....	05/31/2002
05-02-023 .....	James River, Williamsburg, VA .....	Safety Zone .....	05/05/2002
05-02-024 .....	Elizabeth River, Portsmouth, Virginia .....	Safety Zone .....	05/26/2002
05-02-026 .....	Severn River, Annapolis, MD .....	Special Local .....	05/21/2002
05-02-027 .....	Pea Patch Island to Delaware City, Delaware .....	Special Local .....	06/08/2002
05-02-030 .....	Willoughby Bay, Norfolk, Virginia .....	Safety Zone .....	06/04/2002
05-02-035 .....	Hampton Roads, Elizabeth River, VA .....	Security Zone .....	06/04/2002
05-02-036 .....	Thimble Shoals Channel, Hampton Roads, VA .....	Safety Zone .....	06/04/2002
05-02-037 .....	Hampton Roads, Virginia .....	Safety Zone .....	06/13/2002
05-02-038 .....	Hampton Roads, Elizabeth River, VA .....	Security Zone .....	06/11/2002
07-02-023 .....	Fort Lauderdale, Broward County, FL .....	Drawbridge Operation .....	05/05/2002
07-02-045 .....	Cooper River, North Charleston, SC .....	Special Local .....	06/15/2002
07-02-068 .....	San Juan Harbor, San Juan, PR .....	Safety Zone .....	06/17/2002
09-02-014 .....	Cleveland Harbor, Cleveland, OH .....	Safety Zone .....	05/03/2002
09-02-016 .....	Lake Ontario, Youngstown, NY .....	Safety Zone .....	05/18/2002
09-02-019 .....	Lake Michigan .....	Security Zone .....	05/05/2002
09-02-022 .....	Buffalo River, Buffalo, NY .....	Safety Zone .....	05/28/2002
09-02-023 .....	Pridefest 2002, Milwaukee, Wisconsin .....	Safety Zone .....	06/07/2002
09-02-025 .....	River Splash 2002, Milwaukee, Wisconsin .....	Safety Zone .....	05/31/2002
09-02-030 .....	U.S. Aerospace Challenge, Holland, MI .....	Safety Zone .....	05/18/2002
09-02-043 .....	Ottawa River, Toledo, OH .....	Safety Zone .....	06/29/2002
09-02-045 .....	Summerfest Big Bang, 2002, Milwaukee, WI .....	Safety Zone .....	06/27/2002
09-02-047 .....	Betsie Bay, Frankfort, MI .....	Safety Zone .....	06/29/2002
09-02-054 .....	Detroit River, Detroit, MI .....	Safety Zone .....	06/27/2002
09-02-056 .....	Milwaukee, Wisconsin .....	Safety Zone .....	06/27/2002

## REGULATIONS NOT ON PREVIOUS QUARTERLY REPORTS

COPT docket/district	Location	Type	Effective date
<b>COPT Regulation for 2nd Quarter 2001</b>			
Guam 01-010 .....	Outer Apra Harbor, Guam .....	Safety Zone .....	06/06/01
<b>COPT Regulation for 3rd Quarter 2001</b>			
Louisiana 01-023 .....	LMR from the seabuoys at SW Pass and South Pass to M 233, Highway 190 Bridge, AHP and the Mississippi River Gulf Outlet.	Security Zone .....	09/12/01
New Orleans 01-025 .....	Lower Mississippi River M 106.1 to M 92.7.	Safety Zone .....	09/13/01
<b>COPT Regulations for 4th Quarter 2001</b>			
Houston-Galveston 01-011 .....	Houston-Galveston .....	Security Zones .....	12/07/01
Tampa 01-148 .....	Tampa Bay, Florida .....	Safety Zone .....	12/20/01
<b>District Docket for 4th Quarter 2001</b>			
08-01-040 .....	Mississippi River, Iowa and Illinois .....	Drawbridge Operation Regulations .....	12/17/01
<b>COPT Regulations for 1st Quarter 2002</b>			
Houston 02-007 .....	Houston, Texas .....	Safety Zone .....	03/24/02
Houston-Galveston 02-002 .....	Port of Galveston, Galveston, TX .....	Security Zone .....	03/01/02
Mobile 02-005 .....	Mobile, Alabama .....	Security Zone .....	03/20/02
Mobile 02-006 .....	Tyndall AFB, East Bay, Panama City, FL.	Security Zone .....	03/23/02

## REGULATIONS NOT ON PREVIOUS QUARTERLY REPORTS—Continued

COPT docket/district	Location	Type	Effective date
Pittsburgh 02–007 .....	Ohio River M 67.5 to 68.5, Steubenville, Ohio.	Safety Zone .....	03/30/02
San Francisco Bay 02–002 .....	Suisun Bay, Concord, CA .....	Security Zone .....	03/25/02
Tampa 02–018 .....	St. Pete Beach, Florida .....	Security Zone .....	03/08/02
Tampa 02–019 .....	Old Tampa Bay, Clearwater, Florida .....	Security Zone .....	03/08/02

[FR Doc. 02–19135 Filed 7–29–02; 8:45 am]

BILLING CODE 4910–15–M

## DEPARTMENT OF TRANSPORTATION

## Coast Guard

## 33 CFR Part 117

[CGD09–02–017]

RIN–2115–AE47

Drawbridge Operation Regulations;  
Saginaw River, MI

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

**SUMMARY:** The Coast Guard is changing the operating regulation governing drawbridges over Saginaw River in Bay City, Michigan. This rule updates current owners of railroad bridges, adds Liberty Street bridge to the list of drawbridges with regulated hours, removes Sixth Street bridge from the list of drawbridges with regulated hours, and assigns standardized mile marker designations.

**DATES:** This rule is effective August 29, 2002.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket [CGD09–02–017] are available for inspection or copying at Commander (obr), Ninth Coast Guard District, 1240 East Ninth Street, Room 2019, Cleveland, OH, 44199–2060.

**FOR FURTHER INFORMATION CONTACT:** Mr. Scot M. Striffler, Project Manager, Ninth Coast Guard District Bridge Branch, at (216) 902–6084.

## SUPPLEMENTARY INFORMATION:

## Regulatory Information

The Coast Guard published a notice of proposed rulemaking (NPRM) on May 10, 2002, entitled Drawbridge Operations Regulations, Saginaw River, Michigan, in the **Federal Register** (67 FR 31745). No letters or comments were received in response to the NPRM. No public hearing was requested, and none was held.

## Background and Purpose

The current bridge operating regulations for drawbridges over Saginaw River are found in 33 CFR § 117.647. The current regulation does not contain an operating schedule for the Liberty Street bridge, which was constructed in 1987, and is located between the Independence and Veterans Memorial bridges. The new rule establishes drawbridge regulations for Liberty Street drawbridge. The former Sixth Avenue bridge at mile 17.1 was removed in 1985 and is still listed as a regulated drawbridge. The new rule removes the bridge from the regulation.

The railroad bridges listed at miles 2.5 and 4.4, respectively, have changed ownership and are updated through this final rule.

The mile marker designations for the bridges listed in this rulemaking have been revised to reflect the mile markers used in the United States Coast Pilot for proper cross-reference.

## Discussion of Comments and Changes

No comments were received from the public in response to the NPRM. The Coast Guard did receive a correction from the City of Bay City. The NPRM incorrectly stated that the City of Bay City operated all highway drawbridges over Saginaw River. The City of Bay City operates the Liberty Street and Independence drawbridges, and the Michigan Department of Transportation operates the Lafayette and Veterans Memorial drawbridges. This information does not affect the operating schedule of the drawbridges, nor does it alter or affect the purpose of this rulemaking.

## Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed it 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 due to the relatively minor adjustments to the current regulation. There are no additional limitations placed on navigation, and the proper sequencing of bridge openings is expected to improve service to navigation and vehicular traffic.

## Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), the Coast Guard must consider whether this rule will have a significant impact on a substantial number of small entities. “Small entities” may include small businesses and 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 people.

This rule is not expected to place any additional limitations on passing vessel traffic. No identified entities would be unable to pass the bridges, as needed. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

## Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by