

*National Environmental Policy Act*

This rule does not require an environmental impact statement because section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

*Paperwork Reduction Act*

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

*Regulatory Flexibility Act*

The Department of the Interior certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal, which is the subject of this rule, is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

*Small Business Regulatory Enforcement Fairness Act*

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule: (a) Does not have an annual effect on the economy of \$100 million; (b) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local governmental agencies or geographic regions; and (c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises. This determination is based upon the fact that the State submittal, which is the subject of this rule, is based upon counterpart Federal regulations for which an analysis was prepared and a determination made that the Federal regulation was not considered a major rule.

*Unfunded Mandates*

This rule will not impose an unfunded mandate on State, local, or tribal governments or the private sector

of \$100 million or more in any given year. This determination is based upon the fact that the State submittal, which is the subject of this rule, is based upon counterpart Federal regulations for which an analysis was prepared and a determination made that the Federal regulation did not impose an unfunded mandate.

**List of Subjects in 30 CFR Part 920**

Intergovernmental relations, Surface mining, Underground mining.

Dated: February 5, 2003.

**Brent Wahlquist,**

*Regional Director, Appalachian Regional Coordinating Center.*

[FR Doc. 03-7023 Filed 3-24-03; 8:45 am]

**BILLING CODE 4310-05-P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117**

[CGD08-02-035]

RIN 1626-AA09

**Drawbridge Operation Regulation Change; St. Croix River, Minnesota and Wisconsin**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** The Coast Guard published a notice of proposed rulemaking (NPRM) on April 16, 2002, proposing to change the regulations governing four drawbridges across the St. Croix River. The NPRM contained a statement regarding the S36 Bridge, mile 23.4, at Stillwater that might have confused the public. The Coast Guard is further explaining the statement and reopening the comment period for 30 days.

**DATES:** Comments must be received by April 24, 2003.

**ADDRESSES:** Comments and materials received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD08-02-035 and are available for inspection or copying at room 2.107f in the Robert A. Young Federal Building at Eighth Coast Guard District, Bridge Branch, 1222 Spruce Street, St. Louis, MO 63103-2832, between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (314) 539-3900, extension 2378. The Bridge Branch maintains the public docket for this rulemaking.

**FOR FURTHER INFORMATION CONTACT:** Mr. Roger K. Wiebusch, Eighth Coast Guard

District Bridge Branch, Bridge Administrator, (314) 539-3900, extension 2378.

**SUPPLEMENTARY INFORMATION:** The Coast Guard published a notice of proposed rulemaking (NPRM) in the **Federal Register** on April 16, 2002, (67 FR 18521), proposing to amend the operating regulations governing four bridges across the St. Croix River. The NPRM stated that the existing regulation for the S36 Bridge in Stillwater, Minnesota, 33 CFR 117.667(b), contained a 24-hour notice requirement for openings beginning on October 16. In fact, operation of the S36 Bridge is currently regulated by 33 CFR 117.5 which requires that the bridge open on signal at all times. The NPRM proposed to add a new paragraph to the existing S36 Bridge regulation, § 117.667(b)(3), to require 24-hour notice for the opening of the S36 Bridge between October 16 and May 14. The Coast Guard is reopening the comment period for 30 days to take additional comments regarding this explanation.

Comments that have already been received as of the date of publication of this notice will remain part of the docket for this proposed rule. Those comments, and any new comments received before the expiration of the additional comment period, will be considered in developing a final rule.

Dated: March 12, 2003.

**Roy J. Casto,**

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

[FR Doc. 03-7079 Filed 3-24-03; 8:45 am]

**BILLING CODE 4910-15-P**

**DEPARTMENT OF DEFENSE****Corps of Engineers, Department of the Army****33 CFR Part 334****United States Naval Restricted Area, Manchester Fuel Depot, Manchester, WA**

**AGENCY:** Army Corps of Engineers, DoD.

**ACTION:** Notice of proposed rulemaking and request for comments.

**SUMMARY:** The U. S. Army Corps of Engineers is proposing to establish a new restricted area in the waters of Rich Passage and Puget Sound surrounding the Manchester Fuel Depot at Manchester, Washington. The designation would ensure public safety and satisfy the Navy's security, safety, and operational requirements as they pertain to vessels at the Manchester Fuel Depot by establishing an area into