regulation provides that the draw open on four hours advance notice at all times. This amendment will allow the bridge owner to reduce operating expenses, and should still provide for the reasonable needs of navigation.

DATES: Comments must be received on or before April 11, 1995.

ADDRESSES: Comments may be mailed to Commander (oan-br), Eleventh Coast Guard District, Building 10, Room 214, Coast Guard Island, Alameda, CA 94501–5100, or may be delivered to Room 214 at the same address between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Christian G. Cerles, Bridge Section, Eleventh Coast Guard District, Alameda; telephone (510) 437–3514.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD11-95-002) and the specific section of this proposal to which each comment applies, and give the reason for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format suitable for copying and electronic filing. If not practical, a second copy of any bound material is requested. Persons wanting acknowledgment of receipt of comments should enclose a stamped, selfaddressed postcard or envelope. The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Commander (oanbr), Eleventh Coast Guard District, at the address under ADDRESSES. The request should include reasons why 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 regulation are Christian G. Cerles, Project Manager, Bridge Section, Eleventh Coast Guard District, and Lieutenant Robin Barber, Project Attorney, Eleventh Coast Guard District Legal Office.

Background and Purpose

The Little Potato Slough Bridge was built in 1991 to replace the swing bridge built at that location in 1936.

The old swing bridge had a vertical clearance of nine feet above Mean High Water (MHW) in a closed position. The present bridge has a vertical clearance of 35 feet above MHW when in the closed position.

Because of this greater vertical clearance, the number of bridge openings has dropped significantly with the present bridge, allowing most vessels to pass under the new bridge while the bridge was in a closed position. In 1982, the bridge opened 2300 times, with an annual growth rate of four percent prior to the reconstruction (an estimated 3145 openings in 1990). In 1993, the first full year of operation after reconstruction, the bridge opened 239 times. All but three of the openings were for recreational vessels. By further comparison, the nearby Mokelumne River Bridge, which crosses another recreational waterway and has a vertical clearance of seven feet, opened 3518 times in 1993.

Discussion of Proposed Regulation

The current regulation requires that the draw open on signal from 6 a.m. to 10 p.m. May 1 through October 31. The remainder of the time, the draw shall open upon signal provided that at least four hours notice to the drawtender at the Rio Vista bridge has been given. The proposed regulation would require a four-hour advance notice at all times. Because the vessel traffic requirements of the waterway are limited, requiring advance notice to request draw openings appears reasonable. This proposed amendment would allow the bridge owner to reduce operating expenses while still ensuring that all draw opening requests are accommodated and still provide for the reasonable needs of navigation.

Notice to open the draw would continue be given to the drawtender at the Rio Vista bridge. The Rio Vista bridge has a drawtender on duty at all times.

Regulatory Evaluation

This proposal 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 regulation to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the Department of Transportation regulatory policies and procedures is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard must consider whether this proposal would 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 in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this proposal and concluded that, under section 2.B.2. of Commandant Instruction M16475.1B, the proposal is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons set out in the preamble, the Coast Guard proposes to amend Part 117 of Title 33, Code of Federal Regulations, 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 is also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.