

For this proposed deviation, a single event could last a maximum of two days; however, the combined drawbridge closure time for both days of a single event could not exceed a total of six hours. If the authorized closure period for an event is broken into separate time periods on the same day or on consecutive days, the drawbridge would provide normal openings for navigation between the authorized closures. This proposed deviation would be in a new § 117.37 *Temporary change in drawbridge operating schedule for local public events*.

If the temporary drawbridge closure totals more than six hours, the District Commander would issue a temporary rule for the event period.

The District Commander would also issue a temporary rule for events totaling less than six hours, for which a notice of the deviation cannot be published in the **Federal Register** before the start of the event.

Cycling of Drawbridges

To clarify the bridge owner's responsibility to operate drawbridges at "sufficient intervals", the Coast Guard proposes to rewrite § 117.7(b)(3) to require the cycling of the drawbridges at least once every six months. This required cycling may be in conjunction with routine operation or maintenance of the bridge and will ensure that a drawbridge that opens infrequently still operates properly.

Definitions

The Coast Guard proposes to add six definitions in subpart A to be used throughout part 117. These definitions would clarify the terms "Automated drawbridge", "Deviation", "Public vessel", "Remotely operated drawbridge", "Removable drawspan bridge", and "Untended" in this part. We also propose to reword the four definitions currently in § 117.4—"Appurtenance", "Lowerable", "Nonstructural" and "Not essential to navigation" for plain language.

Lindsey Slough

The Coast Guard proposes to remove the word "maintenance" from § 117.165 there by requiring any vessel wanting to pass through the removable span bridge, across Lindsey Slough, to give a 72-hour advance notice.

The bridge was constructed in the 1960's and the permit to build the bridge dictated the opening requirement. A final rule setting a time requirement of 72 hours advance notice for passage was published in 49 FR 17452, on April 24, 1984. At the time, the primary focus was on access for

maintenance barges and the term maintenance was included in the rule. However, the removable span has never been removed for any vessel and to do so would require a barge with a crane to be brought in to remove the span. Because the bridge has not had a request to open since 1984, the proposal to remove the term maintenance and require all vessels to provide 72-hours advance notice would seem to meet the reasonable needs of navigation and would not cause any undue burden on navigation.

Other Proposed Changes

Clarifications

The Coast Guard proposes to add three new sections to clarify existing requirements in part 117. We propose to add § 117.8 to explain how to request a permanent change to the operation of a drawbridge; § 117.36 to more clearly explain the closure requirements of a drawbridge for emergency repair and § 117.42 to clarify the requirements for remotely operated and automated drawbridges.

Section 117.35 would be rewritten to more clearly explain the closure requirements of a drawbridge for scheduled and unscheduled repairs.

This proposed rule would also rewrite the following sections to clarify their requirements: §§ 117.39, 117.41, 117.43, and 117.51.

Consolidations

The Coast Guard proposes to consolidate some sections in part 117 to provide clear guidance of their requirements and to remove redundant language. Sections § 117.3 and § 117.53 would be combined with § 117.1 to explain the purpose of part 117. The requirements in § 117.57 would be moved to subpart A and redesignated as § 117.40 since these requirements apply generally to drawbridges operated on advance notice.

Edits

The Coast Guard proposes to make minor corrections and edits, renumber some sections, and make technical and conforming changes throughout the part. The sections that would be affected are: §§ 117.5, 117.31, 117.55, 117.145, 117.155, 117.193, 117.997(b)(2)(i) and (d)(2)(i).

Renumbering

The section headings for §§ 117.486, 117.487, and 117.488 are out of alphabetical order. These would be renumbered.

Similarly, this proposed rule would also redesignate §§ 117.731 and 117.731a as §§ 117.730 and 117.731.

Remove

Some sections and paragraphs are currently designated as "Reserved" or "Removed". This proposed rule would remove them and renumber the sections and redesignate paragraphs as necessary: (§§ 117.261

(e),(f),(h),(i),(m),(n),(q),(y),(ii),(pp), 117.271(b), 117.287(d)(3), 117.867, 117.881(b), 117.885, 117.891, 117.1039.)

Drawbridges that have been removed from the waterway or replaced by a fixed drawbridge no longer require regulations. These sections and paragraphs will be removed from subpart B. (§§ 117.261(c), (r), (hh), (nn), 117.277, 117.535, 117.620(a), 117.739(o) and (p)(3), 117.775, 117.783, 117.795(c), 117.821(a)(1), 117.907.) The Federal Street Bridge in § 117.713(a) has been replaced with a fixed bridge.

Some sections and paragraphs make unnecessary distinctions between tugs and tows and commercial and recreational vessels. This proposed rule would remove: §§ 117.325(b), 117.588(c), 117.618(b), 117.620(c), 117.869(a)(1), (a)(2).

Reference to clearance gauges in § 117.733(a) and § 117.949, are the same as the requirements in § 118.160. The Coast Guard proposes to remove the reference to clearance gauges from §§ 117.733(a) and 117.949.

The information in Appendix A is available not only on the Bridge Administration (G-OPT) Web site, <http://www.uscg.mil/hq/g-o/g-opt/g-opt.htm>, but is also published in the Coast Pilots. The Coast Guard proposes to remove Appendix A this part.

References to Federal, State, and local government vessels, emergency vessels or vessels in distress, which repeats requirements contained in § 117.31, would be removed from: §§ 117.181, 117.187(b), 117.195, 117.211(a)(3), 117.219(a), 117.221(a), 117.224(a), 117.225, 117.261(a), 117.269, 117.273(a) and (b), 117.287(a), 117.289, 117.291, § 117.305, 117.311, 117.313(a), 117.315(a) and (b), 117.317(a), 117.325(a) and (b), 117.353(a), 117.531(a)(1), 117.571(d), 117.573(c), 117.588(a), 117.597, 117.605(c), 117.620(a), 117.703(a), 117.731(c), 117.736, § 117.738(a)(2), 117.745(a)(1), 117.789(a), 117.791(a)(3), 117.797(a), 117.799(a), 117.823(a)(3), 117.843(a)(3), 117.892, 117.911(a), 117.968, 117.977, 117.993(a), 117.997(f)(2) and (g), § 117.1023(b).

Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and