

and for advancement of first pubertal estrus in replacement beef heifers.

(ii) For synchronization of the return to estrus in lactating dairy cows inseminated at the immediately preceding estrus.

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Dated: September 24, 2003.

**Steven D. Vaughn,**

*Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD07-03-131]

RIN 1625-AA09

#### **Drawbridge Operation Regulations; St. Johns River, mile 24.7 at Jacksonville, Duval County, FL**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule; change of effective date; request for comments.

**SUMMARY:** The Coast Guard is changing the effective dates for the temporary regulations governing the operation of the Main Street Bridge, mile 24.7, St. Johns River, Jacksonville, Florida. The contractor for the bridge repairs was unable to start work as scheduled in our temporary rule published on August 11, 2003. This change in effective dates is required to allow the bridge owner to begin the work on October 1, 2003 and complete the project by January 31, 2004.

**DATES:** This rule is effective from 6:01 a.m., October 30, 2003, until 6 a.m., January 31, 2004. Comments must be received by November 1, 2003.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket [CGD07-03-131] and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 SE 1st Avenue, Room 432, Miami, FL 33131, between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Barry Dragon, Project Officer, Seventh Coast Guard District, Bridge Branch, at (305) 415-6743.

#### **SUPPLEMENTARY INFORMATION:**

##### **Request for Comments**

We encourage you to participate in this rulemaking by submitting

comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking [CGD07-03-131], indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to confirm they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received. The Coast Guard may amend this temporary final rule based on comments received.

#### **Regulatory Information**

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing an NPRM was impracticable and contrary to the public interest, because the rule was needed to allow the contractor to provide for worker safety while repairing the bridge. Also, since the temporary rule provides for bridge openings during the majority of the day, during daytime hours when the area is most heavily traveled, vessel traffic will not be unduly disrupted during the repair process. A Temporary Rule was previously published as 68 FR 47462 which requested the same schedule changes but occurring on different dates. The contractor contacted the Coast Guard on August 11, 2003 and requested the date change due to delays in obtaining materials.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after **Federal Register** publication. Though the contractor submitted a letter on May 29, 2003, requesting a change to the bridge's operating schedule to effect repairs, that request was incorrectly addressed and did not reach the Seventh Coast Guard Bridge Branch until faxed there on July 7, 2003. Accordingly, there was insufficient time remaining to either publish an NPRM or delay the effective date of the rule. This temporary rule provides for a reduction in bridge openings so as to allow the contractor to safely repair the bridge while providing for the reasonable needs of navigation during daylight hours.

#### **Background and Purpose**

The Main Street Bridge, mile 24.7, St. Johns River at Jacksonville, Duval County, Florida, has a vertical clearance of 40 feet at mean high water and a

horizontal clearance of 350 feet between the fender systems. The existing operating regulation in 33 CFR 117.325 (a) requires the bridge to open on signal except that, from 7 a.m. to 8:30 a.m. and 4:30 p.m. to 6 p.m., Monday through Saturday, except Federal holidays, the draw need not open for the passage of vessels. The draw opens at any time for vessels in an emergency involving life or property.

Royal Bridge, Inc., contractors, notified the Coast Guard on July 7, 2003, that work on the vertical lift bridge was scheduled from August 18, 2003, to October 31, 2003 and we published a temporary rule (68 FR 47462, August 11, 2003) to change the bridge operating schedule to accommodate the work. On August 11, 2003 the contractor again contacted the Coast Guard and requested the same operating schedule for a different time period, October 1, 2003 until January 31, 2004. The new work period is a month and a half longer than the original work period to allow for additional holidays and winter weather delays. For worker safety reasons, there will be a 5-foot reduction in vertical clearance, due to scaffolding. This temporary rule is necessary to provide for worker safety during repairs to the bridge and does not significantly hinder navigation, as openings will be provided throughout the remainder of the day.

#### **Discussion of Rule**

Under this temporary rule, the bridge need not open from 8 p.m. until 6 a.m., October 1, 2003, to January 31, 2004. This action is necessary for worker safety during repairs to the bridge and does not significantly hinder navigation.

#### **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 Homeland Security (DHS). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation is unnecessary. The temporary rule will impact vessels of greater than 35 feet in height because of the reduction in vertical clearance. The temporary rule, however, will only affect a small percentage of vessel traffic through the bridge, because of limited nighttime navigation at this location and