

reduce bridge operating costs without reducing the ability of vessels to transit the drawbridge, thereby continuing to meet the reasonable needs of waterway traffic.

DATES: Comments and related material must reach the Coast Guard on or before January 26, 2004.

ADDRESSES: You may mail comments and related material to Commander (oan), Eleventh Coast Guard District, Bridge Section, Building 50-3, Coast Guard Island, Alameda, CA 94501-5100. This office maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at Commander (oan), Eleventh Coast Guard District, Bridge Section, Building 50-3, Coast Guard Island, Alameda, CA 94501-5100 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: David H. Sulouff, Chief, Bridge Section, Eleventh Coast Guard District, telephone (510) 437-3516.

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 [CGD11-03-006], 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 know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public Meeting. You may submit a request for a meeting by writing to the Bridge Section, Eleventh Coast Guard District, at the address under **ADDRESSES** explaining why one would be beneficial. If we determine one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The Mare Island Drawbridge crosses the Napa River between the City of

Vallejo ("Vallejo") and Mare Island, CA. The existing regulation governing the operation of the drawbridge, found at 33 CFR § 117.169, requires the drawbridge to open on signal from 7:30 a.m. to 3:45 p.m. and 4:45 p.m. to 10 p.m. Monday through Friday except Federal holidays, and from 6:30 a.m. to 10 p.m. on Saturdays, Sundays and holidays. The drawbridge need not open for the passage of vessels other than public vessels of the United States from 6:30 a.m. to 7:30 a.m. and 3:45 p.m. to 4:45 p.m. except Saturdays, Sundays, and Federal holidays; and must be opened on signal from 10 p.m. to 6:30 a.m. daily, if at least two hours notice is given, and as soon as possible during this period for public vessels of the United States.

For the purpose of reducing the drawbridge operating costs, Vallejo has requested to increase the rush-hour closure periods and to increase the hours when vessels provide advance notice for drawspan operation. Drawbridge operation logs support increasing the hours of advance notice to include periods when vessels historically have not called for an opening.

However, the present morning and afternoon land traffic flows no longer justify rush-hour closure periods when the bridge need not open for passage of vessels. The current regulation was promulgated when the U.S. Navy was still based at Mare Island. Following the departure of the Navy from Mare Island, traffic across the Mare Island Drawbridge diminished significantly and the morning and evening rush-hour closure periods no longer are needed.

The proposed changes would increase the number of hours vessels provide advance notice for drawspan operation and eliminate the rush-hour closure periods. The proposed changes are expected to reduce bridge operating costs while continuing to meet the reasonable needs of waterway traffic.

Discussion of Proposed Rule

The proposed changes are expected to simplify the regulation and reduce drawbridge operating costs, while continuing to meet the reasonable needs of waterway traffic.

Vessel counts derived from drawbridge operating logs and land traffic counts show little demand for bridge openings during the evening hours and a significant decrease in rush-hour land traffic since the Navy departed from Mare Island.

The proposed operating schedule would require the Mare Island Drawbridge to open on signal between the hours of 9 a.m. and 7 p.m. daily, and

upon two hours advance notice all other times. During advance notice periods, the bridge would be required to open as soon as possible for emergency vessel operation. Mariners presently contact the City of Vallejo Police Department Dispatch Office to provide two-hour advance notice or for emergency operation of the drawspan. This practice would be codified in the proposed regulation. Also, the rush-hour closure periods would be deleted and references to "public vessels" would be deleted.

Navigational charts show the affected waterway to be a combination of the Mare Island Strait and the Napa River with no drawbridges on any of the tributaries. The Mare Island crossing is a drawbridge and does not meet the definition of a "causeway". The existing drawbridge is no longer owned or operated by the Navy. Therefore references to "tributaries", "causeway" and "U.S. Navy" will be deleted and it will be referred to in the regulation as the Mare Island Drawbridge, Mare Island Strait and Napa River, mile 2.8, at Vallejo.

The Coast Guard is requesting comments from the mariners through individual correspondence, Local Notice to Mariners, and transmittal of this Notice of Proposed Rulemaking to established waterway representatives and known operators on the waterway.

Regulatory Evaluation

This proposed 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.

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. The proposed rule is not expected to result in significant negative impacts to the waterway users while providing relief to the bridge owner in the form of bridge operating costs. Impacts to the public waterway users are expected to be minimal based upon data provided by the bridge owner in the form of drawbridge operating logs and vessel traffic counts. This data indicates there is little or no requirement for keeping an operator on the drawbridge during the proposed periods of advance notice.