

(b) *Special Local Regulations.* (1) The Coast Guard patrol commander may delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated area with a Coast Guard designated escort.

(4) All persons and vessels shall comply with the instructions of the Coast Guard on-scene patrol commander. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon hearing five or more short blasts from a U.S. Coast Guard vessel, the operator of a vessel shall proceed as directed. Members of the Coast Guard Auxiliary may also be present to inform vessel operators of this section and other applicable laws.

(c) *Effective period.* This section is in effect annually on one day during the last week of July or first week in August. Actual dates and time will be published in a **Federal Register** document.

Dated: June 24, 1998.

**R.M. Larrabee,**

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

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD05-97-080]

RIN 2115-AE47

#### **Drawbridge Operation Regulations; Beaufort Channel, Beaufort, North Carolina**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is changing the regulations that govern the operation of the Greydon Paul Drawbridge on US 70 across Beaufort Channel, (also known as Gallant's Channel) mile 0.1, located in Beaufort, North Carolina, at the request of the North Carolina Department of Transportation.

The final rule eliminates drawbridge openings at 7:40 a.m., 8:40 a.m., 4:40

p.m., and 5:40 p.m. on weekdays only. All other provisions of the existing regulations for this bridge remain the same. This final rule is intended to reduce motor vehicular delays and congestion related to commuter traffic going to and from work in the mornings and evenings, while still providing for the reasonable needs of navigation.

**DATES:** This final rule is effective on August 10, 1998.

**ADDRESSES:** Documents as indicated in this preamble are available for inspection for copying at the office of the Commander (Aowb), Fifth Coast Guard District, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6222.

**FOR FURTHER INFORMATION CONTACT:** Ann Deaton, Bridge Administrator, Fifth Coast Guard District (757) 398-6222.

#### **SUPPLEMENTARY INFORMATION:**

##### **Regulatory History**

On December 17, 1997, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) entitled "Drawbridge Operation Regulations; Beaufort Channel, Beaufort, North Carolina" in the **Federal Register** (62 FR 66039). The Coast Guard received 21 letters commenting on the proposed rulemaking. No public hearing was requested and none was held.

##### **Background and Purpose**

The Greydon Paul Drawbridge across Beaufort Channel, located in Beaufort, North Carolina, is owned and operated by the North Carolina Department of Transportation (NCDOT). The current regulations at 33 CFR 117.822 require the bridge to open on signal except that from 6 a.m. to 10 p.m., the draw opens on signal for all vessels waiting to pass every hour on the hour, twenty minutes past the hour and forty minutes past the hour.

NCDOT requested that openings of the Greydon Paul Drawbridge be further restricted during weekday morning and evening rush hours. This request to change the current regulation is based on heavy vehicular commuter traffic traveling to and from the town of Beaufort during peak rush hour periods. The Greydon Paul Drawbridge is located on US Highway 70, which is the only corridor entering and exiting the town of Beaufort from Morehead City, North Carolina. During rush hour periods, drawbridge openings create long traffic backups often extending for 6 to 7 miles. The heavy congestion often results in vehicular accidents. NCDOT contended

that by eliminating one scheduled opening per hour during rush hours, vehicular traffic congestion on US Highway 70 will be reduced and highway safety will be increased without placing undue hardship on vessel traffic.

NCDOT provided the Coast Guard with statistical data which shows the total number of openings and of vessels passing through the Beaufort Bridge at the regularly scheduled 7:40 a.m., 8:40 a.m., 4:40 p.m., and 5:40 p.m. openings during August, 1997, which is one of the peak summer months for boating traffic in this area. The data revealed that only 42 out of a possible 120 drawbridge openings were required at these scheduled opening times, and a total of 65 vessels passed through the bridge. The Coast Guard has determined that since vessel traffic only needed 35% of these rush hour openings, and there was minimal vessel traffic at these times, a reduction in the number of openings will not substantially impact navigational traffic, but will provide a positive offsetting benefit to vehicular traffic.

Therefore, the Coast Guard is amending 117.822 by eliminating drawbridge openings at 7:40 a.m., 8:40 a.m., 4:40 p.m., and 5:40 p.m. on weekdays only, year round. All other provisions of the existing regulation will remain the same.

##### **Discussion of Comments and Changes**

The Coast Guard received 20 comments on the NPRM in support of permanently closing the bridge to all vessel traffic. These comments did not address the proposed change to the regulations. One comment was received requesting no additional restrictions or changes to the current regulations. Since all but one of the comments did not address the proposed change for which comments were being solicited, and the Coast Guard has determined permanently closing the bridge to all vessel traffic is unreasonable and unfair, the final rule is being implemented without change.

##### **Regulatory Evaluation**

This final rule 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

final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The Coast Guard reached this conclusion based on the fact that the final rule will not prevent mariners from transiting the bridge, but merely require them to plan their transits in accordance with the scheduled bridge openings.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), the Coast Guard must consider whether this final rule will 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 final rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This final rule contains no collection of information requirement under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

#### Federalism

The Coast Guard has analyzed this final rule under the principles and criteria contained in Executive Order 12612 and has determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environment

The Coast Guard considered the environmental impact of this final rule and concluded that under figure 2-1, paragraph (32)(e) of COMDTINST M16475.1C, this final rule is categorically excluded from further environmental documentation based on the fact that it is a promulgation of the operating regulations for a drawbridge. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

#### List of Subjects in 33 CFR Part 117

Bridges.

#### Regulations

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 117 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 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Section 117.822 is revised to read as follows:

#### § 117.822 Beaufort Channel, NC.

The draw of the US 70 bridge, mile 0.1., at Beaufort, shall open as follows:

(a) From 6 a.m. to 10 p.m., the draw need only open every hour on the hour, twenty minutes past the hour and forty minutes past the hour; except that on weekdays the bridge need not open at 7:40 a.m., 8:40 a.m., 4:40 p.m. and 5:40 p.m.

(b) From 10 p.m. to 6 a.m., the bridge shall open on signal.

Dated: June 23, 1998.

**P.M. Stillman,**

*Captain, U.S. Coast Guard, Acting Commander, Fifth Coast Guard District.*

[FR Doc. 98-18395 Filed 7-9-98; 8:45 am]

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### DEPARTMENT OF TRANSPORTATION

#### Coast Guard

#### 33 CFR Part 117

[CGD11-98-008]

#### Drawbridge Operation Regulations; Cerritos Channel, CA, Commodore Schuyler F. Heim Bridge

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** Notice is hereby given that the Coast Guard has issued a temporary deviation to the regulation governing the opening of the Commodore Schuyler F. Heim Bridge vertical lift bridge over the Cerritos Channel of Los Angeles/Long Beach Harbor. The deviation specifies that the bridge need not be opened for vessels during the hours of 8 p.m. to 5 a.m., seven days a week beginning August 10, 1998 through September 22, 1998, except federal holidays. The purpose of this deviation is to allow the California Department of Transportation and its contractors to inspect, clean, and reweld the tower bracing to increase resistance to seismic forces. During this work the bridge must be closed to both highway and vessel traffic.

**DATES:** The effective period of the deviation is August 10, 1998 through September 22, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Ms. Susan Worden, Bridge Administrator, Eleventh Coast Guard District, Building 50-6 Coast Guard Island, Alameda, CA 94501-5100, telephone (510) 437-3461.

**SUPPLEMENTARY INFORMATION:** The Coast Guard anticipates that the economic consequences of this deviation will be minimal. The closure period is a time of reduced highway and vessel traffic. If mariners require an opening they have an alternate route available through the outer harbor, and they can avoid delays and detours by timing their transits during the hours of 5 a.m. to 8 p.m. daily.

This deviation from the normal operating regulations in 33 CFR 117.147(a) is authorized in accordance with the provisions of 33 CFR 117.35.

Dated: June 17, 1998.

**J.C. Card,**

*Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.*

[FR Doc. 98-18393 Filed 7-9-98; 8:45 am]

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### POSTAL SERVICE

#### 39 CFR Part 20

#### Interim Rule for Global Package Link to Germany and France

**AGENCY:** Postal Service.

**ACTION:** Interim rule with request for comments.

**SUMMARY:** The Postal Service is amending the rule in the International Mail Manual on Global Package Link to Germany and France to add a merchandise return service for customers utilizing the GPL service to Germany and France.

**DATES:** The interim regulations take effect as of 12:01 a.m. on July 10, 1998. Comments must be received on or before August 10, 1998.

**ADDRESSES:** Written comments should be mailed or delivered to International Business Unit, U.S. Postal Service, 475 L'Enfant Plaza SW, room 370-IBU, Washington, DC 20260-6500. Copies of all written comments will be available for public inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday, at the above address.

**FOR FURTHER INFORMATION CONTACT:** Bill Brandt (202) 314-7165.