

*Paperwork Reduction Act*

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

*National Environmental Policy Act*

The FHWA has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action will not have any effect on the quality of the environment. Therefore, an environmental impact statement is not required.

*Executive Order 13175 (Tribal Consultation)*

The FHWA has analyzed this action under Executive Order 13175, and believes that the final rule will not have substantial direct effects on one or more Indian tribes; will not impose substantial direct compliance costs on Indian tribal governments; and will not preempt tribal law. Therefore, a tribal summary impact statement is not required.

*Executive Order 13211 (Energy Effects)*

We have analyzed this action under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a significant energy action under that order because it is not a significant regulatory action under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, a Statement of Energy Effects under Executive Order 13211 is not required.

*Regulation Identification Number*

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number contained in the heading of this document can be used to cross-reference this action with the Unified Agenda.

**List of Subjects in 23 CFR Part 630**

Bonds, Government contracts, Grant programs, transportation, Highways and roads, Reporting and recordkeeping requirements.

Issued on: October 15, 2003.

**Mary E. Peters,**

*Federal Highway Administrator.*

■ In consideration of the foregoing, the FHWA amends title 23, Code of Federal Regulations, as set forth below:

**PART 630—[AMENDED]**

■ 1. The authority citation for part 630 continues to read as follows:

**Authority:** 23 U.S.C. 106, 109, 115, 315, 320, and 402(a); 23 CFR 1.32; and 49 CFR 1.48(b).

**Subpart G—Advance Construction of Federal-Aid Projects [Amended]****§ 630.705 [Amended]**

■ 2. In § 630.705, remove paragraphs (c) and (d).

**§ 630.707 [Removed and Reserved]**

■ 3. Remove and reserve § 630.707.

**§ 630.711 [Removed]**

■ 4. Remove § 630.711.

[FR Doc. 03-26557 Filed 10-20-03; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117**

[CGD08-03-041]

**Drawbridge Operation Regulations; Lower Grand River (Alternate Route), Grosse Tete, LA**

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Grosse Tete Swing Span Highway Bridge across Lower Grand River (Alternate Route), mile 47.0, at Grosse Tete, Iberville Parish, LA. This deviation allows the bridge to remain closed to navigation at various times from November 3, 2003 through November 17, 2003. The deviation is necessary to perform rehabilitation and post-tensioning work on the drawbridge.

**DATES:** This deviation is effective from 9 a.m. on November 3, 2003 through 3 p.m. on November 17, 2003.

**ADDRESSES:** Materials referred to in this document are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration

Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589-2965. The Bridge Administration Branch of the Eighth Coast Guard District maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** David Frank, Bridge Administration Branch, telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:** The Louisiana Department of Transportation and Development has requested a temporary deviation in order to perform rehabilitation and post-tensioning work on the swing span bridge across Lower Grand River (Alternate Route) at mile 47.0 at Grosse Tete, Iberville Parish, Louisiana. This maintenance is essential for the continued safe operation of the bridge. This temporary deviation will allow the bridge to remain in the closed-to-navigation position from 9 a.m. until 3 p.m., Monday through Friday from November 3, 2003 until November 17, 2003. The bridge will open for the passage of vessels from noon until 12:30 p.m. during the closure period. If the work is accomplished in a shorter period of time, the bridge will be returned to normal operation in accordance with Title 33, Code of Federal Regulations, Section 117.478(b). Notice of return to normal operations prior to November 17, 2003 will be published by Broadcast Notice to Mariners.

The swing span bridge has a vertical clearance of 2.5 feet above mean high water, elevation 9.0 feet Mean Sea Level and 11.5 feet above mean low water, elevation 0.0 Mean Sea Level in the closed-to-navigation position. Navigation at the site of the bridge consists mainly of tows with barges and some recreational craft. There are no commercial fishermen that transit the waterway at the bridge site. Based on prior experience, as well as coordination with waterway users, it has been determined that this closure will not have a significant effect on these vessels. The bridge normally opens to pass navigation an average of 490 times per month. In accordance with 33 CFR 117.478(b), the draw of the LA 77 bridge, mile 47.0 (Alternate Route) at Grosse Tete, opens on signal; except that, from about August 15 to about June 5 (the school year), the draw need not be opened from 6 a.m. to 8 a.m. and from 2:30 p.m. to 4:30 p.m., Monday through Friday, except Federal holidays. The draw opens on signal at any time for an emergency aboard a

vessel. Alternate routes are available. Mariners may transit the area via the Mississippi River through the Harvey Canal lock or via the Atchafalaya River through the Old River lock.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 14, 2003.

**Marcus Redford,**

*Bridge Administrator.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 162

[CGD17-99-002]

RIN 1625-AA01

#### **Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, AK**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Interim rule; reopen comment period.

**SUMMARY:** The Coast Guard is re-opening the comment period for its interim rule published in April 2000, prior to publishing the final rule. The interim rule created a seven-knot speed limit zone that is currently in effect. This rule also re-designated the safety zone in Ketchikan Harbor as an anchorage to reflect its actual use as an anchorage for large passenger vessels. Due to the length in time since the comment period for the interim rule closed, the Coast Guard is providing an additional opportunity for public comment.

**DATES:** Comments and related material must reach the Coast Guard on or before December 22, 2003.

**ADDRESSES:** You may mail comments and related material to the USCG Marine Safety Office Juneau, 2760 Sherwood Lane, Suite 2A, Juneau, Alaska 99801. USCG Marine Safety Office Juneau 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 USCG Marine Safety Office Juneau between 8 a.m. and 8 p.m.,

Monday through Friday, except Federal holidays.

#### **FOR FURTHER INFORMATION CONTACT:**

Lieutenant Tyrone Jones, Senior Investigating Officer, USCG Marine Safety Office Juneau, Alaska, telephone (907) 463-2470.

#### **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, [CGD17-99-002], 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. But you may submit a request for a meeting by writing to USCG Marine Safety Office Juneau at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

##### **Regulatory History**

On March 25, 1999, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled "Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, AK" in the **Federal Register** (64 FR 14414). On June 2, 1999, the Coast Guard published an interim rule in the **Federal Register** (64 FR 29554). A correction was issued on June 15, 1999 in the **Federal Register** (64 FR 32103).

On April 7, 2000, the Coast Guard published a second interim rule entitled "Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, AK" in the **Federal Register** (65 FR 18242). The comment period for this interim rule ended on October 31, 2000.

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

The Interim Rule published in 1999 extended the seven-knot speed limit on Tongass Narrows northward to Tongass Narrows Buoy 9 in order to address the needs of floatplane traffic. Non-commercial open skiffs were exempt

from the seven-knot speed limit to allow them to transit crowded areas of Tongass Narrows more quickly, thereby relieving congestion.

The Interim Rule also re-designated a safety zone in Ketchikan Harbor as an anchorage. Vessels transiting the anchorage other than those engaged in anchoring evolutions are required to proceed through the anchorage by the most direct route without delay or sudden course changes. The re-designation of the area reflected its actual use as an anchorage for large passenger vessels. The slow or erratic operation of small vessels in the former safety zone made it very difficult for large vessels to safely maneuver to and from anchor. The requirement that transiting vessels proceed through the anchorage directly, without delay or sudden course changes, made the final approach, anchoring, and departure of large passenger vessels, safer for the vessels involved.

In April, 2000, a second Interim Rule was published addressing concerns from the public. The Coast Guard revised the exemption to the seven-knot speed limit to include all small vessels of 23 feet or less, registered length. This change allowed an increased number of small vessels that create little wake to transit crowded areas of Tongass Narrows more quickly, thereby relieving congestion.

##### **Reopening the Comment Period**

The comment period for the interim rule published in April 2000 ended October 31, 2000. In order to give the public a chance to make additional comments, the Coast Guard is reopening the comment period for this interim rule, prior to publishing a final rule. All comments must reach the public docket at the address found in **ADDRESSES** on or before December 22, 2003.

Dated: October 9, 2003.

**D.W. Ryan,**

*Captain, Coast Guard, Commander, Seventeenth Coast Guard District (Acting).*

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