

**Coast Guard****33 CFR Part 117**

[CGD05-94-008]

RIN 2115-AE47

**Drawbridge Operation Regulations;  
Spa Creek, MD**

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

**SUMMARY:** The Coast Guard is adopting as final the interim rule published in the **Federal Register** on August 29, 1994, changing the regulations governing the SR 181 bridge over Spa Creek, mile 0.4, in Annapolis, Maryland, by restricting the number of bridge openings during the boating season between the hours of 7:30 p.m. to 7:30 a.m. This is intended to provide for regularly scheduled drawbridge openings to help reduce motor vehicle traffic delays and congestion on the roads and highways linked by this drawbridge.

**EFFECTIVE DATE:** This rule is effective on April 13, 1995.

**FOR FURTHER INFORMATION CONTACT:** Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (804) 398-6222.

**SUPPLEMENTARY INFORMATION:** Drafting Information: The drafters of this notice are Linda L. Gilliam, Project Officer, and LCDR Christopher A. Abel, Project Attorney, Fifth Coast Guard District.

**Regulatory History**

On August 29, 1994, the Coast Guard published an interim final rule with request for comments entitled Spa Creek, Maryland, in the **Federal Register** (59 FR 44315). The comment period ended October 28, 1994. The Coast Guard received no comments on the interim final rule.

**Background and Purpose**

The Maryland Department of Transportation requested further regulation of the drawbridge across Spa Creek, mile 0.4, at Annapolis, Maryland, during the evening hours during the boating season. The Coast Guard is restricting the number of openings for the passage of vessels from May 1 to October 31 from 7:30 p.m. to 7:30 a.m., Monday through Friday, except Federal holidays.

The previous regulation published in the **Federal Register** (55 FR 4604) on February 9, 1990, stated that the draw shall open on signal for the passage of vessel traffic from May 1 to October 31 from 7:30 p.m. to 7:30 a.m., Monday through Friday, except Federal holidays. Public Notice 5-709 issued March 7,

1990, incorrectly stated that from May 1 to October 31 from 7:30 p.m. to 7:30 a.m. the draw would open for vessel traffic on the hour and half-hour. The State Highway Administration, Maryland Department of Transportation, has been operating the draw according to the schedule published in this public notice since early 1990.

They wish to continue operating the bridge on the hour and half-hourly schedule from 7:30 p.m. to 7:30 a.m. published in the public notice, as opposed to the "open on signal" schedule published in the Federal regulation. The Coast Guard has not received any complaints from the boating community, and the operating schedule has been posted on the bridge.

**Regulatory Evaluation**

This 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

**Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the U.S. Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "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). This rule does not require a general notice of proposed rulemaking and, therefore, is exempt from the regulatory flexibility requirements. Although exempt, the Coast Guard has reviewed this rule for potential impact on small entities.

Because it expects the impact of this rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

**Collection of Information**

This rule contains no collection of information requirements under the

Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

**Federalism Assessment**

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this rule will not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

**Environment**

The Coast Guard considered the environmental impact of this rule and concluded that under section 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement and checklist has been prepared and placed in the rulemaking docket.

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

Bridges.

**Regulations**

Accordingly, the interim rule amending 33 CFR part 117 which was published at 59 FR 44315 on August 29, 1994, is adopted as a final rule without change.

Dated: January 20, 1995.

**M.K. Cain,**

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

[FR Doc. 95-6153 Filed 3-13-95; 8:45 am]

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**DEPARTMENT OF THE INTERIOR****National Park Service****36 CFR Part 7**

RIN 1024-AC20

**Grand Teton National Park, WY;  
Mountain Climbing and Winter  
Backcountry Trip Regulations**

AGENCY: National Park Service, Interior.  
ACTION: Final rule.

**SUMMARY:** The National Park Service (NPS) is eliminating registration and check out requirements for climbing and off trail travel above 7,000 ft., and for winter travel in Grand Teton National Park. Existing regulations requiring climbers, off trail hikers, and winter travel users to register and check out upon completion of their activity were intended primarily to provide information necessary to initiate search and rescue responses. Actual experience over the years has shown that the