

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

[CGD11-06-003]

RIN 1625-AA09

**Drawbridge Operation Regulation; Carquinez Strait, Benicia and Martinez, CA****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eleventh Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Benicia-Martinez Railroad Drawbridge across the Carquinez Strait, mile 7.0, between Benicia and Martinez, CA. This deviation allows the bridge to remain in the closed-to-navigation position during the deviation period. This deviation is necessary for the bridge owner, Union Pacific Railroad Company, to perform essential cable replacement and repair work at the bridge.

**DATES:** This deviation is effective from 7 a.m. on April 17, 2006 to 5 p.m. on April 21, 2006.

**ADDRESSES:** Materials referred to in this document are available for inspection or copying at Commander (dpw), Eleventh Coast Guard District, Building 50-3, Coast Guard Island, Alameda, CA 94501-5100, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The Bridge Section office maintains the public docket for this temporary deviation.

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

**SUPPLEMENTARY INFORMATION:** On March 13, 2006, the Union Pacific Railroad Company requested a temporary change to the operation of the Benicia-Martinez Railroad Drawbridge, mile 7.0, Carquinez Strait, between Benicia and Martinez, CA. The Benicia-Martinez Railroad Drawbridge navigation span provides vertical clearance of 70 feet above Mean High Water in the closed-to-navigation position. Presently, the draw opens on signal as required by 33 CFR 117.5. Navigation on the waterway consists of both commercial and recreational watercraft. The Union Pacific Railroad Company requested the drawbridge be allowed to remain closed to navigation from 7 a.m. on April 17, 2006 to 5 p.m. on April 21, 2006. During

this time replacement and repair to the bridge cables, and associated maintenance on the lift assembly, will occur. This temporary drawbridge deviation has been coordinated with the waterway users. No objections to the proposed temporary rule were raised. Vessels can pass underneath the bridge in the closed position. The drawbridge can open in an emergency upon five hours advance notice.

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

Dated: March 30, 2006.

**Robert C. Lorigan,**

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

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**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[CGD09-06-017]

RIN 1625-AA00

**Safety Zone; Maple-Oregon Bridge Boring Program, Sturgeon Bay Ship Canal, Sturgeon Bay, WI****AGENCY:** Coast Guard, DHS.**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in the Sturgeon Bay Ship Canal in Sturgeon Bay, WI. This zone is intended to restrict vessels from a portion of the Sturgeon Bay Ship Canal during the Maple-Oregon Bridge Boring Program. This temporary safety zone is necessary to protect vessels from hazards associated with underwater drilling operations.

**DATES:** This rule is effective from 5:30 a.m. (local), March 30, 2006 until 10 p.m. (local), April 28, 2006.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket [CGD09-06-017] and are available for inspection or copying at U.S. Coast Guard Sector Lake Michigan, 2420 S. Lincoln Memorial Dr, Milwaukee, WI, 53207 between 7 a.m. (local) and 3:30 p.m. (local), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Chief Warrant Officer Brad Hinken, U.S. Coast Guard Sector Lake Michigan, at (414) 747-7154.

**SUPPLEMENTARY INFORMATION:****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. The permit application was not received in time to publish an NPRM followed by a final rule before the effective date. Under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying this rule would be contrary to the public interest of ensuring the safety and vessels during this event and immediate action is necessary to prevent possible loss of life or property. The Coast Guard has not received any complaints or negative comments previously with regard to this event.

**Background and Purpose**

This safety zone is necessary to ensure the safety of vessels transiting the Sturgeon Bay Ship Canal and the workers on the Teng and Associates Drilling Barge Configuration. Based on accidents that have occurred in other Captain of the Port zones, and the hazards associated with underwater drilling, the Captain of the Port Lake Michigan has determined underwater drilling operations in close proximity to vessel traffic pose significant risk to public safety and property. Establishing a safety zone to control vessel movement around the location of the Teng and Associates Drilling Barge Configuration will help ensure the safety of persons and property during these operations and help minimize the associated risks.

**Discussion of Rule**

A temporary safety zone is necessary to ensure the safety of vessels transiting the Sturgeon Bay Ship Canal and workers on the Teng and Associates Drilling Barge Configuration. The safety zone will be in effect from 5:30 a.m. (local), March 30, 2006 until 10 p.m. (local), April 28, 2006.

The safety zone will encompass all waters of the Sturgeon Bay Ship Canal within 50-ft of the Teng and Associates Drilling Barge Configuration. The Captain of the Port Lake Michigan, or his designated on-scene representative, has the authority to terminate the event.

All persons and vessels shall comply with the instructions of the Captain of the Port Lake Michigan or the