

on a substantial number of small entities.

While some owners or operators of vessels intending to transit the bridge may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator. Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Government

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and

responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a determination that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule simply promulgates the operating regulations or procedures for drawbridges. This action is categorically excluded from further review, under figure 2–1, paragraph (32)(e), of the Instruction.

A Record of Environmental Consideration and a Memorandum for the Record are not required for this rule.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 117

Bridges.

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; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

■ 2. From 6 a.m. on February 28, 2018, until 11 p.m. on September 30, 2019,

§ 117.149, is suspended and § 117.149(T) is added to read as follows:

§ 117.149–T China Basin, Mission Creek.

(a) The draw of the 3rd Street bridge, mile 0.0, at San Francisco, need not be opened for the passage of vessels. The draw shall be returned to operable condition within 45 days after notification by the District Commander to do so.

(b) The draw of the 4th Street bridge, mile 0.2, at San Francisco, shall open on signal if at least one hour notice is given.

Dated: January 23 2018.

Todd A. Sokalzuk,

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

[FR Doc. 2018–01556 Filed 1–26–18; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2018–0057]

Drawbridge Operation Regulation; Three Mile Slough, Rio Vista, CA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the California Route 160 Drawbridge across Three Mile Slough, mile 0.1, near Rio Vista, CA. This deviation allows the bridge to remain in the closed-to-navigation position while the bridge owner conducts emergency repairs.

DATES: This deviation is effective without actual notice from January 29, 2018 through 11 p.m. on February 23, 2018. For the purposes of enforcement, actual notice will be used from 10:30 a.m. on December 16, 2017, until January 29, 2018.

ADDRESSES: The docket for this deviation, USCG–2018–0057, is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Carl T. Hausner, Chief, Bridge Section, Eleventh Coast Guard District; telephone 510–437–3516; email Carl.T.Hausner@uscg.mil.

SUPPLEMENTARY INFORMATION: On December 16, 2017 the California Department of Transportation reported that the California Route 160 Drawbridge over Three Mile Slough, mile 0.1, near Rio Vista, CA suffered a mechanical failure. The drawspan was secured in the closed-to-navigation position due to damaged uphaul/downhaul wire ropes, wire rope drums and sheaves. The drawbridge navigation span provides a vertical clearance of 12 feet above Mean High Water in the closed-to-navigation position. The draw opens on signal as required by 33 CFR 117.5. Navigation on the waterway is commercial and recreational.

The drawspan will be secured in the closed-to-navigation position from 10:30 a.m. on December 16, 2017, through 11 p.m. on February 23, 2018, to allow the bridge owner to conduct emergency repairs. This temporary deviation has not been coordinated with waterway users.

Vessels able to pass through the bridge in the closed position may do so at anytime. The bridge will not be able to open for emergencies. The Sacramento River and San Joaquin River can be used as alternate routes for vessels unable to pass through the bridge in the closed position. The Coast Guard will also inform the users of the waterway through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: January 24, 2018.

Carl T. Hausner,

District Bridge Chief, Eleventh Coast Guard District.

[FR Doc. 2018-01634 Filed 1-26-18; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2017-0750]

RIN 1625-AA09

Drawbridge Operation Regulation; Pequonnock River, Bridgeport, CT

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the operating schedule that governs the Metro-North Peck Bridge across the Pequonnock River, mile 0.3, at Bridgeport, Connecticut. The owner of the Bridge, Metro-North Railroad, submitted a request that vessels seeking an opening of the draw provide a minimum of four hours advance notice. It is expected this change to the regulations will better serve the needs of the community while satisfying the reasonable needs of navigation.

DATES: This rule is effective February 28, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2017-0750. In the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mr. Jeffrey Stieb, Project Officer, First Coast Guard District, telephone, 617-223-8364, Jeffrey.D.Stieb@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
DHS	Department of Homeland Security
E.O.	Executive order
FR	Federal Register
NPRM	Notice of proposed rulemaking
§	Section
U.S.C.	United States Code

II. Background Information and Regulatory History

On October 10, 2017, we published a NPRM entitled "Drawbridge Operation Regulation; Pequonnock River, Bridgeport, Connecticut," in the **Federal Register** (82 FR 46948). We received three comments on this rule that are discussed in Section IV.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority 33 U.S.C. 499.

The Metro-North Peck Bridge, mile 0.3, across the Pequonnock River at

Bridgeport, Connecticut, has a vertical clearance of 26 feet at Mean High Water and 32 feet at Mean Low Water when the span is in the closed position. Vertical clearance is 65 feet when draw is open. Horizontal clearance is 105 feet. Waterway users include recreational and a limited number of small commercial vessels. The drawbridge operating regulations are listed at 33 CFR 117.219(b).

The bridge is a component of the Northeast Corridor, which supports Metro-North, Amtrak, and freight rail service. 211 Metro-North commuter trains alone cross the bridge daily. The owner of the bridge, the Metro-North Railroad, requested a change to require a minimum of four hours of advance notice to better facilitate the orderly flow of rail traffic while satisfying the reasonable needs of navigation. The Metro-North Railroad also requested to increase the number of hours the bridge need not open, except for emergencies, from 2 hours and 40 minutes to a total of 8 hours per day with exceptions for weekends, holidays, and emergencies, and to extend the allowable delay to an opening when a train is approaching the bridge from seven to fifteen minutes. Allowing the bridge owner to require such notice will allow for more efficient and economical operation of the bridge. The bridge has not received any requests for an opening in the past four years.

The Coast Guard believes this change balances the needs of land-based and marine traffic as it will enhance railroad traffic flow without significantly impacting vessel traffic.

IV. Discussion of Comments, Changes and the Final Rule

The Coast Guard received three comments in response to the NPRM. No changes in the regulatory text were made in response to the comments. One comment inquired whether the phone number for the bridge will be available other than by viewing the number posted as the bridge. Bridge openings can be requested by calling the Metro-North 24 hour Operations Control Center (OCC) at 212-340-2050. Metro-North will contact local waterway users directly to advise them of the number and the amended regulation.

A second comment asked how the amended regulation will be communicated to the maritime community. Metro-North will contact local waterway users directly and the Coast Guard will publish notice of the amended regulation and the phone number for the bridge in the Coast Guard's Local Notice to Mariners.