

Approved: June 11, 2008.

**M. Robb Hyde,**

*Commander, JAGC, U.S. Navy, Deputy Assistant Judge Advocate, General (Admiralty and Maritime Law).*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[USCG-2008-0523]

#### Drawbridge Operating Regulations; Sabine Lake, Port Arthur, TX

**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 State Route 82 (SR 82) swing span bridge across Sabine Lake at mile 9.5 between Cameron Parish, Louisiana and Jefferson County, Texas. This deviation provides for the bridge to remain closed to navigation for 19 consecutive days to reverse the direction of the swing span to facilitate construction of a new replacement bridge adjacent to the existing swing span bridge.

**DATES:** This deviation is effective from 5 a.m. on Monday, July 7, 2008 until 5 a.m. on Saturday, July 26, 2008.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2008-0523 and are available for inspection or copying at two locations: The Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays, and the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, Room 1313, 500 Poydras Street, New Orleans, Louisiana 70130-3310 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Phil Johnson, Bridge Administration Branch, telephone (504) 671-2128.

**SUPPLEMENTARY INFORMATION:** The Texas Department of Transportation (TXDOT) has requested a temporary deviation in order to reverse the direction of the swing span of the SR 82 Bridge across

Sabine Lake at mile 9.5 between Cameron Parish, Louisiana and Jefferson County, Texas. This procedure is necessary to prevent the swing span from conflicting with the footings and columns being placed for the new replacement bridge, currently under construction. This temporary deviation will allow the bridge to remain in the closed-to-navigation position from 5 a.m. on Monday, July 7, 2008 until 5 a.m. on Saturday, July 26, 2008. During the closure period, the draw will not be able to open for emergencies. Currently, the draw opens on signal; except that, from 9 p.m. to 5 a.m., the draw opens on signal if at least six hours notice is given to the Maintenance Construction Supervisor at Port Arthur.

Navigation on the waterway consists of tugs with tows and recreational powerboats and sailboats. The bridge provides 9 feet of vertical clearance in the closed-to-navigation position. Thus, smaller recreational vessels will be able to transit through the bridge when it is closed. Tugs with tows and sailboats will not be able to pass through the bridge during this closure. An alternate route is available through the north passage into Sabine Lake from Sabine Neches Canal by Stewts Island. Due to the availability of an alternate route, it has been determined that this closure will not have a significant effect on these vessels. This closure is considered necessary for placement of the new bridge pier footers, while allowing future operation of the swing span during subsequent phases of construction.

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

Dated: June 10, 2008.

**David M. Frank,**

*Bridge Administrator.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[USCG-2008-0486]

#### Drawbridge Operation Regulations; Long Island, New York Inland Waterway From East Rockaway Inlet to Shinnecock Canal, Hempstead, NY, Public Event

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Meadowbrook State Parkway Bridge across Sloop Channel at mile 12.8, at Hempstead, New York. Under this temporary deviation the bridge may remain in the closed position for 2½ hours to facilitate public safety during a public event, the Veterans Fireworks Display.

**DATES:** This deviation is effective from 9:30 p.m. through 11:59 p.m. on June 28, 2008 and in the case of rain, from 9:30 p.m. to 11:59 p.m. on June 29, 2008.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2008-0486 and are available online at <http://www.regulations.gov>. They are also available for inspection or copying at two locations: the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays, and the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston, Massachusetts 02110, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Judy Leung-Yee, Project Officer, First Coast Guard District, at (212) 668-7165.

**SUPPLEMENTARY INFORMATION:** The Meadowbrook State Parkway Bridge has a vertical clearance in the closed position of 22 feet at mean high water and 25 feet at mean low water. The existing drawbridge operation regulations are listed at 33 CFR § 117.799(h)(2).

The waterway has seasonal recreational vessels and fishing vessels of various sizes.

The Town of Hempstead, Department of Public Safety, requested a temporary deviation to facilitate a public event, the Veteran's Fireworks Display on June 28, 2008.

Under this temporary deviation, in effect between 9:30 p.m. and 11:59 p.m. on June 28, 2008, the Meadowbrook State Parkway Bridge at mile 12.8, across Sloop Channel, may remain in the closed position. Vessels that can pass under the bridge without a bridge opening may do so at all times.

In the event of inclement weather on June 28, 2008, the deviation will be in effect on June 29, 2008, from 9:30 p.m. to 11:59 p.m., as a rain date.

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

Dated: June 11, 2008.

**Gary Kasso,**

*Bridge Program Manager, First Coast Guard District.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2008-0478]

#### Drawbridge Operation Regulations; LaLoutre Bayou, Yscloskey, LA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations; request for comments.

**SUMMARY:** The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the State Route 46 (LA 46) Bridge across LaLoutre Bayou, mile 22.9, at Yscloskey, St. Bernard Parish, Louisiana. This deviation will test a change to the drawbridge operation schedule to determine whether a permanent change to the schedule is needed. This deviation will allow more efficient use of personnel by requiring a 2 hour notice for night time openings.

**DATES:** This deviation is effective from 8 p.m. on June 19, 2008 through 4 a.m. on December 16, 2008.

**ADDRESSES:** You may submit comments identified by Coast Guard docket number USCG-2008-0478 to the Docket Management Facility at the U.S. Department of Transportation. To avoid

duplication, please use only one of the following methods:

(1) *Online:* <http://www.regulations.gov>.

(2) *Mail:* Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001.

(3) *Hand delivery:* Room W12-140 on the Ground Floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(4) *Fax:* 202-493-2251.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this test deviation, call Kay Wade, Bridge Administration Branch, telephone 504-671-2128. If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Public Participation and Request for Comments

We encourage you to participate in this action by submitting comments and related materials. All comments received will be posted, without change, to <http://www.regulations.gov> and will include any personal information you have provided. We have an agreement with the Department of Transportation (DOT) to use the Docket Management Facility. Please see DOT's "Privacy Act" paragraph below.

##### Submitting Comments

If you submit a comment, please include the docket number for this action (USCG-2008-0478), indicate the specific section of this document to which each comment applies, and give the reason for each comment. We recommend that you include your name and a mailing address, an e-mail address, or a phone number in the body of your document so that we can contact you if we have questions regarding your submission. You may submit your comments and material by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, 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 action in view of them.

##### Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov> at any time, click on "Search for Dockets," and enter the docket number for this action (USCG-2008-0478) in the Docket ID box, and click enter. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

##### Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or you may visit <http://DocketsInfo.dot.gov>.

##### Background and Purpose

The LA 46 vertical lift span bridge, located on LaLoutre Bayou at mile 22.9, in Yscloskey, St. Bernard Parish, Louisiana, has a vertical clearance of 2 feet in the closed position and 53 feet in the open position. The bridge has a horizontal clearance of 45 feet. The draw of the LA 46 Bridge opens on signal as required by 33 CFR 117.5. However, the draw of the bridge has been inoperable since August 2005 due to damage sustained during Hurricane Katrina.

Historically, the waterway at the bridge site has been transited by recreational boaters and fishing vessels. However, there has been no navigational traffic through the bridge site since it was damaged in 2005.

Repairs to the bridge have been completed and the Louisiana Department of Transportation and Development (LDOTD) will soon reopen the bridge to navigation. LDOTD has requested a change to the drawbridge operation schedule in order to make more efficient use of operating resources, while accommodating the flow of vehicular traffic.

This deviation will test the following change to the drawbridge operation