

time between 10:30 a.m. and 1:30 p.m. on Wednesdays. Flotilla size was specified.

#### Discussion of Comments and Changes

At the end of the comment period for the temporary deviation to regulations, the Coast Guard received twenty-one comments. One comment letter, from the City of Chicago, expressed opposition to any permanent regulation for the Spring Breakout in 1995. In response to a request for data, the City stated the data would be provided to the Coast Guard on June 15, 1995. In addition, they proposed one weekday daylight opening and weekend openings. Thirteen of the other twenty comment letters favored not effecting any change to the regulations that are in place now and expressed opposition to establishing minimums and maximums for recreational vessel flotilla sizes that would be allowed to pass through the bridges. Other commenters indicated that if a change is necessary, there should be daylight openings during the weekdays and not restrict openings to strictly nighttime hours from Monday through Friday. These commenters also expressed opposition to establishing a minimum and maximum of boats that would be required for the bridges to be opened. Representatives from the Chicago River boat yards in their comments stated they did not favor a permanent regulation for the Spring Breakout in 1995, but favor the existing regulatory structure.

The District Commander has authorized the temporary deviation to commence on April 15, 1995, and remain in effect for a period of ninety (90) days. This deviation would require that the City open their bridges seven days a week for the passage of recreational vessels only when notice is given twenty-four hours in advance of a vessel's time of intended passage through the draws. However, the bridges subject to this deviation need not open for the passage of recreational vessels from 7:30 a.m. to 10 a.m. and 4 p.m. to 6:30 p.m., Mondays through Fridays. No requirement as to minimum or maximum flotilla size will be imposed. This deviation will facilitate data gathering and scheduling and will support safety while addressing concerns of all parties during the Spring period when most recreational vessels traditionally return to Lake Michigan from winter storage at the Chicago River boat yards. The temporary deviation from the operating requirements at 33 CFR 117.391 governing bridges owned by the City of Chicago over the Chicago River would read as follows:

The bridges affected by this deviation are listed below:

#### Main Branch

Lake Shore Drive  
Columbus Drive  
Michigan Avenue  
Wabash Avenue  
State Street  
Dearborn Street  
Clark Street  
LaSalle Street  
Wells Street  
Franklin-Orleans Street

#### South Branch

Lake Street  
Randolph Street  
Washington Street  
Monroe Street  
Madison Street  
Adams Street  
Jackson Boulevard  
Van Buren Street  
Eisenhower Expressway  
Harrison Street  
Roosevelt Road  
18th Street  
Canal Street  
South Halsted Street  
South Loomis Street  
South Ashland Avenue

#### North Branch

Grand Avenue  
Ohio Street  
Chicago Avenue  
N Halsted Street

This deviation from normal operating regulations is authorized in accordance with the provisions of title 33 of the Code of Federal Regulations, § 117.43, and applies only to the passage of recreational vessels. Under this deviation the bridges listed above operated by the City of Chicago shall operate as follows:

(a) The bridges covered by this deviation need not open for the passage of vessels Mondays through Fridays from 7:30 a.m. to 10 a.m. and 4 p.m. to 6:30 p.m.

(b) At all other times the draws shall open on signal if notice is given twenty-four hours in advance of a vessel's time of intended passage through the draws.

(c) This period of deviation is effective from April 15, 1995 through July 14, 1995.

Dated: February 10, 1995.

#### Paul J. Pluta,

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

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#### 33 CFR Part 161

[CGD09-94-036]

RIN 2115-AF01

#### Temporary Speed Limits for the St. Marys River; Correction

AGENCY: Coast Guard, DOT.

ACTION: Final rules.

**SUMMARY:** This document corrects the temporary final regulations [CGD09-94-036] which were published on Monday, January 23, 1995, (60 FR 4378) concerning the Speed Limits for the St. Marys River.

**EFFECTIVE DATE:** February 16, 1995.

**FOR FURTHER INFORMATION CONTACT:** Ms. Irene Hoffman, Project Manager, Vessel Traffic Services Division (G-NVT), at (202) 267-6277.

#### SUPPLEMENTARY INFORMATION:

##### Background

In accordance with an agreement reached on June 29, 1993, with the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service and the Michigan Department of Natural Resources, the Coast Guard may make temporary changes to the speed regulations for periods during the winter season when icebreaking is being conducted in the vicinity of Neebish Island, St. Marys River, Michigan, as a precautionary measure to minimize any possible damage to the environment.

In 59 FR 36324 of July 15, 1994; sections 161.1 through 161.60 of 33 CFR Part 161 were revised. In this document revising Part 161, speed limit regulations for the St. Marys River were placed in 33 CFR Part 162.

On January 23, 1995, a document was published at page 4378 to amend 33 CFR Part 161. This document, intended to address temporary speed limits in the St. Marys River, amended Part 161 by suspending § 161.880 and adding § 161.881. The suspension and addition were effective from December 29, 1994 through April 15, 1995.

##### Need for Correction

The January 23, 1995, amendments did not make the needed temporary changes to the St. Marys River speed limits. That publication, therefore, needs to be revoked. A new temporary rulemaking addressing the St. Marys River speed limits in 33 CFR 162.117 will be prepared for publication.

For this reason, under the authority of 33 U.S.C. 1231 and 49 CFR 1.46, the suspension of § 161.880 is terminated and § 161.881 is removed.