



DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2026-0562]

RIN 1625-AA09

Drawbridge Operation Regulation; Wishkah River, Aberdeen, WA

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating schedule that governs the Puget Sound and Pacific railroad bridge (PS&P) across the Wishkah River, mile 0.1 in Aberdeen, WA. Based on infrequent drawbridge openings, Genesee & Wyoming Inc. (GWRR), the bridge owner, is requesting to change the default draw position from the fully open position to the fully closed-to-navigation position. In addition, the proposed rule will require 24-hour notice for all drawbridge openings. Based on these proposed changes in operating schedule, there would no longer need to always have a bridge operator on site. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must reach the Coast Guard on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit comments identified by docket number USCG-2026-0562 at <https://www.regulations.gov>.

See the “Public Participation and Request for Comments” portion of the

SUPPLEMENTARY INFORMATION section below for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call or e-mail Steven Fischer, Northwest District Bridge Administrator, Coast Guard; telephone 206-220-7282, email, d13-smb-d13-bridges@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
DHS	Department of Homeland Security
FR	Federal Register
OMB	Office of Management and Budget
NPRM	Notice of Proposed Rulemaking (Advance, Supplemental)
§	Section
U.S.C.	United States Code
GWRR	Genesee & Wyoming Inc.
PS&P	Puget Sound and Pacific

II. Background, Purpose and Legal Basis

GWRR owns and operates the PS&P railroad bridge across the Wishkah River at mile 0.1. GWRR is requesting a change to the existing operating regulation due to minimal waterway use. GWRR requested that we change the regulation to maintain the subject bridge's draw in the closed-to-navigation position to marine vessels and fully open the draw in the open-to-navigation position with a minimum of 24-hours' notice from marine vessels. GWRR's bridge logs show that marine vessel openings have decreased to 1 or 2 per year over the past ten years. The PS&P railroad bridge is regulated to operate in accordance with 33 CFR 117.1065(b) and is a swing bridge with a vertical clearance of eight feet above high water in the closed-to-navigation position. The lower low water tidal range at Aberdeen, WA, is 9 feet, and charted river depth is 16 feet.

III. Discussion of Proposed Rule

The Coast Guard proposes a change to 33 CFR 117.1065(b) to maintain the PS&P railroad bridge in the closed-to-navigation position, and that GWRR will fully open the swing span with a minimum of 24-hours' notice. When the draw is to be opened or closed the drawtender must sound one prolonged blast followed by one short blast.

GWRR's bridge logs show that marine vessel openings have decreased to 1 or 2 openings per year over the past ten years. This proposed change will continue to service the mariner's reasonable needs. This bridge provides a vertical clearance of eight feet above high tide when the draw is in the closed-to-navigation position. This section of the Wishkah River has no alternate routes.

This regulatory action determination is based on the ability for the PS&P railroad bridge, at Wishkah River mile 0.1, to fully open on signal after a minimum of 24-hours by telephone or VHF radio channel 13. The Coast Guard has made this finding because the proposed change allows any vessel that needs a drawbridge opening to transit through the PS&P railroad bridge with proper advance notice.

This proposed rule also plans to remove the requirement for the drawtender to sound two prolong blasts every minute when the draw of the bridge is closed and the visibility at the drawtender's station is less than one mile up or down the channel. This requirement will no longer be needed when the default drawbridge position will be in the closed-to-navigation position.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive Orders related to rulemaking. Below we summarize our analyses based on these statutes and Executive Orders.

A. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant

economic impact on a substantial number of small entities for the following reasons.

While some owners or operators of vessels intending to transit the bridge may be small entities, the Coast Guard has not identified any vessel operators that will be caused significant economic impact as result of the proposed rule change. As noted earlier, only one or two vessels required openings of the drawbridge annually over the last 10 years. They would be able to continue to request openings of the drawbridge with a 24-hour notice.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this proposed rule. If the proposed 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 section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

B. Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520.).

C. Federalism and Indian Tribal Governments

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 proposed 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, the Coast Guard has communicated and met with the Quinault Indian Nation and requested that any concerns be provided. To date, the Coast Guard has not received a formal response and intends to determine that there are “no tribal implications” under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments). This is because the proposed action would not have a substantial direct effect on one or more Indian tribes, nor would it affect the relationship between the Federal Government and Indian tribes, or the distribution of power and responsibilities between them. If you believe this proposed rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

D. 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 proposed rule will not result in such an expenditure, we do discuss the effects of this proposed rule elsewhere in this preamble.

E. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01, Rev.1, associated implementing instructions, and Environmental Planning Policy COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321 et seq.). The Coast Guard has determined that this action is one of a category of actions

that do not individually or cumulatively have a significant effect on the human environment. This proposed rule promulgates the operating regulations or procedures for drawbridges. Normally such actions are categorically excluded from further review, under paragraph L49, of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

Neither a Record of Environmental Consideration nor a Memorandum for the Record are required for this rule. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type **USCG-2026-0562** in the search box and click "Search." Next, look for this document in the **Search Results** column, and click on it. Then click on the **Comment** option. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following

instructions on the <https://www.regulations.gov> Frequently Asked Questions webpage. Also, if you go to the online docket and sign up for email alerts through the “Subscribe” option, you will be notified when comments/updates are posted, or a final rule is published.

Personal information. We accept anonymous comments. Comments we post will include any personal information you have provided. For more information about privacy and submissions in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 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; and DHS Delegation No. 00170.1.

Revision No. 01.4

2. Amend § 117.1065 by revising paragraph (b) to read as follows:

§ 117.1065 Wishkah River.

b) The draw of the Puget Sound and Pacific railroad bridge, mile 0.1 at Aberdeen, shall be maintained in the closed-to-navigation position. Vessels requesting the bridge's draw to be opened for navigation shall make a request at least 24 hours in advance by telephone or VHF radio channel 13. Please refer to the Coast Pilot in the Grays Harbor, Washington section for updated contact requirements. When the draw is to be opened or closed the drawtender shall sound one prolonged blast followed by one short blast.

Arex B. Avanni,
Rear Admiral, U. S. Coast Guard,
Commander, Northwest Coast Guard District.
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