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9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2026-0758]

RIN 1625-AA09

Drawbridge Operation Regulation; Albemarle Sound to Sunset Beach, Atlantic Intracoastal Waterway (AICW), Wrightsville Beach, NC

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to temporarily modify the operating schedule for the S.R. 74 Bridge across the Atlantic Intracoastal Waterway (AICW), mile 283.1, at Wrightsville Beach, NC. This action is necessary to alleviate vehicle traffic congestion on the S.R. 74 Bridge caused by the replacement and lane reductions of two nearby bridges during construction. Upon completion of the construction project, the S.R. 74 Drawbridge will return to its normal operating schedule. The Coast Guard invites 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-2026-0758 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. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, contact Mr. Jack H. Williams, Bridge Management Specialist, Coast Guard East District, at (206) 815-5085 or Jack.H.Williams2@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

II. Background, Purpose and Legal Basis

The S.R. 74 Bridge across the Atlantic Intracoastal Waterway (AICW), mile 283.1, at Wrightsville Beach, NC, has a vertical clearance of 20 feet above mean high water in the closed position and unlimited clearance in the open position. The horizontal clearance between the bridge protective system is 90 feet. Navigation on the waterway consists of both recreational and commercial mariners.

Under the current operating schedule, the drawbridge opens on signal for commercial vessels at all times. For pleasure vessels, the drawbridge opens on signal except between 7 a.m. and 7 p.m., when it need only open on the hour. Additionally, from 7 a.m. to 9 a.m. on the second Saturday of July, from 7 a.m. to 11 a.m. on the third and fourth Saturday of September, and from 7 a.m. to 10:30 a.m. on the last Saturday of October or the first or second Saturday of November, the draw need not open for vessels due to annual races.

A review of bridge opening logs provided by the North Carolina Department of Transportation, the bridge owner, supports the need for this proposed temporary rule. The rule is intended to facilitate the replacement of Bridge #21 over Banks Channel, Bridge #22 over Lees Cut, and Bridge #24 over Banks Channel. To safely and efficiently

complete these construction activities, lane reductions will be necessary. As a result, this rule proposes to temporarily reduce the frequency of openings for the S.R. 74 Bridge. This measure is intended to minimize traffic disruptions, enhance worker and public safety, and facilitate the timely completion of the bridge replacement projects. The bridge owner has requested that the drawbridge only open on the hour for all vessels during this period.

III. Discussion of Proposed Rule

Under this proposed rule, the S.R. 74 (Heide Trask) Bridge, mile 283.1, at Wrightsville Beach, NC, will open for the passage of all vessels, commercial and recreational, on the hour beginning at 12:01 a.m. on November 1, 2026, through 11:59 p.m. on June 30, 2030. This represents a temporary change from the current regulation, which allows commercial vessels to request a bridge opening at any time. An exception is included for commercial vessels engaged in towing, dredging, marine construction, and maintenance of aids to navigation that are unable to adjust their voyage plan to transit the bridge during a scheduled hourly opening, due to operational constraints.

The bridge will open on signal for commercial vessels unable transit the bridge during a scheduled opening, due to operational constraints, if at least 30 minutes' advance notice is given to the bridge tender. This exception is intended to preserve safe navigation on the waterway for all vessels including commercial vessels engaged in towing, dredging, marine construction, and maintenance of aids to navigation, while minimizing impacts to roadway traffic.

The bridge will continue to open for emergencies, if at least 10-minutes' advance notice is given to the bridge tender.

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

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 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.

While some owners or operators of vessels intending to transit the bridge may be small entities, vessels can still transit the bridge when the bridge operator is given advanced notice. Therefore, we anticipate this proposed rule would not have a significant economic impact on any vessel owner or operator**.**

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.

C. 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.).

D. 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, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would 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. 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.

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

F. 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. 4321-4370f). 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-2026-0758 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, you will be notified when comments are posted, or a final rule is published of any posting or updates to the docket.

We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous comments. Comments we post to *https://www.regulations.gov* will include any personal information you have provided. For more 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. Section 117.821 is amended by:

a. Staying paragraph (a)(3).

b. Adding paragraph (a)(4) to read as follows:

§ 117.821 Atlantic Intracoastal Waterway, Albermarle Sound to Sunset Beach.

(a)***

(4) S.R 74 Bridge, mile 283.1, at Wrightsville Beach, NC, from 12:01 a.m. November 1, 2026, through 11:59 p.m. June 30, 2030, the draw need only open on the hour for the passage of vessels from 7 a.m. to 7 p.m., daily; except that from 7 a.m. to 9 a.m. on the second Saturday of July of every year, from 7 a.m. to 11 a.m. on the third and fourth Saturday of September of every year, and from 7 a.m. to 10:30 a.m. on the last Saturday of October of every year or the first or second Saturday of November of every year, the draw need not open for vessels due to annual races. Commercial vessels engaged in towing, dredging, marine construction, and maintenance of aids to navigation should adjust their voyage plan to transit the bridge during a scheduled hourly opening or between 7 p.m. and 7 a.m., when practical. If operational constraints make it impracticable for a commercial vessel engaged in towing, dredging, marine construction, and maintenance of aids to navigation to transit during a scheduled hourly opening or between 7 p.m. and 7 a.m., the draw shall open on signal if at least 30 minutes' notice is given to the bridge tender. The draw shall open on signal for emergencies if at least 10 minutes' notice is given to the bridge tender.

* * * * *

Z. Merchant,

Rear Admiral (lower half), U.S. Coast Guard,

Commander, Coast Guard East District.

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