

that experienced oiling from the Deepwater Horizon oil spill was 43.5 miles. The distance from the farthest point of the Louisiana shoreline that experienced oiling from the Deepwater Horizon oil spill was 213.7 miles. The average of these two distances is 128.6 miles.

(d) Mississippi—The distance from the nearest point of the Mississippi shoreline that experienced oiling from the Deepwater Horizon oil spill was 87.7 miles. The distance from the farthest point of the Mississippi shoreline that experienced oiling from the Deepwater Horizon oil spill was 107.9 miles. The average of these two distances is 97.8 miles.

(e) Texas—The distance from the nearest point of the Texas shoreline that experienced oiling from the Deepwater Horizon oil spill was 306.2 miles. The distance from the farthest point of the Texas shoreline that experienced oiling from the Deepwater Horizon oil spill was 356.5 miles. The average of these two distances is 331.3 miles.

#### § 1800.302 Inverse proportions.

The inverse proportion for each Gulf Coast State is determined by summing the proportional average distances determined in § 1800.301 and taking the inverse. This calculation yields the following:

- (a) Alabama—27.39%.
- (b) Florida—17.06%.
- (c) Louisiana—20.55%.
- (d) Mississippi—27.02%.
- (e) Texas—7.98%.

#### § 1800.400 Coastal county populations.

Solely for the purpose of calculating the Spill Impact Formula, the coastal counties bordering the Gulf of Mexico within each Gulf Coast State are:

- (a) The Alabama Coastal Counties, consisting of Baldwin and Mobile counties;
- (b) The Florida Coastal Counties, consisting of Bay, Charlotte, Citrus, Collier, Dixie, Escambia, Franklin, Gulf, Hernando, Hillsborough, Jefferson, Lee, Levy, Manatee, Monroe, Okaloosa, Pasco, Pinellas, Santa Rosa, Sarasota, Taylor, Wakulla, and Walton counties;
- (c) The Louisiana Coastal Parishes, consisting of Cameron, Iberia, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Mary, St. Tammany, Terrebonne, and Vermilion parishes;
- (d) The Mississippi Coastal Counties, consisting of Hancock, Harrison, and Jackson counties; and
- (e) The Texas Coastal Counties, consisting of Aransas, Brazoria, Calhoun, Cameron, Chambers, Galveston, Jefferson, Kennedy, Kleberg, Matagorda, Nueces, and Willacy counties.

#### § 1800.401 Decennial census data.

The average populations in the 2010 decennial census for each Gulf Coast State, rounded to the nearest whole number, are:

- (a) For the Alabama Coastal Counties, 297,629 persons;
- (b) For the Florida Coastal Counties, 252,459 persons;
- (c) For the Louisiana Coastal Parishes, 133,633 persons;
- (d) For the Mississippi Coastal Counties, 123,567 persons; and
- (e) For the Texas Coastal Counties, 147,845 persons.

#### § 1800.402 Distribution based on average population.

The distribution of funds based on average populations for each Gulf Coast State is determined by dividing the average population determined in § 1800.401 by the sum of those average populations. This calculation yields the following results:

- (a) Alabama—31.16%.
- (b) Florida—26.43%.
- (c) Louisiana—13.99%.
- (d) Mississippi—12.94%.
- (e) Texas—15.48%.

#### § 1800.500 Allocation.

Using the data from §§ 1800.200 through 1800.402 of this subpart in the formula provided in § 1800.101 of this subpart yields the following allocation for each Gulf Coast State:

- (a) Alabama—20.40%.
- (b) Florida—18.36%.
- (c) Louisiana—34.59%.
- (d) Mississippi—19.07%.
- (e) Texas—7.58%.

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## GULF COAST ECOSYSTEM RESTORATION COUNCIL

### 40 CFR Part 1800

[Docket Number: 112152015–1111–11]

RIN 3600–AA00

### RESTORE Act—Initial Funded Priorities List

**AGENCY:** Gulf Coast Ecosystem Restoration Council.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf States Act (RESTORE Act or Act), the

Gulf Coast Ecosystem Restoration Council (Council) announces the availability of the Initial Funded Priorities List (FPL). The FPL sets forth the initial activities that the Council will fund and prioritize for further consideration.

**DATES:** December 15, 2015.

**ADDRESSES:** The Council posted all comments on the draft version of the FPL on its Web site, <http://www.restorethegulf.gov/>. All comments received are part of the public record and subject to public disclosure.

**FOR FURTHER INFORMATION CONTACT:** Will Spoon at 504–239–9814.

#### SUPPLEMENTARY INFORMATION:

#### Background

In 2010, the *Deepwater Horizon* oil spill caused extensive damage to the Gulf Coast's natural resources, devastating the economies and communities that rely on it. In an effort to help the region rebuild in the wake of the spill, Congress passed and the President signed the RESTORE Act, Public Law 112–141, sections 1601–1608, 126 Stat. 588 (Jul. 6, 2012). The Act created the Gulf Coast Ecosystem Restoration Trust Fund (Trust Fund) and dedicates eighty percent (80%) of any civil and administrative penalties paid by parties responsible for the *Deepwater Horizon* oil spill under the Clean Water Act, after the date of enactment, to the Trust Fund. On January 3, 2013, the United States announced that Transocean Deepwater Inc. and related entities agreed to pay \$1 billion in civil penalties for violating the Clean Water Act in relation to their conduct in the *Deepwater Horizon* oil spill. The settlement was approved by the court in February 2013, and pursuant to the Act approximately \$816 million (including interest) has been paid into the Trust Fund.

In addition to creating the Trust Fund, the Act established the Council, which is chaired by the Secretary of Commerce and includes the Governors of Alabama, Florida, Louisiana, Mississippi, and Texas, and the Secretaries of the U.S. Departments of Agriculture, the Army, Homeland Security, and the Interior, and the Administrator of the U.S. Environmental Protection Agency.

Under the Act, the Council will administer a portion of the Trust Fund known as the Council-Selected Restoration Component in order to “undertake projects and programs, using the best available science, that would restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf

Coast.” In August 2013 the Council approved an Initial Comprehensive Plan (Initial Plan) (please see [http://www.restorethegulf.gov/sites/default/files/GCERCCompPlanFactSheet\\_0.pdf](http://www.restorethegulf.gov/sites/default/files/GCERCCompPlanFactSheet_0.pdf) and <http://www.restorethegulf.gov/sites/default/files/FinalInitialComprehensivePlan.pdf>) that outlines an overarching vision for Gulf restoration and includes the following five goals: (1) Restore and conserve habitat; (2) restore water quality; (3) replenish and protect living coastal and marine resources; (4) enhance community resilience; and (5) restore and revitalize the gulf economy.

As a supplement to the Initial Plan and pursuant to the requirement in the Restore Act to draft a “prioritized list of specific projects and programs to be funded,” the Council is now publishing the initial FPL that lists the activities which the Council will fund and prioritize for further consideration.

**Summary:** On August 13, 2015 the Council published the draft version of the FPL for a 45-day public notice and comment period. The comment period closed on September 28, 2015.

After reviewing and considering all of the public comments, on December 9, 2015 the Council approved the FPL.

The members of the Council collaborated in creating the FPL that responds to ecological needs regardless of jurisdictional boundaries. The FPL will provide near-term “on-the-ground” ecosystem benefits, while also building a planning and science foundation for future success. The FPL focuses on ten key watersheds across the Gulf in order to concentrate and leverage available funds in addressing critical ecological needs in high-priority locations. It focuses on habitat and water quality, and includes restoration and conservation activities that can be implemented in the near term. It also supports project-specific planning efforts necessary to advance large-scale restoration. The comprehensive planning and monitoring efforts included in the FPL will provide Gulf-wide benefits into the future.

The Council intends to play a key role in helping to ensure that the Gulf’s natural resources are sustainable and available for future generations. Currently available Gulf restoration funds and those that may become available in the future represent a great responsibility. The ongoing involvement of the people who live, work and play in the Gulf region is critical to ensuring that these monies are used wisely and effectively. The Council thanks all those who have participated in the process thus far, and offers thanks in advance to those who will take the time to again

offer thoughts on how we can collectively help restore the Gulf.

**Document Availability:** Copies of the FPL are available at the following office during regular business hours: Gulf Coast Ecosystem Restoration Council, Hale Boggs Federal Building, 500 Poydras Street, Suite 1117, New Orleans, LA 70130.

Electronic versions of the FPL can be viewed and downloaded at [www.restorethegulf.gov](http://www.restorethegulf.gov).

**Legal Authority:** The statutory program authority for the FPL is found at 33 U.S.C. 1321(t)(2).

Dated: December 9, 2015.

**Justin R. Ehrenwerth,**

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## NATIONAL TRANSPORTATION SAFETY BOARD

### 49 CFR Part 830

[Docket No. NTSB–AS–2012–0001]

RIN 3147–AA11

#### Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records

**AGENCY:** National Transportation Safety Board (NTSB).

**ACTION:** Direct final rule.

**SUMMARY:** The NTSB is publishing an amendment to its regulations concerning notification and reporting requirements with regard to aircraft accidents or incidents, titled, “Immediate notification.” The regulation currently requires reports of Airborne Collision and Avoidance System (ACAS) advisories issued under certain specific circumstances. The NTSB now narrows the ACAS reporting requirement, consistent with the agency’s authority to issue non-controversial amendments to rules, pursuant to the direct final rulemaking procedure. The NTSB also updates its contact information for notifications.

**DATES:** This direct final rule will be effective February 16, 2016, without further notice, unless the NTSB receives adverse comment by January 14, 2016. If the NTSB receives adverse comment, we will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** A copy of this direct final rule, published in the **Federal Register**,

is available for inspection and copying in the NTSB’s public reading room, located at 490 L’Enfant Plaza SW., Washington, DC 20594–2000.

Alternatively, a copy of the rule is available on the NTSB Web site, at <http://www.ntsb.gov>, and at the government-wide Web site on regulations, at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Scott Dunham, National Resource Specialist—ATC, Office of Aviation Safety, (202) 314–6387.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

On October 7, 2008, the NTSB published a Notice of Proposed Rulemaking (NPRM) titled “Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records.” 73 FR 58520. The NPRM proposed several additions to 49 CFR 830.5, to require reports of various types of serious aviation incidents. Among the proposed requirements, the NTSB sought mandatory reports of Airborne Collision Avoidance System (ACAS) resolution advisories issued either (i) when an aircraft is being operated on an instrument flight rules (IFR) flight plan and compliance with the advisory is necessary to avert a substantial risk of collision between two or more aircraft, or (ii) to an aircraft operating in class A airspace. 73 FR 58523–24.

On January 7, 2010, the NTSB published its amendment to the final rule by requiring operators of civil aircraft to report certain ACAS incidents, along with other types of serious incidents. 75 FR 922. The NTSB explained its intent in imposing this reporting requirement is to identify, evaluate, and investigate (when appropriate) serious incidents where aircraft maneuvers were required to avert a substantial risk of collision between aircraft equipped with traffic collision avoidance systems (TCAS) and other aircraft and to evaluate situations where resolution advisories occur between aircraft under positive control in class A airspace. The NTSB clarified it did not intend to require the reporting of all resolution advisories or, outside class A airspace, to require the reporting of any resolution advisory resulting from an encounter between aircraft where no substantial risk of collision exists. 75 FR 925–26.

The NTSB stated it believed the reporting requirement would achieve the NTSB’s objective of receiving notification of aircraft encounters that