

Dated: April 13, 2017.

**Matthew S. Borman,**  
Deputy Assistant Secretary for Export Administration.

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**15 CFR Part 950**

[Docket No. 161107999-6999-01]

RIN 0648-BG39

**Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services**

**AGENCY:** National Environmental Satellite, Data and Information Service (NESDIS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Final rule.

**SUMMARY:** In this final rule, NESDIS adds a new service/product to the NESDIS FY 2017 schedule of fees for the sale of its data, information, and related products and services to users. NESDIS is authorized under the United States Code to assess fees, up to fair market value, for access to environmental data, information, and products derived from, collected, and/or archived by NOAA. This action adds a new user fee for a data product titled, High Definition Geomagnetic Model—Real Time.

**DATES:** Effective May 18, 2017.

**FOR FURTHER INFORMATION CONTACT:** Lynn Hodges (301) 713-7064.

**SUPPLEMENTARY INFORMATION:**

**Background**

NESDIS operates NOAA’s National Center for Environmental Information (NCEI). Through NCEI, NESDIS provides and ensures timely access to global environmental data from satellites and other sources, provides information services, and develops science products. NESDIS maintains some 1,300 databases containing over 2,400 environmental variables at NCEI

and seven World Data Centers. These centers respond to over 2,000,000 requests for these data and products annually from over 70 countries. This collection of environmental data and products is growing rapidly, both in size and sophistication, and as a result the associated costs have increased.

Users have the ability to access the data offline, online and through the NESDIS *e-Commerce System (NeS) online store*. Our ability to provide data, information, products and services depends on user fees.

**Fee Schedule**

In an October 22, 2015, final rule (80 FR 63914), NESDIS established a new schedule of fees for the sale of its data, information, and related products and services to users (“October 2015 Fee Schedule Rule”). NESDIS revised the fee schedule that had been in effect since 2013 to ensure that the fees accurately reflect the costs of providing access to the environmental data, information, and related products and services.

NESDIS will continue to review the user fees periodically, and will revise such fees as necessary. Any future changes in the user fees and their effective date will be announced through notice in the **Federal Register**.

**Need for Addition**

High Definition Geomagnetic Model—Real Time accurately models the magnetic fields originating in the Earth’s magnetosphere in real-time using a combination of solar-wind observing satellites situated between Earth and sun and a chain of geomagnetic observatories on the Earth’s surface.

We are adding a new user fee for this data product—High Definition Geomagnetic Model—Real Time—to the current user fee schedule. Accordingly, Appendix A to Part 950—Schedule of User Fees for Access to NOAA Environmental Data includes the user fees established in October 2015 and the new fee established by this final rule: High Definition Geomagnetic Model—Real Time Fee. In addition, NESDIS has deleted the New Fee column in Appendix A to avoid confusion given that this final rule is not issuing a new

schedule of fees but rather the addition of one new fee.

**Classification**

This rule has been determined to be not significant for purposes of E.O. 12866. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking and the opportunity for public comment are inapplicable because this rule falls within the public property exception of subparagraph (a)(2) of section 553, as it relates only to the assessment of fees, as authorized by 15 U.S.C. 1534, that accurately reflect the costs of providing access to publicly available environmental data, information, and related products. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 5 U.S.C. 553 or by any other law, the requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly, no Regulatory Flexibility Analysis is required and none has been prepared.

**List of Subjects in 15 CFR Part 950**

Organization and functions (government agencies).

Dated: April 5, 2017.

**Cherish Johnson,**

Chief Financial Officer/Chief Administrative Officer.

For the reasons set forth above, 15 CFR part 950 is amended as follows:

**PART 950—ENVIRONMENTAL DATA AND INFORMATION**

■ 1. The authority citation for part 950 continues to read as follows:

**Authority:** (5 U.S.C. 552, 553). Reorganization Plan No. 4 of 1970.

■ 2. Appendix A to part 950 is revised to read as follows:

**Appendix A to Part 950—Schedule of User Fees for Access to NOAA Environmental Data**

Name of product/data/publication/information/service	Current fee
NOAA National Center for Environmental Information:	
Department of Commerce Certification .....	\$116.00
General Certification .....	92.00
Paper Copy .....	3.00
Data Poster .....	18.00
Shipping Service .....	8.00
Rush Order Fee .....	60.00
Super Rush Order Fee .....	100.00

Name of product/data/publication/information/service	Current fee
Foreign Handling Fee .....	43.00
NEXRAD Doppler Radar Color Prints .....	21.00
Paper Copy from Electronic Media .....	8.00
Offline In-Situ Digital Data .....	175.00
Microfilm Copy (roll to paper) per frame from existing film .....	20.00
Satellite Image Product .....	92.00
Offline Satellite, Radar, and Model Digital Data (average unit size is 1 terabyte) .....	753.00
Conventional CD-ROM/DVD .....	110.00
Specialized CD-ROM/DVD .....	208.00
CD-ROM/DVD Copy, Offline .....	43.00
CD-ROM/DVD Copy, Online Store .....	16.00
Facsimile Service .....	89.00
Order Handling .....	11.00
Non-Digital Order Consultation .....	10.00
Digital Order Consultation .....	28.00
Non-Serial Publications .....	32.00
Non-Standard Data; Select/Copy to CD, DVD or Electronic Transfer, Specialized, Offline .....	77.00
Digital and Non-Digital Off-the-Shelf Products, Online .....	13.00
Digital and Non-Digital Off-the-Shelf Products, Offline .....	17.00
Order Consultation Fee .....	4.00
Handling and Packing Fee .....	12.00
World Ocean Database-World Ocean Atlas 2009 DVDs .....	(*)
Mini Poster .....	2.00
Icosahedron Globe .....	1.00
Convert Data to Standard Image .....	8.00
Single Orbit OLS & Subset .....	19.00
Single Orbit OLS & Subset, Additional Orbits .....	6.00
Geolocated Data .....	50.00
Subset of Pre-existing Geolocated Data .....	32.00
Global Nighttime Lights Annual Composite from One Satellite .....	74,924.00
Most Recent DMSP-OLS Thermal Band/Cloud Cover Mosaics from Multiple Satellites .....	(*)
Daily or Nightly Global Mosaics (visible & thermal band, single spectral band or environmental data) .....	332.00
Global Nighttime Lights Lunar Cycle .....	8,259.00
Radiance Calibrated Global DMSP-OLS Nighttime Lights Annual Composite from One Satellite .....	(*)
Research Data Series CD-ROM/DVD .....	25.00
Custom Analog Plotter Prints .....	(*)
NOS Bathymetric Maps and Miscellaneous Archived Publication Inventory .....	8.00
Global Annual Composite of Nighttime Lights in Monthly Increments From One Satellite .....	10,794.00
High Definition Geomagnetic Model .....	20,262.00
High Definition Geomagnetic Model—Real Time .....	26,204.00
Provision of Global Nighttime VIIRS day/night band data in geotiff format .....	55,727.00
Provision of Global Nighttime VIIRS day/night band data in HDF5 Format .....	27,888.00
Provision of regional data from the VIIRS instrument on a daily basis .....	14,306.00

\* Reflects a product no longer offered.

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket Number USCG-2017-0189]

RIN 1625-AA08

#### Special Local Regulation; Lake Ferguson; Greenville, MS

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary special local regulation controlling movement of vessels for certain waters of Lake Ferguson, Greenville, MS. This rule is

necessary to provide for the safety of life on navigable waters during a paddling event on April 22, 2017. This regulation prohibits entry by all vessels, mariners, and persons into the event area, an approximate 300-yard stretch of Lake Ferguson extending approximately 150-yards west from the Greenville boat launch. All vessels transiting Lake Ferguson west-northwest of the regulated area will be limited to slowest speed for safe navigation to minimize wake unless specifically authorized by the Captain of the Port Memphis or an on-scene representative.

**DATES:** This rule is effective from 8 a.m. until 4 p.m. on April 22, 2017.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2017-0189 in the "SEARCH" box and click "SEARCH." Click on Open Docket

Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, call or email Petty Officer Todd Manow, Waterways Management, Sector Lower Mississippi River, U.S. Coast Guard, telephone 901-521-4813, email [Todd.M.Manow@uscg.mil](mailto:Todd.M.Manow@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
 COTP Captain of the Port  
 DHS Department of Homeland Security  
 E.O. Executive Order  
 FR Federal Register  
 NPRM Notice of proposed rulemaking  
 § Section  
 U.S.C. United States Code

##### II. Background Information and Regulatory History

The Coast Guard is issuing this temporary final rule without prior