

the FAA amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

### **PART 39—AIRWORTHINESS DIRECTIVES**

■ 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

■ 2. The FAA amends § 39.13 by removing airworthiness directive (AD) 2017-04-51, Amendment 39-18824 (82 FR 13753, March 15, 2017), and adding the following new AD:

**2017-15-07 Safran Helicopter Engines, S.A.:** Amendment 39-18967; Docket No. FAA-2017-0115; Directorate Identifier 2017-NE-04-AD.

#### **(a) Effective Date**

This AD is effective August 8, 2017.

#### **(b) Affected ADs**

This AD replaces AD 2017-04-51, Amendment 39-18824 (82 FR 13753, March 15, 2017).

#### **(c) Applicability**

This AD applies to all Safran Helicopter Engines, S.A., Arriel 1A1, 1A2, 1B, 1C, 1C1, 1C2, 1D, 1D1, 1E2, 1K1, 1S, and 1S1 turboshaft engines equipped with a drain valve assembly (DV) manufactured, repaired, or overhauled after December 31, 2015; with a diaphragm, part number 9 164 95 002 0, installed.

#### **(d) Subject**

Joint Aircraft System Component (JASC) Code 7321, Fuel Control/Turbine Engines.

#### **(e) Unsafe Condition**

This AD was prompted by reports of fuel leaks originating from the DV on certain Arriel engines. We are issuing this AD to prevent an engine compartment fire, in-flight shutdown, and damage to the helicopter.

#### **(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

(1) Within 10 flight hours or 7 days, whichever occurs first, after the effective date of this AD, visually inspect the affected DV for fuel leakage:

(i) If a fuel leak is detected, replace the affected DV with a DV eligible for installation, before the next flight.

(ii) If no fuel leak is detected, before the next flight, wrap the affected DV with a self-amalgamate tape or heat shrinkable tubing using the Accomplishment Instructions, paragraph 2.4, in Safran Helicopter Engines Alert Mandatory Service Bulletin (MSB) No. A292 73 0853, Version A, dated April 7, 2017.

(2) After wrapping an affected DV, as specified in paragraph (f)(1) of this AD, inspect the DV for fuel leakage before each first flight of the day. If a fuel leak is

detected, replace the affected DV with a DV eligible for installation before the next flight.

(3) If, during any inspection required by this AD, the wrapping is found defective (loose, missing, or damaged), before the next flight, remove the wrap and re-wrap the affected DV using the Accomplishment Instructions, paragraph 2.4, of Safran Helicopter Engines Alert MSB No. A292 73 0853, Version A, dated April 7, 2017.

(4) If you replace the affected DV with another affected DV eligible for installation, you must still continue to perform the repetitive inspections required by paragraph (f)(2) of this AD.

#### **(g) Installation Prohibition**

From the effective date of this AD, do not install any engine with an affected DV on any helicopter unless the DV has been wrapped and is leak-free in accordance with the instructions in paragraph 2.4 of Safran Helicopter Engines Alert MSB No. A292 73 0853, Version A, dated April 7, 2017.

#### **(h) Definition**

For the purpose of this AD, a DV eligible for installation is:

(1) A DV that is not affected by this AD; or

(2) a DV that is affected by this AD, is leak-free, and is wrapped in accordance with the Accomplishment Instructions, paragraph 2.4, of Safran Helicopter Engines Alert MSB No. A292 73 0853, Version A, dated April 7, 2017.

#### **(i) Credit for Previous Actions**

You may take credit for the initial inspection and corrective actions (including wrapping of a DV) accomplished before the effective date of this AD using the Accomplishment Instructions, paragraph 2, of Safran Helicopter Engines Alert MSB No. A292 73 0851, Version A, dated January 31, 2017.

#### **(j) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Engine Certification Office, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: [ANE-AD-AMOC@faa.gov](mailto:ANE-AD-AMOC@faa.gov).

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

#### **(k) Related Information**

(1) For further information about this AD, contact: Robert Green, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7754; fax: 781-238-7199; email: [robert.green@faa.gov](mailto:robert.green@faa.gov).

(2) Refer to MCAI European Aviation Safety Agency AD No. 2017-0064R1, dated June 27, 2017, for more information.

#### **(l) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Safran Helicopter Engines Alert Mandatory Service Bulletin No. A292 73 0853, Version A, dated April 7, 2017.

(ii) Reserved.

(3) For Safran Helicopter Engines service information identified in this AD, contact Safran Helicopter Engines, S.A., 40220 Tarnos, France; phone: (33) 05 59 74 40 00; fax: (33) 05 59 74 45 15.

(4) You may view this service information at FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

(5) You may view this service information at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Burlington, Massachusetts, on July 13, 2017.

**Robert J. Ganley,**

*Acting Manager, Engine & Propeller Directorate, Aircraft Certification Service.*

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**BILLING CODE 4910-13-P**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Part 165**

**[Docket Number USCG-2017-0385]**

**RIN 1625-AA00**

#### **Safety Zone; Canal Fest Water Ski Show; Erie Canal System, Fish Creek, Sylvan Beach, NY**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the Erie Canal System, Fish Creek, Sylvan Beach, NY. This safety zone is intended to restrict vessels from portions of the Erie Canal System at Fish Creek during the Canal Fest Water Ski Show on August 13, 2017. This temporary safety zone is necessary to protect mariners and vessels from the navigational hazards associated with high speed craft and water skiers. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Buffalo.

**DATES:** This rule is effective from 12:15 p.m. to 2:45 p.m. August 13, 2017.

**ADDRESSES:** To view documents mentioned in this preamble as being

available in the docket, go to <http://www.regulations.gov>, type USCG–2017–0385 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 rulemaking, call or email LT Michael Collet, Chief of Waterways Management, U.S. Coast Guard Sector Buffalo; telephone 716–843–9322, email [D09-SMB-SECBuffalo-WWM@uscg.mil](mailto:D09-SMB-SECBuffalo-WWM@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
 DHS Department of Homeland Security  
 FR Federal Register  
 NPRM Notice of proposed rulemaking  
 § Section  
 U.S.C. United States Code

**II. Background Information and Regulatory History**

On April 9, 2017, the Sylvan Verona Beach Resort Association notified the Coast Guard that from 12:30 p.m. to 2:30 p.m. on August 13, 2017, it will be conducting a water ski show in the Erie Canal System at Fish Creek in Sylvan Beach, NY. In response, on June 9, 2017, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Safety Zone; Canal Fest Water Ski Show; Erie Canal System, Fish Creek, Sylvan Beach, NY. There we stated why we issued the NPRM, and invited comments on our proposed regulatory action related to this water ski show. During the comment period that ended July 10, 2017, we received 0 comments.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this temporary rule effective less than 30 days after publication in the **Federal Register** because doing so would be impracticable and contrary to the public interest. Delaying the effective date would be contrary to the rule’s objectives of ensuring safety of life on the navigable waters and protection of persons and vessels near the water ski show.

**III. Legal Authority and Need for Rule**

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Buffalo (COTP) has determined that a water ski show presents significant risks to public safety and property. Such hazards include high speed craft and multiple water skiers performing in a relatively small area. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the water ski show is taking place.

**IV. Discussion of the Rule**

This rule establishes a safety zone on August 13, 2017 12:15 p.m. to 2:45 p.m. The safety zone will encompass all waters of the Erie Canal System, Fish Creek, Sylvan Beach, NY contained within the following points: 43°11’37.79” N., 075°43’53.27” W., running Northeast to position 43°11’43.15” N., 075°43’44.88” W., then Southeast to 43°11’42.82” N., 075°43’43.42” W. then Southwest to 43°11’36.90” N., 075°43’52.06” W. then returning to the point of origin (NAD83).

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative. The Captain of the Port or his designated on-scene representative may be contacted via VHF Channel 16.

**V. Regulatory Analyses**

We developed this rule after considering numerous statutes and Executive Orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive Orders, and we discuss First Amendment rights of protestors.

**A. Regulatory Planning and Review**

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Executive Order 13771 (“Reducing Regulation and Controlling Regulatory Costs”), directs agencies to reduce regulation and control regulatory costs and provides that “for every one new regulation issued, at least two prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process.”

This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

As this rule is not a significant regulatory action, this rule is exempt from the requirements of Executive Order 13771. See OMB’s Memorandum titled “Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017 titled ‘Reducing Regulation and Controlling Regulatory Costs’” (February 2, 2017).

We conclude that this rule is not a significant regulatory action because we

anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule will be relatively small and enforced for a short duration of time. Also, the safety zone is designed to minimize its impact on navigable waters. Thus, restrictions on vessel movement within the particular areas are expected to be minimal. Under certain conditions, moreover, vessels may still transit through the safety zone when permitted by the Captain of the Port.

**B. 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 rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the 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.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain

about this rule or any policy or action of the Coast Guard.

### C. Collection of Information

This rule will not call for a 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 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 rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does 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 rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

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

### F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that it is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule

establishes a temporary safety zone. It is categorically excluded under section 2.B.2, figure 2–1, paragraph 34(g) of the Instruction, which pertains to establishment of safety zones. A Record of Environmental Consideration (REC) supporting this determination is available in the docket where indicated in the **ADDRESSES** section of this preamble.

### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

## PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

- 2. Add § 165.T09–0385 to read as follows:

### § 165.T09–0385 Safety Zone; Canal Fest Water Ski Show, Erie Canal System, Fish Creek, Sylvan Beach, NY.

(a) *Location.* The safety zone will encompass all waters of the Erie Canal System, Fish Creek starting at position 43°11'37.79" N., 075°43'53.27" W., running Northeast to position 43°11'43.15" N., 075°43'44.88" W., then Southeast to 43°11'42.82" N., 075°43'43.42" W. then Southwest to 43°11'36.90" N., 075°43'52.06" W. then returning to the point of origin. (NAD 83).

(b) *Enforcement period.* This regulation will be enforced on August 13, 2017 from 12:15 p.m. until 2:45 p.m.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be

permitted by the Captain of the Port Buffalo or his designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port Buffalo is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port Buffalo to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone must contact the Captain of the Port Buffalo or his on-scene representative to obtain permission to do so. The Captain of the Port Buffalo or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Buffalo, or his on-scene representative.

Dated: July 18, 2017.

**Joseph S. Dufresne,**

*Captain, U.S. Coast Guard, Captain of the Port Buffalo.*

[FR Doc. 2017–15392 Filed 7–21–17; 8:45 am]

**BILLING CODE 9110–04–P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 92

[Docket No. FWS–R7–MB–2015–0172; FF07M01000–178–FXMB12310700000]

RIN 1018–BB24

### Migratory Bird Subsistence Harvest in Alaska; Use of Inedible Bird Parts in Authentic Alaska Native Handicrafts for Sale

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service or we) is amending the permanent migratory bird subsistence-harvest regulations in Alaska. This rule enables Alaska Natives to sell authentic native articles of handicraft or clothing that contain inedible byproducts from migratory birds that were taken for food during the Alaska migratory bird subsistence-harvest season. This rule was developed under a co-management process involving the Service, the Alaska Department of Fish and Game, and Alaska Native representatives.

**DATES:** This rule is effective August 23, 2017.

**FOR FURTHER INFORMATION CONTACT:** Donna Dewhurst, U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Mail Stop