

position from 6 a.m. through 9 a.m. on September 9, 2017. Navigation on the waterway consists primarily of commercial tows and recreational watercraft. This temporary deviation has been coordinated with waterway users. No objections were received.

The bridge will not be able to open for emergencies and there are no alternate routes for vessels transiting this section of the Upper Mississippi River. The Coast Guard will inform users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so the vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: August 25, 2017.

Eric A. Washburn,

Bridge Administrator, Western Rivers.

[FR Doc. 2017-18406 Filed 8-29-17; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2017-0687]

Drawbridge Operation Regulation; St. Croix River, Stillwater, MN

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from drawbridge regulations; request for comments.

SUMMARY: The Coast Guard has issued a deviation from the operating schedule that governs the Stillwater Highway Bridge across the St. Croix River, mile 23.4, at Stillwater, Minnesota. This deviation will test a change to the drawbridge operation schedule to determine whether a permanent change to the schedule is needed.

DATES: This deviation is effective without actual notice from August 30, 2017 through 11:59 p.m. October 15, 2017. For the purposes of enforcement, actual notice will be used from 8 a.m. on August 25, 2017, until August 30, 2017.

Comments and related material must reach the Coast Guard on or before November 28, 2017.

ADDRESSES: You may submit comments identified by docket number USCG-2017-0687 using Federal eRulemaking Portal at <http://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 test deviation, call or email Eric A. Washburn, Bridge Administrator, Western Rivers, Coast Guard; telephone 314-269-2378, email Eric.Washburn@uscg.mil.

SUPPLEMENTARY INFORMATION: The Stillwater Highway Bridge, across the St. Croix River, mile 23.4, at Stillwater, Minnesota, has been modified in its use from motorized vehicle traffic to pedestrian and bicycle use only. The existing operation schedule of the bridge is no longer necessary as it had been created solely to reduce the impact of drawspan openings on motorized vehicle traffic. This test deviation requires the bridge to open daily, every 30 minutes from 8 a.m. until midnight, and upon two hours notice from midnight until 8 a.m. This test deviation is effective from 8 a.m. on August 25, 2017 through 11:59 p.m. on October 15, 2017.

The Stillwater Highway Bridge currently operates in accordance with 33 CFR 117.667(b).

The Stillwater Highway Bridge provides a vertical clearance of 10.9 feet above normal pool in the closed-to-navigation position. Navigation on the waterway consists primarily of commercial sightseeing/dinner cruise boats and recreational watercraft and will not be significantly impacted.

The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

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.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided.

Documents mentioned in this notice as being available in this docket and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, 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.

Dated: August 25, 2017.

Eric A. Washburn,

Bridge Administrator, Western Rivers.

[FR Doc. 2017-18443 Filed 8-29-17; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2017-0348]

RIN 1625-AA-00

Safety Zone; Wando River, Charleston, SC

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is extending the duration of a temporary safety zone for navigable waters of the Wando River within a 500-yard radius of the SC-41 Bridge, vessels and machinery in Charleston, South Carolina. The safety zone is needed to ensure the safety of persons, vessels, and the marine environment from potential hazards created by demolition work on the SC-41 Bridge. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of

the Port Charleston or a designated representative.

DATES: This rule is effective from August 30, 2017 through November 30, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG–2017–0348 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 on this rule call or email Lieutenant Justin Heck, Sector Charleston Office of Waterways Management, Coast Guard; telephone (843) 740–3184, email Justin.C.Heck@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
OMB Office of Management and Budget

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because immediate action is needed to protect the public from the hazards associated with the demolition of the SC–41 Bridge. On August 11, 2017, the Coast Guard published a temporary final rule, entitled “Safety Zone; Demolition of SC–41 Bridge, Wando River, Charleston, SC” in the **Federal Register** (82 FR 37515) establishing a temporary safety zone for the demolition work on the SC–41 Bridge in Charleston, South Carolina. The safety zone is scheduled to expire on August 30, 2017, but the demolition company has requested additional time to complete the demolition work. This rule extends the duration of the existing safety zone from August 30, 2017 to November 30, 2017 to ensure, to the extent practicable, that there continues

to be protections for the safety of personnel, vessels, and the marine environment from the potential hazards created by the demolition work on the SC–41 Bridge, which was unable to be completed during the original time frame. It would be impracticable and contrary to the public interest for the existing safety zone to lapse when the demolition work needs to continue past the expiration date of the existing safety zone.

We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be contrary to public interest because immediate action is needed to respond to the potential safety hazards associated with the demolition work on the SC–41 Bridge.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. On August 11, 2017, the Coast Guard published a temporary final rule, entitled “Safety Zone; Demolition of SC–41 Bridge, Wando River, Charleston, SC” in the **Federal Register** (82 FR 37515) establishing a temporary safety zone for the demolition work on the SC–41 Bridge in Charleston, South Carolina. The safety zone is scheduled to expire on August 30, 2017, but the demolition company has requested additional time to complete the demolition work. The Captain of the Port (COTP) Charleston has determined that potential hazards associated with the bridge demolition will be a safety concern for anyone within a 500-yard radius of the bridge, vessels, and machinery. Through this rule, the COTP Charleston has determined it necessary to extend the duration of the safety zone from August 30, 2017 until November 30, 2017 because the safety zone is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the demolition is in progress.

IV. Discussion of the Rule

This rule extends the duration of the temporary safety zone on the waters of the Wando River in Charleston, South Carolina during the SC–41 bridge demolition. The company conducting the demolition contacted the Coast Guard asking for more time to complete the demolition. The demolition will take over two separate demolition periods between August 31, 2017 and November 30, 2017, during which the safety zone will be enforced for approximately six hours each. The

safety zone will cover all navigable waters within 500 yards of the bridge, vessels, and machinery being used for the demolition of the SC–41 Bridge. No vessel or person will be permitted to enter, transit through, anchor in, or remain within the safety zone without obtaining permission from the Captain of the Port Charleston or a designated representative. If authorization to enter, transit through, anchor in, or remain within the safety zone is granted by the Captain of the Port Charleston or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Charleston or a designated representative. The Coast Guard will provide notice of the safety zone by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

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 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the following reasons: (1) The safety zone will only be enforced for a total of twelve hours; (2) although persons and vessels may not enter, transit through, anchor in, or remain within the safety zone without authorization from the Captain of the Port Charleston or a designated representative, they may operate in the surrounding area during the enforcement period; and (3) the Coast Guard will provide advance notification of the safety zone to the local maritime community by Local Notice to Mariners and Broadcast Notice to Mariners.

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 an 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.ID, 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 this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone that will prohibit persons and vessels from entering, transiting through, anchoring in, or remaining within a limited area surrounding the SC–41 Bridge on the waters of the Wando River for two six hour periods. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Record of Environmental Consideration are available in the docket where indicated under **ADDRESSES**.

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, 160.5; and Department of Homeland Security Delegation No. 0170.

■ 2. Revise § 165.T07–0348 to read as follows:

§ 165.T07–0348 Safety Zone; Demolition SC–41 Bridge Demolition Phase Two, Wando River, Charleston, SC.

(a) *Location.* All waters of the Wando River encompassed within a 500-yard radius of the SC–41 Bridge, vessels and machinery.

(b) *Definition.* The term “designated representative” means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port Charleston in the enforcement of the regulated areas.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port Charleston or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain within the regulated area may contact the Captain of the Port Charleston by telephone at (843) 740–7050, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the Captain of the Port Charleston or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of

the Captain of the Port Charleston or a designated representative.

(3) The Coast Guard will provide notice of the regulated area by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Enforcement period.* This rule will be enforced from August 4, 2017 through November 30, 2017, during demolition activity.

Dated: August 25, 2017.

G.G. Stump,

Captain, U.S. Coast Guard, Captain of the Port Charleston.

[FR Doc. 2017-18432 Filed 8-29-17; 8:45 am]

BILLING CODE 9110-04-P

FOR FURTHER INFORMATION CONTACT: Susan Wilkinson, Division of Policy, Performance, and Management Programs; 703-358-2506.

SUPPLEMENTARY INFORMATION:

Background

On December 16, 2016, the U.S. Fish and Wildlife Service published a final rule (81 FR 91494) to revise the regulations in title 50 of the Code of Federal Regulations (CFR) authorizing certain activities involving eagles. These regulations are in parts 13 and 22 of title 50. While the majority of the changes in the rule were to the regulations in part 22, we also revised application fees associated with some part 22 eagle permits and the administration fee for eagle permits over 5 years and incorporated those changes into the permit fee table at 50 CFR 13.11(d)(4), which sets forth user fees for permits issued by several Service programs.

The amendatory instruction that published in that final rule to revise the table in 50 CFR 13.11(d)(4) would have reduced the number of columns in the table from five to four. Because one column (the “Administration fee” column) had an entry for only one type of permit, we intended to remove that column and insert the information regarding the administration fee for that permit as a footnote to the table. While the Office of the Federal Register (OFR) allowed the final rule to be published with that instruction, upon reviewing the rule for codification into the Code of Federal Regulations, OFR decided that the amendatory instruction removing the Administration fee column was inappropriate. Instead of revising the table as we intended, OFR left the table unchanged and instead included this footnote to the table in 50 CFR 13.11(d)(4): “Editorial Note: At 81 FR 91549, Dec. 16, 2016, § 13.11 was amended; however, the amendment could not be incorporated due to inaccurate amendatory instruction.”

This rule corrects the amendatory instruction in the December 16, 2016, final rule (81 FR 91494), so that the CFR properly incorporates all the revisions made by that rule.

We are also taking this opportunity to correct two longstanding errors in the table at § 13.11(d)(4). In the section “Migratory Bird Treaty Act” is an entry for “Falconry,” and in the section “Bald

and Golden Eagle Protection Act” is an entry for “Eagle falconry.” We are removing both of these entries from the table as they remain there in error: They should have been removed via a former rulemaking action. On October 8, 2008, we published a final rule (73 FR 59448) that revised the regulations pertaining to falconry. In that rule, we stated that Federal permitting for falconry would cease as of January 1, 2014, and, as of that date, States, territories, and Tribes would be responsible for issuing falconry permits. The rule revised pertinent sections of 50 CFR parts 21 and 22 but failed to make the necessary corresponding changes to the fee table in part 13. Accordingly, since we no longer issue Federal permits for falconry, we hereby remove two entries regarding application fees for falconry permits from the table in § 13.11(d)(4).

Authority: We issue this final rule under the authority of the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d).

List of Subjects in 50 CFR Part 13

Administrative practice and procedure, Exports, Fish, Imports, Plants, Reporting and recordkeeping requirements, Transportation, Wildlife.

Regulation Promulgation

For the reasons described in the preamble, we hereby amend subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 13—GENERAL PERMIT PROCEDURES

- 1. The authority citation for part 13 continues to read as follows:

Authority: 16 U.S.C. 668a, 704, 712, 742j-1, 1374(g), 1382, 1538(d), 1539, 1540(f), 3374, 4901-4916; 18 U.S.C. 42; 19 U.S.C. 1202; 31 U.S.C. 9701.

- 2. Amend the table in § 13.11(d)(4) by:

- a. Removing the entry “Falconry” under the section “Migratory Bird Treaty Act”; and

- b. Revising the section “Bald and Golden Eagle Protection Act” and footnote 1 to read as follows:

§ 13.11 Application procedures.

* * * * *

(d) * * *

(4) * * *

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 13

[Docket No. FWS-R9-MB-2011-0094; FF09M20300-167-FXMB123109EAGLE]

RIN 1018-AY30

Eagle Permits; Revisions to Regulations for Eagle Incidental Take and Take of Eagle Nests; Correction

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Correcting amendments.

SUMMARY: We, the U.S. Fish and Wildlife Service, published a final rule to revise our regulations regarding permits that we issue for certain activities involving eagles. In that final rule, we revised the permit application fees for certain eagle permits. These permits are included in a table of permit application fees for numerous Service programs. Because of a formatting error in the rule, the revisions to the fee table were not incorporated into the Code of Federal Regulations (CFR) as intended. With this document, we correct the formatting error to properly reflect current application fees for eagle permits in the CFR and also remove two entries in the fee table pertaining to permits that no longer exist. This rule is purely an administrative action and does not affect the provisions of the original rule in any substantive way.

DATES: This correction is effective August 30, 2017.