

**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 the establishment of a temporary safety zone. It 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 Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

#### *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.T13–0118 to read as follows:

#### **§ 165.T13–0118 Safety Zone; Columbia River, Sand Island, WA.**

(a) *Location.* The following area is a safety zone: all waters of the Columbia River within 500 yards of the small boat “Nessy” while in the area encompassing these points: 46°15′45″ N., 123°59′39″ W.; 46°15′24″ N., 123°59′42″ W.; 46°13′32″ N., 123°57′18″ W.; 46°15′9″ N., 123°55′24″ W.; and 46°15′54″ N., 123°58′6″ W. “Nessy” is a 20-foot black and gray aluminum work skiff with an overhead light arch.

(b) *Regulations.* In accordance with the general regulations in subpart C of this part, no person may enter or remain in the safety zone created in this section or bring, cause to be brought, or allow to remain in the safety zone created in this section any vehicle, vessel, or object unless authorized by the Captain of the Port or his designated representative.

(c) *Enforcement.* Any Coast Guard commissioned, warrant, or petty officer may enforce the rules in this section. Where immediate action is required and representatives of the Coast Guard are not present or are not present in sufficient force to provide effective enforcement of this section, any Oregon Law Enforcement Officer or Washington Law Enforcement Officer may enforce the rules contained in this section pursuant to 46 U.S.C. 70118. In addition, the Captain of the Port may be assisted by members of the U. S. Army Corps of Engineers and U.S. Department of Agriculture Wildlife Services and other federal, state, or local agencies in enforcing this section.

(d) *Enforcement periods.* This section is effective from April 3, 2017 through May 25, 2017. It will be enforced from 7 a.m. to 3 p.m. each day on the follow dates: April 3 through 6, April 10 through 13, April 17 through 20, April 24 through 27, May 1 through 4, May 8 through 11, May 15 through 18, and May 22 through 25, 2017. The Coast Guard will inform mariners of any additions and/or changes to the dates and times this section is enforced during its effective period via Broadcast

Notice to Mariners and on-scene notification.

**D.F. Berliner,**

*Captain, U.S. Coast Guard, Acting Captain of the Port, Sector Columbia River.*

[FR Doc. 2017–04196 Filed 3–2–17; 8:45 am]

**BILLING CODE 9110–04–P**

### **DEPARTMENT OF TRANSPORTATION**

#### **Saint Lawrence Seaway Development Corporation**

#### **33 CFR Part 401**

[Docket No. SLSDC–2016–0006]

**RIN 2135–AA42**

#### **Seaway Regulations and Rules: Periodic Update, Various Categories**

**AGENCY:** Saint Lawrence Seaway Development Corporation, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Saint Lawrence Seaway Development Corporation (SLSDC) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Regulations and Rules (Practices and Procedures in Canada) in their respective jurisdictions. Under agreement with the SLSMC, the SLSDC is amending the joint regulations by updating the Seaway Regulations and Rules in various categories. The changes update the following sections of the Regulations and Rules: Condition of Vessels; Seaway Navigation; Radio Communications; General; and, Vessels Transiting U.S. Waters. These amendments are necessary to take account of updated procedures and will enhance the safety of transits through the Seaway. Several of the amendments are merely editorial or for clarification of existing requirements. The joint regulations will become effective in Canada on March 20, 2017.

**DATES:** This rule is effective on March 20, 2017.

**ADDRESSES:** *Docket:* For access to the docket to read background documents or comments received, go to <http://www.Regulations.gov>; or in person at the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Carrie Mann Lavigne, Chief Counsel, Saint Lawrence Seaway Development

Corporation, 180 Andrews Street, Massena, New York 13662; 315/764-3200.

**SUPPLEMENTARY INFORMATION:** The Saint Lawrence Seaway Development Corporation (SLSDC) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Regulations and Rules (Practices and Procedures in Canada) in their respective jurisdictions. Under agreement with the SLSMC, the SLSDC is amending the joint regulations by updating the Regulations and Rules in various categories. The changes update the following sections of the Regulations and Rules: Condition of Vessels; Seaway Navigation; Radio Communications; General; and, Vessels Transiting U.S. Waters. These updates are necessary to take account of updated procedures which will enhance the safety of transits through the Seaway. Many of these changes are to clarify existing requirements in the regulations. Where new requirements or regulations are made, an explanation for such a change is provided below.

**Regulatory Notices: Privacy Act:** Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://www.Regulations.gov>.

The SLSDC is amending two sections of the Condition of Vessels portion of the joint Seaway regulations. In § 401.08, "Landing booms", the two Corporations are requiring vessels with freeboard greater than 2 m and not equipped with landing booms to use the Seaway tie-up service at approach walls. Under the current rules, crew members on vessels with freeboard greater than 2 m and no landing booms jump approximately 4-6 feet from the vessel to the approach wall. This rule would eliminate the safety risks associated with this practice.

In § 401.9, "Radio telephone and navigation equipment", the SLSDC and SLSMC are requiring that vessels maintain radio transmitters on board that are fitted to communicate on additional VHF channels to reduce possible interference from channels transmitting lock operation instructions to vessels via specially designated VHF channels.

In the Seaway Navigation portion of the regulations, a change to § 401.44, "Mooring in locks", is being made that would require one crew member to be present on deck during lockage to assist the Bridge team. A change to § 401.89, "Transit refused" of the General section of the regulations clarifies that vessels need to be in compliance with Transport Canada's Marine Safety and Security regulations in order to transit the Seaway.

The other changes to the joint regulations are merely editorial or to clarify existing requirements.

A Notice of Proposed Rulemaking was published in the **Federal Register** (82 FR 1287) on January 5, 2017. No comments were received during the 30-day notice and comment period. The joint regulations will become effective in Canada on March 20, 2017.

#### Regulatory Evaluation

This regulation involves a foreign affairs function of the United States and therefore, Executive Order 12866 does not apply and evaluation under the Department of Transportation's Regulatory Policies and Procedures is not required.

#### Regulatory Flexibility Act Determination

I certify that this regulation will not have a significant economic impact on a substantial number of small entities. The St. Lawrence Seaway Regulations and Rules primarily relate to commercial users of the Seaway, the vast majority of who are foreign vessel operators. Therefore, any resulting costs will be borne mostly by foreign vessels.

#### Environmental Impact

This regulation does not require an environmental impact statement under the National Environmental Policy Act (49 U.S.C. 4321, *et seq.*) because it is not a major federal action significantly affecting the quality of the human environment.

#### Federalism

The Corporation has analyzed this rule under the principles and criteria in Executive Order 13132, dated August 4, 1999, and have determined that this proposal does not have sufficient federalism implications to warrant a Federalism Assessment.

#### Unfunded Mandates

The Corporation has analyzed this rule under Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4, 109 Stat. 48) and determined that it does not impose unfunded mandates on State, local, and tribal governments

and the private sector requiring a written statement of economic and regulatory alternatives.

#### Paperwork Reduction Act

This regulation has been analyzed under the Paperwork Reduction Act of 1995 and does not contain new or modified information collection requirements subject to the Office of Management and Budget review.

#### List of Subjects in 33 CFR Part 401

Hazardous materials transportation, Navigation (water), Penalties, Radio, Reporting and recordkeeping requirements, Vessels, Waterways.

Accordingly, the Saint Lawrence Seaway Development Corporation amends 33 CFR part 401, Seaway Regulations and Rules, as follows:

### PART 401—SEAWAY REGULATIONS AND RULES

#### Subpart A—Regulations

■ 1. The authority citation for subpart A of part 401 continues to read as follows:

**Authority:** 33 U.S.C. 983(a) and 984(a)(4), as amended; 49 CFR 1.52, unless otherwise noted.

■ 2. In § 401.8, redesignate paragraph (c) as paragraph (d) and add new paragraph (c) to read as follows:

#### § 401.8 Landing booms.

\* \* \* \* \*

(c) Vessels with freeboard greater than 2 m and not equipped with landing booms shall utilize the Seaway tie-up service at approach walls.

\* \* \* \* \*

■ 3. In § 401.9, revise paragraph (b)(2) to read as follows:

#### § 401.9 Radio telephone and navigation equipment.

\* \* \* \* \*

(b) \* \* \*  
(2) Be fitted to operate from the conning position in the wheelhouse and to communicate on channels 11, 12, 13, 14, 15, 16, 17, 66a, 75, 76 and 77.

\* \* \* \* \*

■ 4. In § 401.29, revise paragraph (c)(2)(iii), redesignate paragraph (c)(2)(iv) as paragraph (c)(2)(v) and add a new paragraph (c)(2)(iv) to read as follows:

#### § 401.29 Maximum draft.

\* \* \* \* \*

(c) \* \* \*  
(2) \* \* \*  
(iii) Any vessel intending to use the DIS for the first time must notify the Manager of the Corporation in writing at least 24 hours prior to the

commencement of its initial transit in the System with the DIS.

(iv) In every navigation season a vessel intending to use an approved DIS to transit the System must fax a completed confirmation checklist found at [www.greatlakes-seaway.com](http://www.greatlakes-seaway.com) to the Manager or the Corporation prior to its initial transit of the season.

\* \* \* \* \*

■ 5. In § 401.44, revise paragraph (d) to read as follows:

**§ 401.44 Mooring in locks.**

\* \* \* \* \*

(d) Vessels being moored by a “Hands Free Mooring” (HFM) system shall have a minimum of 1 well rested crew member on deck during the lockage to assist the Bridge team.

■ 6. In § 401.58, revise paragraph (b) to read as follows:

**§ 401.58 Pleasure craft scheduling.**

\* \* \* \* \*

(b) Every pleasure craft seeking to transit Canadian locks shall stop at a pleasure craft dock and arrange for transit by contacting the lock personnel using the direct-line phone and make the lockage fee payment by purchasing a ticket using the automated ticket dispensers or prior to transiting Seaway locks, purchase a ticket through PayPal on the Seaway Web site.

■ 7. In § 401.64, revise paragraph (c) to read as follows:

**§ 401.64 Calling in.**

\* \* \* \* \*

(c) A down bound vessel in St. Lambert Lock shall switch to channel 10 (156.5 MHz) for a traffic report from Quebec Vessel Management Center.

\* \* \* \* \*

■ 8. In § 401.89, revise paragraph (a)(4) to read as follows:

**§ 401.89 Transit refused.**

(a) \* \* \*

(4) The vessel is not in compliance with Transport Canada Marine Safety and Security, flag state and/or classification society regulations.

\* \* \* \* \*

■ 9. In part 401, Schedule I, redesignate paragraphs (c) and (d) as paragraphs (d) and (e), respectively, and add a new paragraph (c) to read as follows:

**Schedule I to Subpart A of Part 401—Vessels Transiting U.S. Waters**

\* \* \* \* \*

(c) U.S. Coast Pilot, current edition.

\* \* \* \* \*

Issued at Washington, DC, on February 27, 2017.

Saint Lawrence Seaway Development Corporation.

**Carrie Lavigne,**  
*Chief Counsel.*

[FR Doc. 2017-04068 Filed 3-2-17; 8:45 am]

**BILLING CODE 4910-61-P**

**DEPARTMENT OF TRANSPORTATION**

**Saint Lawrence Seaway Development Corporation**

**33 CFR Part 402**

[Docket No. SLSDC-2016-0005]

**RIN 2135-AA41**

**Tariff of Tolls**

**AGENCY:** Saint Lawrence Seaway Development Corporation, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Saint Lawrence Seaway Development Corporation (SLSDC) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Tariff of Tolls in their respective jurisdictions. The Tariff sets forth the level of tolls assessed on all commodities and vessels transiting the facilities operated by the SLSDC and the SLSMC. The SLSDC is revising its regulations to reflect the fees and charges levied by the SLSMC in Canada starting in the 2017 navigation season, which are effective only in Canada. An amendment to increase the minimum charge per lock for those vessels that are not pleasure craft or subject in Canada to tolls under items 1 and 2 of the Tariff for full or partial transit of the Seaway will apply in the U.S. (See **SUPPLEMENTARY INFORMATION.**) The Tariff of Tolls will become effective in Canada on March 20, 2017.

**DATES:** This rule is effective on March 20, 2017.

**ADDRESSES:** *Docket:* For access to the docket to read background documents or comments received, go to <http://www.Regulations.gov>; or in person at the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** Carrie Mann Lavigne, Chief Counsel, Saint Lawrence Seaway Development Corporation, 180 Andrews Street, Massena, New York 13662; 315/764-3200.

**SUPPLEMENTARY INFORMATION:** The Saint Lawrence Seaway Development Corporation (SLSDC) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Tariff of Tolls (Schedule of Fees and Charges in Canada) in their respective jurisdictions.

The Tariff sets forth the level of tolls assessed on all commodities and vessels transiting the facilities operated by the SLSDC and the SLSMC. The SLSDC is proposing to revise 33 CFR 402.12, “Schedule of tolls”, to reflect the fees and charges levied by the SLSMC in Canada beginning in the 2017 navigation season. With one exception, the changes affect the tolls for commercial vessels and are applicable only in Canada. The collection of tolls by the SLSDC on commercial vessels transiting the U.S. locks is waived by law (33 U.S.C. 988a(a)). Accordingly, no notice or comment was necessary on these amendments.

The SLSDC is amending 33 CFR 402.12, “Schedule of tolls”, to increase the minimum charge per vessel per lock for full or partial transit of the Seaway from \$27.46 to \$28.01. This charge is for vessels that are not pleasure craft or subject in Canada to the tolls under items 1 and 2 of the Tariff. This increase is due to higher operating costs at the locks.

A Notice of Proposed Rulemaking was published in the **Federal Register** (82 FR 1285) on January 5, 2017. No comments were received during the 30-day notice and comment period.

**Regulatory Notices: Privacy Act:** Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT’s complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

**Regulatory Evaluation**

This regulation involves a foreign affairs function of the United States and therefore, Executive Order 12866 does not apply and evaluation under the Department of Transportation’s Regulatory Policies and Procedures is not required.

**Regulatory Flexibility Act Determination**

I certify this regulation will not have a significant economic impact on a