

have made a preliminary determination that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction. This rule involves the creation of a temporary safety zone. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

#### 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. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T14-199 to read as follows:

#### § 165.T14-199 Safety Zone; Dive Platform Vessel, Pago Pago Harbor, American Samoa.

(a) *Location.* The following area is a temporary safety zone: All waters contained around the USNS Sioux or M/V EL LOBO GRANDE II dive platform and the 332-foot Tanker Barge CAPELLA while they are performing operations in and around the CHEHALIS wreck in Pago Pago Harbor, American Samoa. This safety zone is in the rough shape of a box 600 feet east/west and 300 feet north/south bounded by the points: 14°16'36" S, 170°40'51" W; 14°16'24" S, 170°40'51" W; 14°16'27" S, 170°40'48" W, 14°16'88" S, 170°41'67" W, and 14°16'34" S, 170°40'56" W. This safety zone extends from the surface of the water to the ocean floor. These coordinates are based upon the National Oceanic and Atmospheric Administration Coast Survey, Pacific Ocean, Samoa Islands, chart 83484.

(b) *Effective period.* This rule is effective from 6 a.m. on March 25, 2010 through 8 p.m. on April 17, 2010.

(c) *Regulations.* (1) Except for persons or vessels described in paragraph (c)(3) of this section, in accordance with the general regulations in 33 CFR part 165, Subpart C, entry into or remaining in

the safety zone described in paragraph (a) of this section is prohibited.

(2) Persons desiring to transit the area of the safety zone may contact the Captain of the Port at telephone number 1-684-633-2299, the dive platform vessel on VHF channel 16 (156.800 MHz), or at telephone number 1-808-842-2600, to seek permission to transit the area. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port or his designated representative.

(3) No person or vessel may enter or remain in the zone except for support vessels/aircraft and support personnel, or other vessels authorized by the Captain of the Port or his designated representatives.

(e) *Penalties.* Vessels or persons violating this rule would be subject to the penalties set forth in 33 U.S.C. 1232 and 50 U.S.C. 192.

Dated: March 10, 2010.

**B.A. Compagnoni,**

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

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#### DEPARTMENT OF AGRICULTURE

##### Forest Service

#### 36 CFR Part 251

##### Correcting Amendments

**AGENCY:** Forest Service, USDA.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final rule governing the Forest Service's Special Use Program that was published in the **Federal Register** on December 24, 2009 (74 FR 68379). These corrections add phrases which were inadvertently omitted from the final rule and which are necessary to reflect properly the Forest Service's authority to revoke or suspend special use authorizations under the Federal Land Policy and Management Act.

**DATES:** Effective on March 26, 2010.

**FOR FURTHER INFORMATION CONTACT:** Julett Denton, Lands Special Uses Program Manager, (202) 205-1256.

**SUPPLEMENTARY INFORMATION:** In 36 CFR 251.60(a)(2)(i) and (ii), governing revocation and suspension of special use authorizations, the phrase "§ 251.53(e) and (1)" is replaced with "§ 251.53(e) or an easement issued under § 251.53(l)." In 36 CFR 251.60(g), also governing revocation and suspension of special use

authorizations, "§ 251.53(e) and (l)" is replaced with "§ 251.53(e) or easements issued under § 251.53(l)." These corrections are necessary to continue to reflect that only revocation or suspension of an easement, not a permit, is subject to formal administrative proceedings under the Federal Land Policy and Management Act.

#### List of Subjects in 36 CFR Part 251

Administrative practice and procedure, Electric power, National forests, Public lands—rights-of-way, Reporting and recordkeeping requirements, Water resources.

■ Accordingly, 36 CFR part 251 is corrected to read as follows:

#### PART 251—LAND USES

##### Subpart B—Special Uses

■ 1. The authority citation for part 251 continues to read as follow:

**Authority:** 7 U.S.C. 1011; 16 U.S.C. 518, 551, 678a; Pub. L. 76-867, 54 Stat. 1197.

■ 2. In § 251.60, revise paragraphs (a)(2)(i), (a)(2)(ii), and (g) to read as follows:

\* \* \* \* \*

#### § 251.60 Termination, revocation, and suspension.

(a) \* \* \*

(2) *All other special uses—(i)*

*Revocation or suspension.* An authorized officer may revoke or suspend a special use authorization for all other special uses, except a permit or an easement issued pursuant to § 251.53(e) or an easement issued under § 251.53(l) of this subpart:

(ii) *Administrative review.* Except for revocation or suspension of a permit or an easement issued pursuant to § 251.53(e) or an easement issued under § 251.53(l) of this subpart, suspension or revocation of a special use authorization under this paragraph is subject to administrative appeal in accordance with 36 CFR part 251, subpart C, of this chapter.

\* \* \* \* \*

(g) The authorized officer may suspend or revoke permits or easements issued under § 251.53(e) or easements issued under § 251.53(l) of this subpart under the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings instituted by the Secretary under 7 CFR 1.130 through 1.151.

Dated: March 20, 2010.

**Hank Kashdan,**  
*Associate Chief.*

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