

likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

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 (NEPA) (42 U.S.C. 4321-4370f), and have concluded 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 an emergency situation and will be in effect for over one week, but is not expected to result in any significant adverse environmental impact as described in NEPA.

An environmental analysis checklist and a categorical exclusion determination will be provided and made available at the docket as indicated in the **ADDRESSES** section.

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; 46 U.S.C. Chapter 701, 3306, 3703; 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. A new temporary § 165.T08-0433 is added to read as follows:

§ 165.T08-0433 Safety Zone; Waterway Closure, Atchafalaya River from Mile Marker 117 (Morgan City Railroad Bridge) to Mile Marker 0 (Simmesport, LA).

(a) *Location.* This temporary safety zone is located on the specified waters of the Atchafalaya River between MM 117 (Morgan City Railroad Bridge) and MM 0 (Simmesport, LA).

(b) *Effective date.* This rule is effective May 16, 2011 through July 31, 2011 and enforceable with actual notice upon signature, May 16, 2011.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Morgan City.

(2) Vessels requiring entry into or passage through the Safety Zone must request permission from the Captain of the Port Morgan City, or a designated representative. They may be contacted on VHF Channel 13 or 16, or by telephone at 985-380-5370.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port Morgan City and designated on-scene patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

Dated: May 16, 2011.

J.C. Burton,

Captain, U.S. Coast Guard, Captain of the Port Morgan City, Louisiana.

E.M. Stanton,

Captain, U.S. Coast Guard Captain of the Port New Orleans, Louisiana.

[FR Doc. 2011-14922 Filed 6-15-11; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2011-0228]

RIN 1625-AA00

Safety Zone, Brandon Road Lock and Dam to Lake Michigan Including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a permanent safety zone from Brandon Road Lock and Dam to Lake Michigan. This safety zone will cover 77 miles of navigable waterways in the Chicago area and is intended to restrict vessels from entering certain segments of the navigable waters of the Des Plaines River, the Chicago Sanitary and Ship Canal, branches of the Chicago River, and the Calumet-Saganashkee Channel. This safety zone is necessary to protect the waters, waterway users and vessels from hazards associated with a myriad of actions designed to control the spread of aquatic nuisance species. Because the Asian Carp Regional Coordinating Committee (ACRCC) may take such actions at any time and in any segment of the waterways covered by this safety zone, this safety zone will provide the Captain of the Port, Sector Lake Michigan, the ability to take targeted and expeditious action to protect vessels and persons from the hazards associated with any Federal and state efforts to control aquatic nuisance species.

DATES: This rule is effective July 18, 2011.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket USCG-2011-0228 and are available online at <http://www.regulations.gov>. This material is also available for inspection or copying at two locations: The Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays and the U.S. Coast Guard Sector Lake Michigan, 2420 South Lincoln Memorial Drive, Milwaukee, WI 53207, between 8 a.m.

and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call BM1 Adam Kraft, Prevention Department, Coast Guard Sector Lake Michigan, Milwaukee, WI at (414) 747-7148 or e-mail him at Adam.D.Kraft@uscg.mil. If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On April 27, 2011, we published a Notice of Proposed Rule Making (NPRM) entitled Safety Zones; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganawkee Channel, Chicago, IL, in the **Federal Register** (76 FR 23524). We received zero letters commenting on the proposed rule. No public meeting was requested, and none was held.

Background and Purpose

In 2007, the Department of the Interior through the Fish and Wildlife Service listed the Asian Carp and the Silver Carp as Injurious Wildlife Species. Based upon testing conducted by the United States Army Corps of Engineers (USACE), the Asian carp are believed to be migrating toward the Great Lakes through the Chicago Sanitary and Ship Canal and connected tributaries. Scientists are concerned that if these aquatic nuisance species reach the Great Lakes in sufficient numbers that they might devastate the Great Lakes commercial and sport fishing industries.

The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended by the National Invasive Species Act of 1996, authorized the USACE to conduct a demonstration project to identify an environmentally sound method for preventing and reducing the dispersal of non-indigenous aquatic nuisance species through the Chicago Sanitary and Ship Canal.

Subsequently, the USACE put in place an electric barrier to prevent and reduce the dispersal of Asian carp in the Chicago Sanitary and Ship Canal. Specifically, a demonstration dispersal barrier (Barrier I) was constructed and has been in operation since April 2002. It is located approximately 30 miles from Lake Michigan and creates an electric field in the water by pulsing low voltage DC current through steel cables

secured to the bottom of the canal. A second barrier (Barrier IIA) was constructed 800 to 1300 feet downstream of Barrier I. Barrier IIA is currently operating at two volts per inch, 15 Hertz, and 6.5ms. Construction on Barrier IIB was completed in early 2011. Operational and safety testing was conducted on Barrier IIB in February 2011 and is being analyzed. The completion of Barrier IIB should allow for maintenance operations with reduced need for the use of other aquatic nuisance species countermeasures.

In addition to the aforementioned electric dispersal barriers, the ACRCC has been conducting fish sampling in the Chicago Area Waterway System. The purpose of this sampling is to detect the potential presence of Asian Carp and other aquatic nuisance species within the waters covered by this safety zone. Upon detection of the presence of Asian Carp or other aquatic nuisance species within any segment of the waterways covered by this safety zone, the ACRCC will take action designed to control the spread of aquatic nuisance species within the area of detection. The various types of actions that the ACRCC might take are outlined in the Asian Carp Control Strategy Framework, which can be found on the ACRCC's Web site: <http://asiancarp.org>.

Because of the ACRCC's testing and countermeasure activity, the Captain of the Port, Sector Lake Michigan, put in place a Temporary Interim Rule (TIR) on May 1, 2010. This TIR established a 77 mile long safety zone from Brandon Road Lock to Lake Michigan in Chicago, IL. The purpose of that safety zone was to provide the Captain of the Port, Sector Lake Michigan, with the ability to take targeted and expeditious action to protect vessels and persons from the hazards associated with the aquatic nuisance testing and the countermeasure activities detailed in the ACRCC's Asian Carp Control Strategy Framework. Although that TIR expired on March 1, 2011, the ACRCC will continue their testing and countermeasure activities. Thus, the Captain of the Port, Sector Lake Michigan, still finds it necessary to have the ability to take targeted and expeditious actions in the affected waterways to protect vessels and persons from the ACRCC's expected actions. For this reason, the Captain of the Port, Sector Lake Michigan, is establishing a permanent safety zone along the same waterways covered in the previously published TIR. Like the safety zone established in the TIR, this safety zone will only be enforced when testing and countermeasure activity

require the Captain of the Port, Sector Lake Michigan to enforce the safety zone.

Discussion of Comments and Changes

No comments on the proposed rulemaking were received and no changes are being made to the rule.

Regulatory Analysis

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

We expect the economic impact of this rule to be minimal. This determination is based on the following: (1) While this rule establishes a safety zone that is 77 miles long, the Captain of the Port, Sector Lake Michigan, will enforce the safety zone only in relatively small segments. The Captain of the Port, Sector Lake Michigan, will have the flexibility to enforce the safety zone in only the segments of the safety zone affected by the application of piscicide, targeted fishing operations or other countermeasures to address the problem of aquatic nuisance species invasion; and (2) The Captain of the Port, Sector Lake Michigan, will make every effort to reduce the closure time of the enforced segments of the safety zone.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. 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.

This rule will affect the following entities, some of which might be small entities: The owners and operators of vessels intending to transit or anchor in any enforced segment of the 77 mile

safety zone. This rule will not have a significant impact on a substantial number of small entities because only small segments of the safety zone will be enforced at any one time. Also, enforcement periods will be relatively short. Furthermore, in certain instances vessels may pass around an enforced segment of the zone. Finally, transit through an enforced segment of the zone may be permitted by the Captain of the Port, Sector Lake Michigan, or his or her on-scene representative when deemed practical.

On April 27, 2011, the Coast Guard published a Notice of Proposed Rule Making (NPRM) entitled Safety Zones; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL, in the **Federal Register** (76 FR 23524). The Coast Guard received zero public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

Assistance for Small Entities

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 so that they can better evaluate its effects on them and participate in the rulemaking process.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

A rule has implications for federalism under Executive Order 13132. Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

On April 27, 2011, the Coast Guard published a Notice of Proposed Rule Making (NPRM) entitled Safety Zones; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL, in the **Federal Register** (76 FR 23524). The Coast Guard received zero public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

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

On April 27, 2011, the Coast Guard published a Notice of Proposed Rule Making (NPRM) entitled Safety Zones; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL, in the **Federal Register** (76 FR 23524). The Coast Guard received zero public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

On April 27, 2011, the Coast Guard published a Notice of Proposed Rule Making (NPRM) entitled Safety Zones; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL, in the **Federal Register** (76 FR 23524). The Coast Guard received zero public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

On April 27, 2011, the Coast Guard published a Notice of Proposed Rule Making (NPRM) entitled Safety Zones; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL, in the **Federal Register** (76 FR 23524). The Coast Guard received zero public submissions commenting on the impact

to small entities by this rule. There have been no changes made to the rule as proposed.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

On April 27, 2011, the Coast Guard published a Notice of Proposed Rule Making (NPRM) entitled Safety Zones; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL, in the **Federal Register** (76 FR 23524). The Coast Guard received zero public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

Indian Tribal Governments

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.

On April 27, 2011, the Coast Guard published a Notice of Proposed Rule Making (NPRM) entitled Safety Zones; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL, in the **Federal Register** (76 FR 23524). The Coast Guard received zero public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs

has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

On April 27, 2011, the Coast Guard published a Notice of Proposed Rule Making (NPRM) entitled Safety Zones; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL, in the **Federal Register** (76 FR 23524). The Coast Guard received zero public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

On April 27, 2011, the Coast Guard published a Notice of Proposed Rule Making (NPRM) entitled Safety Zones; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL, in the **Federal Register** (76 FR 23524). The Coast Guard received zero public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

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 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that this action is one of the category of actions which do not individually or cumulatively have

significant effect on the human environment. Therefore, this rule is categorically excluded, under section 2.B.2 Figure 2-1, paragraph (34)(g), of the Instruction and neither an environmental assessment nor an environmental impact statement is required. This rule involves the establishing of a safety zone. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**. The Coast Guard's responsibilities to assess environmental impacts extend only to the creation of the safety zone and do not include the application of piscicide or any other countermeasures to combat invasive species.

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; 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 § 165.930 to read as follows:

§ 165.930 Safety Zone, Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL.

(a) *Location.* The safety zone consists of the following areas:

(1) *Des Plaines River.* All U.S. waters of the Des Plaines River located between mile marker 286.0 (Brandon Road Lock and Dam) and mile marker 290.0 (point at which the Des Plaines River connects with the Chicago Sanitary and Ship Canal).

(2) *Chicago Sanitary and Ship Canal.* All U.S. waters of the Chicago Sanitary and Ship Canal between mile marker 290.0 (point at which the Chicago Sanitary and Ship Canal connects to the Des Plaines River) and mile marker 321.8 (point at which the Chicago Sanitary and Ship Canal Connects to the South Branch Chicago River).

(3) *South Branch Chicago River.* All U.S. waters of the South Branch Chicago River between mile marker 321.8 (point at which the South Branch Chicago River connects to the Chicago Sanitary

and Ship Canal) and mile marker 325.6 (point at which the South Branch Chicago River connects to the Chicago River (Main Branch) and North Branch Chicago River).

(4) *Chicago River (Main Branch).* All U.S. waters of the Chicago River (Main Branch) between mile marker 325.6 (point at which the Chicago River connects to the South Branch Chicago River) and 100 yards extending past the end of the Chicago River covering the area of the Federal channel within Chicago Harbor.

(5) *North Branch Chicago River.* All U.S. waters of the North Branch Chicago River between mile marker 325.6 (point at which the North Branch Chicago River connects to the Chicago River (Main Branch) and the South Branch Chicago River) and mile marker 331.4 (end of navigation channel).

(6) *Calumet-Saganashkee Channel.* All U.S. waters of the Calumet-Saganashkee Channel between mile marker 303.5 (point at which the Calumet-Saganashkee Channel connects to the Chicago Sanitary and Ship Canal) and mile marker 333.0; all U.S. waters of the Calumet-Saganashkee Channel between mile marker 333.0 and Lake Michigan (Calumet Harbor).

(b) *Effective Period.* This rule is effective July 18, 2011.

(c) *Enforcement.* (1) The Captain of the Port, Sector Lake Michigan, may enforce this safety zone in whole, in segments, or by any combination of segments. The Captain of the Port, Sector Lake Michigan, may suspend the enforcement of any segment of this safety zone for which notice of enforcement had been given.

(2) The safety zone established by this section will be enforced, pursuant to paragraph (c)(1) of this section, only upon notice by the Captain of the Port, Sector Lake Michigan. Suspension of any previously announced period of enforcement will also be provided by the Captain of the Port, Sector Lake Michigan. All notices of enforcement and notices of suspension of enforcement will clearly describe any segments of the safety zone affected by the notice. At a minimum, notices of enforcement and notices of suspension of enforcement will identify any affected segments by reference to mile markers. When possible, the Captain of the Port, Sector Lake Michigan, will also identify enforced segments of this safety zone by referencing readily identifiable geographical points. In addition to providing the geographical bounds of any enforced segment of this safety zone, notices of enforcement will also provide the date(s) and time(s) at which enforcement will commence or suspend.

(3) The Captain of the Port, Sector Lake Michigan, will publish notices of enforcement and notices of suspension of enforcement in accordance with 33 CFR 165.7(a) and in a manner that provides as much notice to the public as possible. The primary method of notification will be through publication in the **Federal Register**. The Captain of the Port, Sector Lake Michigan, will also provide notice through other means, such as Broadcast Notice to Mariners, local Notice to Mariners, local news media, distribution in leaflet form, and on-scene oral notice. Additionally, the Captain of the Port, Sector Lake Michigan, may notify representatives from the maritime industry through telephonic and email notifications.

(d) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, mooring, laying up, or anchoring within any enforced segment of the safety zone is prohibited unless authorized by the Captain of the Port, Sector Lake Michigan, or his or her designated representative.

(2) The “designated representative” of the Captain of the Port, Sector Lake Michigan, is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Sector Lake Michigan, to act on his or her behalf. The designated representative of the Captain of the Port, Sector Lake Michigan, will be aboard a Coast Guard, Coast Guard Auxiliary, or other designated vessel or will be on shore and will communicate with vessels via VHF radio, loudhailer, or by phone. The Captain of the Port, Sector Lake Michigan, or his or her designated representative may be contacted via VHF radio Channel 16 or the Coast Guard Sector Lake Michigan Command Center at 414-747-7182.

(3) To obtain permission to enter or operate within an enforced segment of the safety zone established by this section, Vessel operators must contact the Captain of the Port, Sector Lake Michigan, or his or her designated representative. Vessel operators given permission to operate in an enforced segment of the safety zone must comply with all directions given to them by the Captain of the Port, Sector Lake Michigan, or his or her designated representative.

(4) When a segment of the safety zone is being enforced, it will be closed to all vessel traffic, except as may be permitted by the Captain of the Port, Sector Lake Michigan, or his or her designated representative. As soon as operations permit, the Captain of the Port, Sector Lake Michigan, will issue a notice of suspension of enforcement as

specified in paragraph (c) of this section.

(5) All persons entering any enforced segment of the safety zone established in this section are advised that they do so at their own risk.

Dated: June 3, 2011.

L. Barndt,

Captain, U.S. Coast Guard Captain of the Port, U.S. Coast Guard Sector Lake Michigan.

[FR Doc. 2011-14925 Filed 6-15-11; 8:45 am]

BILLING CODE 9110-04-P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 302-16

[FTR Amendment 2011-02; FTR Case 2011-306; Docket Number 2011-0013, Sequence 1]

RIN 3090-AJ17

Federal Travel Regulation (FTR); Miscellaneous Expense Allowance (MEA)

AGENCY: Office of Governmentwide Policy, General Services Administration (GSA).

ACTION: Final rule.

SUMMARY: GSA is amending the Federal Travel Regulation (FTR) by increasing the set lump-sum rate amount to be paid for the miscellaneous expenses allowance (MEA), when the employee chooses not to provide documentation of miscellaneous expenses.

DATES: *Effective date:* This final rule is effective on July 18, 2011.

FOR FURTHER INFORMATION CONTACT: The Regulatory Secretariat (MVCB), 1275 First Street, NE., Washington, DC 20417, (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Rick Miller, Office of Governmentwide Policy, Travel Management Policy, at (202) 501-3822 or e-mail at rodney.miller@gsa.gov. Please cite FTR Amendment 2011-02; FTR case 2011-306.

SUPPLEMENTARY INFORMATION:

A. Background

Pursuant to 5 U.S.C. 5738, the Administrator of General Services is authorized to prescribe regulations necessary to implement laws regarding Federal employees when assigned a temporary change of station or when otherwise officially relocated. The overall implementing authority is the Federal Travel Regulation (FTR) (41 CFR Chapters 300-304).

Pursuant to 5 U.S.C. 5724a(f), an employee who is transferred in the

interest of the Government is entitled to reimbursement for certain miscellaneous expenses. The purpose of the miscellaneous expense allowance (MEA) is to defray various contingent costs associated with discontinuing a residence at one location and establishing a residence at a new location. The costs covered include items such as fees for disconnecting and connecting appliances, cutting and fitting rugs, draperies, and curtains moved from one residence to another, utility fees or deposits that are not offset by eventual refunds, forfeiture of medical, dental, and other non-transferrable contracts, and the cost of automobile registration and driver's licenses.

The FTR provides that a MEA may be paid in one of two alternative amounts. A transferring employee without an immediate family is automatically entitled to a lump-sum of one week's basic gross pay, up to \$500, and an employee with an immediate family is entitled to a lump-sum of two weeks' basic gross pay, up to \$1000. If additional amounts are justified, with supporting documentation, MEA may be reimbursed up to a maximum of one or two weeks basic pay depending on whether or not the employee has an immediate family, not to exceed the maximum rate payable for a position at GS-13, Step 10, of the General Schedule provided in 5 U.S.C. 5332. Since the establishment of MEA in 1966, the lump-sum has only been increased twice. The last increase was on February 19, 2002.

This final rule will revise section 302-16.102 of the FTR by increasing the lump sums from \$500 to \$650 for employees with no immediate family and from \$1000 to \$1300, for employees who have an immediate family. These figures are based upon an increase in the Consumer Price Index.

This final rule also makes one clerical correction to section 302-16.104.

B. Executive Orders 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review