

## History

On December 9, 2016, the FAA published in the **Federal Register** (81FR 89012) FAA–2016–6661, a notice of proposed rulemaking (NPRM) to establish Class E Airspace extending upward from 700 feet above the surface at Little Pecan Island Airport, Grand Chenier, LA. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

## Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

## The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes Class E airspace extending upward from 700 feet above the surface within a 6-mile radius of Little Pecan Island Airport, Grand Chenier, LA, to accommodate new standard instrument approach procedures. Controlled airspace is needed for the safety and management of IFR operations at the airport.

Class E airspace areas are published in Section 6005 of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

## Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT

Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

## Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

## Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

## Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### **PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

- 1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### **§ 71.1 [Amended]**

- 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

*Paragraph 6005: Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### **ASW LA E5 Grand Chenier, LA [NEW]**

Little Pecan Island Airport, LA  
(Lat. 29°47'59" N., long. 092°48'13" W.)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Little Pecan Island Airport

Issued in Fort Worth, Texas, on February 28, 2017.

**Robert L. Beck,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. 2017–04452 Filed 3–6–17; 8:45 am]

**BILLING CODE 4910–13–P**

## **CONSUMER PRODUCT SAFETY COMMISSION**

[Docket No. CPSC–2012–0050]

### **16 CFR Part 1240**

### **Safety Standard for Magnet Sets; Removal of Final Rule Vacated by Court**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes from the Code of Federal Regulations the final rule published on October 3, 2014, titled, “Safety Standard for Magnet Sets.” This action responds to a decision of the U.S. Court of Appeals for the Tenth Circuit that vacated the rule.

**DATES:** The action is effective on March 7, 2017. However, the court order had legal effect immediately upon its filing on November 22, 2016.

#### **FOR FURTHER INFORMATION CONTACT:**

Todd A. Stevenson, Secretary, U.S. Consumer Product Safety Commission, Office of the Secretary, 4330 East-West Highway, Bethesda, MD 20814–4408, Room 820; telephone: 301–504–7923; email: [tstevenson@cpsc.gov](mailto:tstevenson@cpsc.gov).

**SUPPLEMENTARY INFORMATION:** On October 3, 2014, the Consumer Product Safety Commission (CPSC or Commission) published a final rule titled, “Safety Standard for Magnet Sets” (magnet set rule) under the authority of the Consumer Product Safety Act, 79 FR 59962. The rule established requirements for magnet sets and individual magnets that are intended or marketed to be used with or as magnet sets. As defined in the rule, “magnet sets” are aggregations of separable magnetic objects that are marketed or commonly used as a manipulative or construction item for entertainment, such as puzzle working, sculpture building, mental stimulation, or stress relief. Under the rule, if a magnet set contains a magnet that fits within the CPSC’s small parts cylinder, each magnet in the magnet set must have a flux index of 50 kG<sup>2</sup> mm<sup>2</sup> or less; an individual magnet that is marketed or intended for use as part of a magnet set also must meet these requirements. The rule provided that the flux index is

determined by the method described in ASTM F963–11, Standard Consumer Safety Specification for Toy Safety.

On December 2, 2014, Zen Magnets, LLC (Zen) filed a petition in the U.S. Court of Appeals for the Tenth Circuit challenging the magnet set rule. The Tenth Circuit concluded that the Commission’s rule provided incomplete and inadequately explained findings. The court vacated and remanded the rule to the Commission. *Zen Magnets, LLC v. Consumer Product Safety Comm’n*, No.14–9610 (10th Cir. Nov. 22, 2016). Consistent with that decision, this rule removes the magnet set rule at 16 CFR part 1240 and reserves that part.

This rule is not subject to the requirement to provide notice and an opportunity for public comment because it falls under the good cause exception at 5 U.S.C. 553(b)(B). The good cause exception is satisfied when notice and comment is “impracticable, unnecessary, or contrary to the public interest.” *Id.* This rule is an administrative step that implements the court’s order vacating the magnet set rule. Additionally, because this rule implements a court order already in effect, the Commission has good cause to waive the 30-day effective date under 5 U.S.C. 553(d)(3).

**List of Subjects in 16 CFR Part 1240**

Consumer protection, Imports, Incorporation by reference, Infants and children, Law enforcement, Safety.

**PART 1240—[REMOVED AND RESERVED]**

■ For the reasons stated above, under the authority of 15 U.S.C. 2056 and 2058, the Commission amends 16 CFR chapter II by removing and reserving part 1240.

Dated: March 2, 2017.

**Todd A. Stevenson,**

*Secretary, U.S. Consumer Product Safety Commission.*

[FR Doc. 2017–04381 Filed 3–6–17; 8:45 am]

**BILLING CODE 6355–01–P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**18 CFR Part 11**

[Docket No. RM11–6–000]

**Annual Update to Fee Schedule for the Use of Government Lands by Hydropower Licensees**

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Final rule; annual update to fee schedule.

**SUMMARY:** In accordance with of the Commission’s regulations, the Commission, by its designee, the Executive Director, issues this annual update to the fee schedule in the appendix to the part, which lists per-acre rental fees by county (or other geographic area) for use of government lands by hydropower licensees.

**DATES:** This rule is effective March 7, 2017. Updates to appendix A to part 11 with the fee schedule of per-acre rental fees by county (or other geographic area) are applicable from October 1, 2016, through September 30, 2017 (Fiscal Year 2017).

**FOR FURTHER INFORMATION CONTACT:** Norman Richardson, Financial Management Division, Office of the Executive Director, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502–6219, *Norman.Richardson@ferc.gov*.

**SUPPLEMENTARY INFORMATION:**

**Annual Update to Fee Schedule**

Section 11.2 of the Commission’s regulations provides a method for computing reasonable annual charges for compensating the United States for the use, occupancy, and enjoyment of its lands by hydropower licensees.<sup>1</sup> Annual charges for the use of government lands are payable in advance, and are based on an annual schedule of per-acre rental fees published in appendix A to part 11 of the Commission’s regulations.<sup>2</sup> This document updates the fee schedule in appendix A to part 11 for fiscal year 2017 (October 1, 2016, through September 30, 2017).

*Effective Date*

This Final Rule is effective March 7, 2017. The provisions of 5 U.S.C. 804, regarding Congressional review of final rules, do not apply to this Final Rule because the rule concerns agency procedure and practice and will not substantially affect the rights or obligations of non-agency parties. This Final Rule merely updates the fee schedule published in the Code of Federal Regulations to reflect scheduled adjustments, as provided for in section 11.2 of the Commission’s regulations.

**List of Subjects in 18 CFR Part 11**

Public lands.

By the Executive Director.

<sup>1</sup> *Annual Charges for the Use of Government Lands*, Order No. 774, 78 FR 5256 (January 25, 2013), FERC Stats. & Regs. ¶ 31,341 (2013).

<sup>2</sup> 18 CFR part 11 (2016).

Issued: February 28, 2017.

**Anton C. Porter,**

*Executive Director, Office of the Executive Director.*

In consideration of the foregoing, the Commission amends part 11, chapter I, title 18, *Code of Federal Regulations*, as follows.

**PART 11—[AMENDED]**

■ 1. The authority citation for part 11 continues to read as follows:

**Authority:** 16 U.S.C. 792–828c; 42 U.S.C. 7101–7352.

■ 2. Appendix A to part 11 is revised to read as follows:

**Appendix A to Part 11—Fee Schedule for FY 2017**

State	County	Fee/ acre/ yr
Alabama	Autauga	\$61.69
	Baldwin	107.46
	Barbour	61.05
	Bibb	56.63
	Blount	98.07
	Bullock	58.79
	Butler	65.57
	Calhoun	82.25
	Chambers	70.27
	Cherokee	92.30
	Chilton	79.18
	Choctaw	50.56
	Clarke	55.21
	Clay	66.79
	Cleburne	74.11
	Coffee	71.18
	Colbert	76.14
	Conecuh	53.76
	Coosa	55.96
	Covington	60.88
	Crenshaw	54.77
	Cullman	112.76
	Dale	67.77
	Dallas	49.54
	DeKalb	102.33
	Elmore	85.72
	Escambia	61.32
	Etowah	96.08
Fayette	57.34	
Franklin	56.80	
Geneva	58.35	
Greene	54.81	
Hale	56.46	
Henry	60.34	
Houston	70.30	
Jackson	70.54	
Jefferson	121.70	
Lamar	39.89	
Lauderdale	80.19	
Lawrence	82.58	
Lee	101.92	
Limestone	109.82	
Lowndes	46.61	
Macon	66.35	
Madison	100.30	
Marengo	48.13	
Marion	59.97	
Marshall	102.36	
Mobile	109.68	
Monroe	53.12	
Montgomery	70.84	
Morgan	100.77	
Perry	47.38	
Pickens	55.82	
Pike	61.49	
Randolph	75.87	