

the Wausau, WI, VORTAC is removed. The unaffected portions of the airway remain as charted.

V-228: V-228 extends between the Stevens Point, WI, VORTAC and the Gipper, MI, VORTAC. The airway segment between the Stevens Point, WI, VORTAC and the Dells, WI, VORTAC is removed. The unaffected portions of the airway remain as charted.

V-246: V-246 extends between the Janesville, WI, VOR/DME and Stevens Point, WI, VORTAC. The airway segment between the intersection of the Nodine, MN, VORTAC 055° and Eau Claire, WI, VORTAC 134° radials (the MILTO fix) and the Stevens Point, WI, VORTAC is removed. The unaffected portions of the airway remain as charted.

All radials in the route descriptions below are stated relative to True north.

**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. It, therefore: (1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under Department of Transportation (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 will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will 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 of modifying five VOR Federal airways qualifies for categorical exclusion under the National Environmental Policy Act and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, Paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). As such, this action is not expected to cause any potentially significant environmental impacts. In accordance with FAA Order 1050.1F,

paragraph 5-2 regarding Extraordinary Circumstances, The FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

**List 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 6010(a) Domestic VOR Federal Airways.*

\* \* \* \* \*

**V-55 [Amended]**

From Dayton, OH; Fort Wayne, IN; Goshen, IN; Gipper, MI; Keeler, MI; Pullman, MI; Muskegon, MI; INT Muskegon 327° and Green Bay, WI, 116° radials; Green Bay; to INT Green Bay 270° and Oshkosh, WI, 339° radials. From Eau Claire, WI; to Siren, WI. From Park Rapids, MN; Grand Forks, ND; INT Grand Forks 239° and Bismarck, ND, 067° radials; to Bismarck.

\* \* \* \* \*

**V-63 [Amended]**

From Bowie, TX; Texoma, OK; McAlester, OK; Razorback, AR; Springfield, MO; Hallsville, MO; Quincy, IL; Burlington, IA; Moline, IL; Davenport, IA; Rockford, IL; Janesville, WI; Badger, WI; to Oshkosh, WI. From Wausau, WI; Rhinelander, WI; to Houghton, MI. Excluding that airspace at and above 10,000 feet MSL from 5 NM north to 46 NM north of Quincy, IL, when the Howard West MOA is active.

\* \* \* \* \*

**V-177 [Amended]**

From Joliet, IL; Janesville, WI; to Madison, WI. From Wausau, WI; Hayward, WI; Duluth, MN; to Ely, MN.

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**V-228 [Amended]**

From Dells, WI; Madison, WI; INT Madison 138° and Chicago O’Hare, IL, 316° radials; INT Chicago O’Hare 316° and Northbrook, IL, 291° radials; Northbrook; INT Northbrook 110° and Gipper, MI, 290° radials; to Gipper.

\* \* \* \* \*

**V-246 [Amended]**

From Janesville, WI; Dubuque, IA; Waukon, IA; Nodine, MN; to INT Nodine 055° and Eau Claire, WI, 134° radials.

Issued in Washington, DC, on June 13, 2017.

**Rodger A. Dean Jr.,**

*Manager, Airspace Policy Group.*

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**BILLING CODE 4910-13-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG-2017-0522]

**Safety Zone; Chesapeake Bay, Virginia Beach, VA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone for a fireworks display taking place over Chesapeake Bay, Virginia Beach, VA, on July 3, 2017. This action is necessary to ensure safety of life on navigable waterways during the fireworks display. Our regulation for Recurring Marine Events within the Fifth Coast Guard District identifies the regulated area for this fireworks display event. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the regulated area without approval from the Captain of the Port or a designated representative.

**DATES:** The regulations in 33 CFR 165.506 will be enforced for the location listed in the table to § 165.506(c)(6) Coast Guard Sector Hampton Roads—COTP Zone from 9 p.m. through 10 p.m. on July 3, 2017.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, call or email LCDR Barbara Wilk, U.S. Coast Guard Sector Hampton Roads, Waterways Management office; telephone 757-668-

5580, email [hamptonroadswaterway@uscg.mil](mailto:hamptonroadswaterway@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone in 33 CFR 165.506 from 9 p.m. until 10 p.m. on July 3, 2017, for the Shore Drive Fireworks. This action is being taken to provide for the safety of life on navigable waterways during the fireworks display. Our regulation for Recurring Marine Events within the Fifth Coast Guard District, § 165.506, specifies the location of the regulated area for this safety zone within a 400 yard radius of the center located at approximate position latitude 36°55'02" N., longitude 076°03'27" W., located at Virginia Beach, VA. As specified in § 165.506(d), during the enforcement period, no vessel may enter, remain in, or transit through the safety zone without approval from the Captain of the Port Sector Hampton Roads (COTP) or a COTP designated representative. The Coast Guard may be assisted by other Federal, state, or local law enforcement agencies in enforcing this regulation.

This notice of enforcement is issued under authority of 33 CFR 165.506(d) and 5 U.S.C. 552(a). In addition to this notice of enforcement published in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts.

Dated: June 15, 2017.

**Richard J. Wester,**

*Captain, U.S. Coast Guard, Captain of the Port, Hampton Roads.*

[FR Doc. 2017-12941 Filed 6-20-17; 8:45 am]

BILLING CODE 9110-04-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2017-0272]

RIN 1625-AA00

#### Safety Zones; Sector Upper Mississippi River Annual and Recurring Safety Zones Update

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is amending and updating its annual and recurring safety zones that take place in the Coast Guard Sector Upper Mississippi River Captain of the Port Zone (COTP Zone). This regulation informs the public of regularly scheduled events that require

additional safety measures through establishing a safety zone. Through this final rule the current list of recurring safety zones is updated with revisions, additional events, and removal of events that no longer take place in the COTP Zone. When these safety zones are enforced, vessel traffic is restricted from specified areas. Additionally, this rulemaking project serves to provide notice of the known recurring safety zones throughout the year.

**DATES:** This rule is effective July 6, 2017.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2017-0272 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 LCDR Sean Peterson, Chief of Prevention, U.S. Coast Guard; telephone 314-269-2332, email [Sean.M.Peterson@uscg.mil](mailto:Sean.M.Peterson@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
COTP Captain of the Port Upper Mississippi River  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

##### II. Background Information and Regulatory History

The Coast Guard preceded this final rule with a Notice of Proposed Rulemaking (NPRM) with request for comments. The NPRM was published in the **Federal Register** on May 8, 2017, (82 FR 21339). The NPRM updated current list of recurring safety zones with revisions, additional events, and removal of events that no longer take place in Sector Upper Mississippi River's COTP Zone. During the comment period that ended June 7, 2017, we received no comments.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of the rule is unnecessary, impracticable and against public interest. To wait for the rule to become effective after the publication is impracticable and against public interest because the Coast Guard would be prevented from enforcing the safety zones this rule is meant to enforce, which would prevent the Coast

Guard from providing safety to the public and property, and jeopardize public interests. It is also unnecessary to wait for 30 days because the public had been provided plenty of opportunity to comment on these safety zones, but provided no comments or disagreements.

##### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port (COTP) Upper Mississippi River has determined that potential hazards associated with the recurring events will cause safety concerns. The purpose of this rule is to ensure safety of vessels and the navigable waters in the safety zones, before, during, and after the scheduled events.

##### IV. Discussion of Comments, Changes, and the Rule

As noted above, during the comment period for our NPRM that published May 8, 2017, no comments were received. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

This rule establishes recurring safety zones to restrict vessel transit into and through specified areas to protect spectators, mariners, and other persons and property from potential hazards presented during certain events taking place in Sector Upper Mississippi River's COTP Zone. This final rule amends, updates, and replaces Table 2 in 33 CFR 165.801. No vessel or person will be permitted to enter the safety zones without first obtaining permission from the COTP or a designated representative.

##### 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 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, it has not been reviewed