

**(d) Subject**

Air Transport Association (ATA) of America Code 11, Placards and markings.

**(e) Reason**

This AD was prompted by reports indicating that certain exit signs have a hydrogen isotope that decays over time, causing the signs to lose their brightness. We are issuing this AD to prevent insufficiently illuminated exit signs, which could possibly prevent safe evacuation during an emergency and cause injury to occupants.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Required Actions**

Within 30 days after the effective date of this AD, request instructions from the Manager, International Section, Transport Standards Branch, FAA, to address the unsafe condition specified in paragraph (e) of this AD; and accomplish the actions at the times specified in, and in accordance with, those instructions. Guidance can be found in Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency (EASA) AD 2012-0239, dated November 9, 2012.

**(h) Alternative Methods of Compliance (AMOCs)**

The Manager, International Section, Transport Standards Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Section, send it to the attention of the person identified in paragraph (i)(2) of this AD. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

**(i) Related Information**

(1) Refer to MCAI EASA AD 2012-0239, dated November 9, 2012, for related information. You may examine the MCAI on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-1098.

(2) For more information about this AD, contact Tom Rodriguez, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1137; fax 425-227-1149.

**(j) Material Incorporated by Reference**

None.

Issued in Renton, Washington, on November 22, 2017.

**Jeffrey E. Duven,**

*Director, System Oversight Division, Aircraft Certification Service.*

[FR Doc. 2017-26191 Filed 12-5-17; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

**[Docket No. FAA-2017-0295; Airspace Docket No. 16-AWP-2]**

**Establishment of Class E Airspace; Kaunakakai, HI**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule, correction.

**SUMMARY:** This action corrects a final rule published in the **Federal Register** of October 11, 2017, that establishes Class E airspace and amends Class D and E airspace at Molokai Airport, Kaunakakai, HI. The airspace description for the airport in Class E airspace extending upward from 700 feet above the surface contained the following wording in error: "That airspace extending upward from the surface . . ." It is removed and replaced by "That airspace extending upward from 700 feet above the surface . . . ."

**DATES:** Effective date 0901 UTC December 7, 2017. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Tom Clark, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203-4511.

**SUPPLEMENTARY INFORMATION:****History**

The FAA published a final rule in the **Federal Register** (82 FR 47104, October 11, 2017) Docket No. FAA-2017-0295 establishing Class E airspace and amending Class D and Class E airspace at Molokai Airport, Kaunakakai, HI. Subsequent to publication, the FAA identified a clerical error in the legal description of the Class E airspace extending upward from 700 feet or more above the surface at Molokai Airport. This correction changes the words ". . ." from the surface . . ." to read ". . ." from 700 feet above the surface . . . ."

**Correction to Final Rule**

Accordingly, pursuant to the authority delegated to me, in the **Federal Register** of October 11, 2017 (82 FR 47104) FR Doc. FR Doc. 2017-21785, Establishment of Class E Airspace and Amendment of Class D and Class E Airspace; Kaunakakai, HI, is corrected as follows:

**§ 71.1 [Amended]****AWP HI E5 Kaunakakai, HI [Corrected]**

■ On page 47105, column 3, lines 10 and 11, the words "That airspace extending upward from the surface" are corrected to read "That airspace extending upward from 700 feet above the surface".

Issued in Seattle, Washington, on November 21, 2017.

**Brian J. Johnson,**

*Acting Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2017-26203 Filed 12-5-17; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

**[Docket No. FAA-2017-0737; Airspace Docket No. 16-ANM-12]**

**Establishment of Class E Airspace, Twin Bridges, MT**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace extending upward from 700 and 1,200 feet above the surface at Twin Bridges Airport, Twin Bridges, MT, to accommodate the development of instrument flight rules (IFR) operations under standard instrument approach and departure procedures at the airport, for the safety and management of aircraft within the National Airspace System. This action also makes a minor correction to one geographic coordinate of the airport reference point.

**DATES:** Effective 0901 UTC, February 1, 2018. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11B, Airspace Designations and Reporting Points, and subsequent amendments can

be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** Tom Clark, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203-4511.

**SUPPLEMENTARY INFORMATION:**

**Authority for This Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace extending upward from 700 feet above the earth at Twin Bridges Airport, Twin Bridges, MT, for the safety of aircraft and management of airspace within the National Airspace System.

**History**

On August 28, 2017, the FAA published a notice of proposed rulemaking (NPRM) in the **Federal Register** (82 FR 40740) Docket No. FAA-2017-0737 to establish Class E airspace extending upward from 700 feet above the surface at Twin Bridges Airport, Twin Bridges, MT. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Subsequent to publication, the FAA discovered a rounding error equal to one second of latitude in the geographic coordinates of the airport listed in the

NPRM. The coordinates are corrected (from lat. 45°32'07" N., to lat. 45°32'08" N.) in this action.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11B, dated August 3, 2017, and effective September 15, 2017, 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.

**Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B 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 4.1-mile radius of Twin Bridges Airport, Twin Bridges, MT, and within 4.1 miles each side of the 011° bearing from the airport extending to 12 miles north of the airport, and within 4.1 miles each side of the 195° bearing from the airport extending to 13.5 miles south of the airport.

Additionally, this action establishes Class E airspace extending upward from 1,200 feet above the surface within a 20-mile radius of Twin Bridges Airport. This airspace is necessary to support the new standard instrument approach procedures for runways 17 and 35 for the safety and management of IFR operations at the airport.

Also, the airport reference point latitude coordinate is corrected to "lat. 45°32'08" N.," from "lat. 45°32'07" N.," Except for this correction, this rule is the same as published in the NPRM.

**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, 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 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 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017, is amended as follows:

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

\* \* \* \* \*

**ANM MT E5 Twin Bridges, MT [New]**

Twin Bridges Airport, MT  
(Lat. 45°32'08" N., long. 112°18'08" W.)

That airspace extending upward from 700 feet above the surface within a 4.1-mile radius of Twin Bridges Airport, and within 4.1 miles each side of the 011° bearing from the airport extending to 12 miles north of the airport, and within 4.1 miles each side of the 195° bearing from the airport extending to 13.5 miles south of the airport; and that airspace upward from 1,200 feet above the surface within a 20-mile radius of Twin Bridges Airport.

Issued in Seattle, Washington, on November 21, 2017.

**Brian J. Johnson,**

*Acting Group Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2017-26202 Filed 12-5-17; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

[Docket No. 170901859-7999-02]

RIN 0648-BH19

#### Atlantic Highly Migratory Species; Charter/Headboat Permit Commercial Sale Provision

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** This final rule creates a separate permit endorsement provision for the commercial sale of Atlantic highly migratory species (HMS) by HMS Charter/Headboat permit holders. Prior to implementation of this final rule, all vessels issued an HMS Charter/Headboat permit could be categorized as commercial fishing vessels and could be subject to United States Coast Guard (USCG) commercial fishing vessel safety requirements regardless of whether the permit holder engages or intends to engage in commercial fishing. Under this final rule, HMS Charter/Headboat permit holders will be prohibited from selling Atlantic tunas, swordfish, or sharks unless they obtain a commercial sale endorsement for their permit. This final rule will clarify which HMS Charter/Headboat permitted vessels are properly categorized as commercial fishing vessels for purposes of USCG safety requirements. This action is administrative in nature and will not affect fishing practices or result in any significant environmental effects or economic impacts.

**DATES:** Effective January 5, 2018.

**ADDRESSES:** Copies of the supporting documents—including the 2006 Consolidated HMS Fishery Management Plan (FMP) and its amendments and associated documents—are available from the HMS Management Division Web site at <http://www.nmfs.noaa.gov/sfa/hms/> or by contacting Dianne Stephan by phone at 978-281-9260. Written comments regarding the burden-hour estimates or other aspects

of the collection-of-information requirements contained in this final rule may be submitted to the HMS Management Division and by email to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov), or fax to (202) 395-7285.

**FOR FURTHER INFORMATION CONTACT:**

Dianne Stephan or Tobey Curtis by phone at 978-281-9260, or Steve Durkee by phone at 202-670-6637.

**SUPPLEMENTARY INFORMATION:** Atlantic HMS are managed under the dual authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Atlantic Tunas Convention Act (ATCA). Under the Magnuson-Stevens Act, NMFS must ensure consistency with 10 National Standards and manage fisheries to maintain optimum yield, rebuild overfished fisheries, and prevent overfishing. Under ATCA, the Secretary of Commerce is required to promulgate regulations, as necessary and appropriate, to implement measures adopted by the International Commission for the Conservation of Atlantic Tunas. The implementing regulations for Atlantic HMS are at 50 CFR part 635.

#### Background

Atlantic HMS regulations at 50 CFR 635.4(b) require that charter/headboat vessels (*i.e.*, vessels taking fee-paying passengers) used to fish for, take, retain, or possess Atlantic HMS must obtain an HMS Charter/Headboat permit. In addition to carrying paying passengers, the permit also allows charter/headboat fishermen to diversify their operations by fishing commercially for Atlantic tunas and swordfish. They may sell sharks if they also have a commercial shark permit in addition to the Charter/Headboat permit. Relatively few permit holders use the commercial sale provision. From 2012-2016, an annual average of only seven percent of HMS Charter/Headboat permit holders sold any tuna or swordfish. USCG commercial vessel safety requirement therefore may result in an unnecessary “commercial vessel” compliance burden for HMS Charter/Headboat permitted vessels.

Commercial fishing vessel safety provisions contained in the Coast Guard Authorization Act of 2010 (CGAA) and the Coast Guard and Maritime Transportation Act of 2012 were the subject of a Marine Safety Information Bulletin (MSIB 12-15) issued by the USCG on October 20, 2015. MSIB 12-15 clarified that the law would require mandatory dockside safety exams for a broader population of commercial fishing vessels. As clarified in the

notice, that broader community included HMS Charter/Headboat vessels that were authorized by the permit to sell fish commercially (*i.e.*, all Charter/Headboat vessels). The mandatory safety exam includes a check for required commercial fishing vessel safety equipment such as life rafts, emergency beacons, and survival suits, and other requirements found in 46 CFR part 28. Outfitting a vessel with these items comes at a substantial cost. Mandatory dockside safety exams for vessels operating beyond three nautical miles from shore began October 15, 2015 under this program.

These mandatory commercial vessel safety requirements had overly broad application to all Charter/Headboat permit holders, whether they engaged in commercial sales or not, absent a more effective way to identify which HMS Charter/Headboat permit holders engage in commercial fishing. After questions about applicability from NMFS and the regulated community, on July 10, 2017, the USCG issued Marine Safety Information Bulletin (MSIB 008-17) in an attempt to clarify the applicability of commercial fishing vessel safety requirements for vessels with HMS permits, including HMS Charter/Headboat permits. USCG regulations at 46 CFR 28.50 define a commercial fishing vessel as a vessel that commercially engages in the catching, taking, or harvesting of fish, or an activity that can reasonably be expected to result in the catching, taking, or harvesting of fish. According to the MSIB 008-17, if an individual has an HMS Charter/Headboat permit (which allows commercial sale) and a state permit to sell catch, the vessel is considered subject to commercial fishing vessel safety regulations.

Many HMS Charter/Headboat operators that neither sell, nor intend to sell, their catch but hold a permit to sell have thus found that the USCG policy identifies their operations as a “commercial fishing vessel,” and requires them to adhere to USCG commercial fishing vessel safety requirements. For example, even small charter vessels (*i.e.*, less than 20 feet in length) operating in the warm waters of the Gulf of Mexico and with no intent to sell HMS, may be required under the USCG regulations to carry an inflatable life raft that can cost approximately \$1,750. In addition to the cost burden, a vessel of this size has minimal space to store such gear. These smaller HMS Charter/Headboat permitted vessels were previously subject to the USCG safety regulations for uninspected passenger vessels of less than 100 gross