DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2015–0973]

Drawbridge Operation Regulations; York River, Yorktown, VA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulations.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Coleman Memorial Bridge (US 17) across the York River, mile 7.0, at Yorktown, VA. This deviation allows the bridge to remain in the closed-to-navigation position to facilitate mechanical repairs to the bridge.

DATES: This deviation is effective from 8 a.m. until Midnight on November 14, 2015, until 7 a.m. on November 22, 2015. The York River is used by a variety of vessels including deep draft ocean-going vessels, U.S. government vessels, small commercial fishing vessels, recreational vessels and tug and barge traffic. The Coast Guard has carefully coordinated the restrictions with U.S. government and commercial waterway users.

Vessels able to pass through the bridge in the closed position may do so at anytime. The bridge will not be able to open for emergencies and there is no alternate route for vessels unable to pass through the bridge in the closed position. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notice to Mariners of the change in operating schedule for the bridge so that vessels can arrange their transits to minimize any impacts caused by this temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 19, 2015.

Hal R. Pitts,
Bridge Program Manager, Fifth Coast Guard District.

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2015–0947]

Drawbridge Operation Regulations; Snohomish River, Marysville, WA

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Burlington Northern Santa Fe Railroad Company (BNSF) Bridge 37.0 across the Snohomish River, mile 3.5 at Marysville, WA. The normal operating schedule for this bridge operates in accordance with 33 CFR 117.5 which states it must open promptly on signal at any time, and requires constant attendance by with a drawtender. BNSF RR Bridge 37.0 provides 10 feet of vertical clearance in the closed-to-navigation position. This deviation allows the BNSF RR Bridge 37.0, at mile 3.5 crossing Snohomish River, to remain in the closed-to-navigation position, and need not open for maritime traffic from 10 a.m. until 4 p.m. from November 1, 2015 through November 15, 2015; except, the bridge will remain in the closed-to-navigation position from 8 a.m. until Midnight on November 10, 2015 and from 8 a.m. until Midnight on November 12, 2015. The bridge shall operate in accordance to 33 CFR part 117, subpart A at all other times.

Vessels able to pass through the bridge in the closed-to-navigation position may do so at anytime. The bridge will be required to open, if needed, for vessels engaged in emergency response operations during this closure period, but any time lost to emergency openings will necessitate a time extension added to the approved dates. Waterway usage on this part of the Snohomish River includes tug and barge to small pleasure craft. No immediate alternate route for vessels to pass is available on this part of the river. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessels can arrange...
their transits to minimize any impact caused by the temporary deviation. In accordance with 33 CFR 117.35(e), the drawbridges must return to their regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 19, 2015.

Steven M. Fischer,
Bridge Administrator, Thirteenth Coast Guard District.

[FR Doc. 2015–26922 Filed 10–22–15; 8:45 am]
BILLING CODE 9110–04–P

DEPARTMENT OF THE INTERIOR
National Park Service

36 CFR Part 13
[79 FR 52595] (FR Doc. 2015–26922 Filed 10–22–15; 8:45 am)

SUPPLEMENTARY INFORMATION:

Background

Proposed Rule and Public Comment Period

On September 4, 2014, the National Park Service (NPS) published the proposed rule in the Federal Register (79 FR 52595). The rule was open for public comment for 90 days, until December 3, 2014. The NPS reopened the comment period from January 15, 2015 through February 15, 2015 (80 FR 2065). The NPS invited comments through the mail, hand delivery, and through the Federal eRulemaking Portal at http://www.regulations.gov. During the first comment period in 2014, the NPS held 17 public hearings in various locations in Alaska. Approximately 168 individuals attended these hearings and approximately 120 participants provided testimony during the formal public comment sessions. During the second comment period, nine public meetings were held in the State. A total of 29 individuals attended the public meetings, and a total of nine attendees spoke during the formal public comment sessions. The NPS also held two statewide government-to-government consultation teleconferences, and offered to consult in person, with tribes. Four comments were received during the statewide government-to-government consultation conference calls and the NPS met with three tribes that requested consultation in person (Allakaket, Tazlina, and Chesh’na (Chistochina)).

The NPS received approximately 70,000 comments on the proposed rule during the public comment period. These included unique comment letters, form letters, and signed petitions. Approximately 65,000 comments were form letters. The NPS also received three petitions with a combined total of approximately 75,000 signatures. Some commenters sent comments by multiple methods. NPS attempted to match such duplicates and count them as one comment. Additionally, many comments were signed by more than one person. NPS counted a letter or petition as a single comment, regardless of the number of signatories.

A summary of comments and NPS responses is provided below in the section entitled “Summary of and Responses to Public Comments.” After considering the public comments and additional review, the NPS made some changes in the final rule from that proposed. These changes are summarized below in the section entitled “Changes from the Proposed Rule.”

Federal and State Mandates for Managing Wildlife.

In enacting the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 410hh–410hh–5; 3101–3233) in 1980, Congress’s stated purpose was to establish in the State various conservation system units that contain nationally significant values, including units of the National Park System, in order to preserve them “for the benefit, use, education, and inspiration of present and future generations[.]” 16 U.S.C. 3101(a).

Included among the express purposes in ANILCA are preservation of wildlife, wilderness values, and natural undisturbed, unaltered ecosystems while allowing for recreational opportunities, including sport hunting. 16 U.S.C. 3101(a)–(b).

The legislative history of ANILCA reinforces the purpose of the National Park System units to maintain natural, undisturbed ecosystems. “Certain units have been selected because they provide undisturbed natural laboratories—among them the Noatak, Charley, and Bremner River watersheds.” Alaska National Interest Lands, Report of the Senate Committee on Energy and Natural Resources, Report No. 96–413 at page 137 [hereafter Senate Report]. Legislative history identifies Gates of the Artic, Denali, Katmai, and Glacier Bay National Parks as “large sanctuaries where fish and wildlife may roam freely, developing their social structures and evolving over long periods of time as nearly as possible without the changes that extensive human activities would cause.” Senate Report, at page 137.

The congressional designation of “national preserves” in Alaska was for the specific and sole purpose of allowing sport hunting and commercial trapping, unlike areas designated as national parks. 126 Cong. Rec. H10549 (Nov. 12, 1980) (Statement of Rep. Udall). 16 U.S.C. 3201 directs that national preserves shall be managed “in the same manner as a national park . . . except that the taking of fish and wildlife for sport purposes and subsistence uses, and trapping shall be allowed in a national preserve[.]” Under ANILCA and as used in this document, the term “subsistence” refers to subsistence activities by rural Alaska residents authorized by Title VIII of ANILCA, which ANILCA identifies as the priority consumptive use of fish and...