

Dated: April 13, 2017.

**Matthew S. Borman,**  
Deputy Assistant Secretary for Export  
Administration.

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric  
Administration**

**15 CFR Part 950**

[Docket No. 161107999-6999-01]

RIN 0648-BG39

**Schedule of Fees for Access to NOAA  
Environmental Data, Information, and  
Related Products and Services**

**AGENCY:** National Environmental  
Satellite, Data and Information Service  
(NESDIS), National Oceanic and  
Atmospheric Administration (NOAA),  
Department of Commerce.

**ACTION:** Final rule.

**SUMMARY:** In this final rule, NESDIS  
adds a new service/product to the  
NESDIS FY 2017 schedule of fees for the  
sale of its data, information, and related  
products and services to users. NESDIS  
is authorized under the United States  
Code to assess fees, up to fair market  
value, for access to environmental data,  
information, and products derived from,  
collected, and/or archived by NOAA.  
This action adds a new user fee for a  
data product titled, High Definition  
Geomagnetic Model—Real Time.

**DATES:** Effective May 18, 2017.

**FOR FURTHER INFORMATION CONTACT:**  
Lynn Hodges (301) 713-7064.

**SUPPLEMENTARY INFORMATION:**

**Background**

NESDIS operates NOAA’s National  
Center for Environmental Information  
(NCEI). Through NCEI, NESDIS  
provides and ensures timely access to  
global environmental data from  
satellites and other sources, provides  
information services, and develops  
science products. NESDIS maintains  
some 1,300 databases containing over  
2,400 environmental variables at NCEI

and seven World Data Centers. These  
centers respond to over 2,000,000  
requests for these data and products  
annually from over 70 countries. This  
collection of environmental data and  
products is growing rapidly, both in size  
and sophistication, and as a result the  
associated costs have increased.

Users have the ability to access the  
data offline, online and through the  
NESDIS *e-Commerce System (NeS)*  
*online store*. Our ability to provide data,  
information, products and services  
depends on user fees.

**Fee Schedule**

In an October 22, 2015, final rule (80  
FR 63914), NESDIS established a new  
schedule of fees for the sale of its data,  
information, and related products and  
services to users (“October 2015 Fee  
Schedule Rule”). NESDIS revised the  
fee schedule that had been in effect  
since 2013 to ensure that the fees  
accurately reflect the costs of providing  
access to the environmental data,  
information, and related products and  
services.

NESDIS will continue to review the  
user fees periodically, and will revise  
such fees as necessary. Any future  
changes in the user fees and their  
effective date will be announced  
through notice in the **Federal Register**.

**Need for Addition**

High Definition Geomagnetic Model—  
Real Time accurately models the  
magnetic fields originating in the Earth’s  
magnetosphere in real-time using a  
combination of solar-wind observing  
satellites situated between Earth and  
sun and a chain of geomagnetic  
observatories on the Earth’s surface.

We are adding a new user fee for this  
data product—High Definition  
Geomagnetic Model—Real Time—to the  
current user fee schedule. Accordingly,  
Appendix A to Part 950—Schedule of  
User Fees for Access to NOAA  
Environmental Data includes the user  
fees established in October 2015 and the  
new fee established by this final rule:  
High Definition Geomagnetic Model—  
Real Time Fee. In addition, NESDIS has  
deleted the New Fee column in  
Appendix A to avoid confusion given  
that this final rule is not issuing a new

schedule of fees but rather the addition  
of one new fee.

**Classification**

This rule has been determined to be  
not significant for purposes of E.O.  
12866. The provisions of the  
Administrative Procedure Act (5 U.S.C.  
553) requiring notice of proposed  
rulemaking and the opportunity for  
public comment are inapplicable  
because this rule falls within the public  
property exception of subparagraph  
(a)(2) of section 553, as it relates only to  
the assessment of fees, as authorized by  
15 U.S.C. 1534, that accurately reflect  
the costs of providing access to publicly  
available environmental data,  
information, and related products.  
Further, no other law requires that a  
notice of proposed rulemaking and an  
opportunity for public comment be  
given for this rule. Because a notice of  
proposed rulemaking and an  
opportunity for public comment are not  
required to be given for this rule under  
5 U.S.C. 553 or by any other law, the  
requirements of the Regulatory  
Flexibility Act (5 U.S.C. 601 *et seq.*) are  
not applicable. Accordingly, no  
Regulatory Flexibility Analysis is  
required and none has been prepared.

**List of Subjects in 15 CFR Part 950**

Organization and functions  
(government agencies).

Dated: April 5, 2017.

**Cherish Johnson,**

Chief Financial Officer/Chief Administrative  
Officer.

For the reasons set forth above, 15  
CFR part 950 is amended as follows:

**PART 950—ENVIRONMENTAL DATA  
AND INFORMATION**

■ 1. The authority citation for part 950  
continues to read as follows:

**Authority:** (5 U.S.C. 552, 553).  
Reorganization Plan No. 4 of 1970.

■ 2. Appendix A to part 950 is revised  
to read as follows:

**Appendix A to Part 950—Schedule of  
User Fees for Access to NOAA  
Environmental Data**

Name of product/data/publication/information/service	Current fee
NOAA National Center for Environmental Information:	
Department of Commerce Certification .....	\$116.00
General Certification .....	92.00
Paper Copy .....	3.00
Data Poster .....	18.00
Shipping Service .....	8.00
Rush Order Fee .....	60.00
Super Rush Order Fee .....	100.00

Name of product/data/publication/information/service	Current fee
Foreign Handling Fee .....	43.00
NEXRAD Doppler Radar Color Prints .....	21.00
Paper Copy from Electronic Media .....	8.00
Offline In-Situ Digital Data .....	175.00
Microfilm Copy (roll to paper) per frame from existing film .....	20.00
Satellite Image Product .....	92.00
Offline Satellite, Radar, and Model Digital Data (average unit size is 1 terabyte) .....	753.00
Conventional CD-ROM/DVD .....	110.00
Specialized CD-ROM/DVD .....	208.00
CD-ROM/DVD Copy, Offline .....	43.00
CD-ROM/DVD Copy, Online Store .....	16.00
Facsimile Service .....	89.00
Order Handling .....	11.00
Non-Digital Order Consultation .....	10.00
Digital Order Consultation .....	28.00
Non-Serial Publications .....	32.00
Non-Standard Data; Select/Copy to CD, DVD or Electronic Transfer, Specialized, Offline .....	77.00
Digital and Non-Digital Off-the-Shelf Products, Online .....	13.00
Digital and Non-Digital Off-the-Shelf Products, Offline .....	17.00
Order Consultation Fee .....	4.00
Handling and Packing Fee .....	12.00
World Ocean Database-World Ocean Atlas 2009 DVDs .....	(*)
Mini Poster .....	2.00
Icosahedron Globe .....	1.00
Convert Data to Standard Image .....	8.00
Single Orbit OLS & Subset .....	19.00
Single Orbit OLS & Subset, Additional Orbits .....	6.00
Geolocated Data .....	50.00
Subset of Pre-existing Geolocated Data .....	32.00
Global Nighttime Lights Annual Composite from One Satellite .....	74,924.00
Most Recent DMSP-OLS Thermal Band/Cloud Cover Mosaics from Multiple Satellites .....	(*)
Daily or Nightly Global Mosaics (visible & thermal band, single spectral band or environmental data) .....	332.00
Global Nighttime Lights Lunar Cycle .....	8,259.00
Radiance Calibrated Global DMSP-OLS Nighttime Lights Annual Composite from One Satellite .....	(*)
Research Data Series CD-ROM/DVD .....	25.00
Custom Analog Plotter Prints .....	(*)
NOS Bathymetric Maps and Miscellaneous Archived Publication Inventory .....	8.00
Global Annual Composite of Nighttime Lights in Monthly Increments From One Satellite .....	10,794.00
High Definition Geomagnetic Model .....	20,262.00
High Definition Geomagnetic Model—Real Time .....	26,204.00
Provision of Global Nighttime VIIRS day/night band data in geotiff format .....	55,727.00
Provision of Global Nighttime VIIRS day/night band data in HDF5 Format .....	27,888.00
Provision of regional data from the VIIRS instrument on a daily basis .....	14,306.00

\* Reflects a product no longer offered.

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket Number USCG-2017-0189]

RIN 1625-AA08

#### Special Local Regulation; Lake Ferguson; Greenville, MS

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary special local regulation controlling movement of vessels for certain waters of Lake Ferguson, Greenville, MS. This rule is

necessary to provide for the safety of life on navigable waters during a paddling event on April 22, 2017. This regulation prohibits entry by all vessels, mariners, and persons into the event area, an approximate 300-yard stretch of Lake Ferguson extending approximately 150-yards west from the Greenville boat launch. All vessels transiting Lake Ferguson west-northwest of the regulated area will be limited to slowest speed for safe navigation to minimize wake unless specifically authorized by the Captain of the Port Memphis or an on-scene representative.

**DATES:** This rule is effective from 8 a.m. until 4 p.m. on April 22, 2017.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2017-0189 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 about this rule, call or email Petty Officer Todd Manow, Waterways Management, Sector Lower Mississippi River, U.S. Coast Guard, telephone 901-521-4813, email [Todd.M.Manow@uscg.mil](mailto:Todd.M.Manow@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
 COTP Captain of the Port  
 DHS Department of Homeland Security  
 E.O. Executive Order  
 FR Federal Register  
 NPRM Notice of proposed rulemaking  
 § Section  
 U.S.C. United States Code

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

The Coast Guard is issuing this temporary final rule without prior