

the Captain of the Port Charleston or a designated representative.

(3) The Coast Guard will provide notice of the regulated area by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Enforcement period.* This rule will be enforced from August 4, 2017 through November 30, 2017, during demolition activity.

Dated: August 25, 2017.

**G.G. Stump,**

*Captain, U.S. Coast Guard, Captain of the Port Charleston.*

[FR Doc. 2017-18432 Filed 8-29-17; 8:45 am]

**BILLING CODE 9110-04-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 13**

[Docket No. FWS-R9-MB-2011-0094; FF09M20300-167-FXMB123109EAGLE]

RIN 1018-AY30

**Eagle Permits; Revisions to Regulations for Eagle Incidental Take and Take of Eagle Nests; Correction**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Correcting amendments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, published a final rule to revise our regulations regarding permits that we issue for certain activities involving eagles. In that final rule, we revised the permit application fees for certain eagle permits. These permits are included in a table of permit application fees for numerous Service programs. Because of a formatting error in the rule, the revisions to the fee table were not incorporated into the Code of Federal Regulations (CFR) as intended. With this document, we correct the formatting error to properly reflect current application fees for eagle permits in the CFR and also remove two entries in the fee table pertaining to permits that no longer exist. This rule is purely an administrative action and does not affect the provisions of the original rule in any substantive way.

**DATES:** This correction is effective August 30, 2017.

**FOR FURTHER INFORMATION CONTACT:** Susan Wilkinson, Division of Policy, Performance, and Management Programs; 703-358-2506.

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 16, 2016, the U.S. Fish and Wildlife Service published a final rule (81 FR 91494) to revise the regulations in title 50 of the Code of Federal Regulations (CFR) authorizing certain activities involving eagles. These regulations are in parts 13 and 22 of title 50. While the majority of the changes in the rule were to the regulations in part 22, we also revised application fees associated with some part 22 eagle permits and the administration fee for eagle permits over 5 years and incorporated those changes into the permit fee table at 50 CFR 13.11(d)(4), which sets forth user fees for permits issued by several Service programs.

The amendatory instruction that published in that final rule to revise the table in 50 CFR 13.11(d)(4) would have reduced the number of columns in the table from five to four. Because one column (the “Administration fee” column) had an entry for only one type of permit, we intended to remove that column and insert the information regarding the administration fee for that permit as a footnote to the table. While the Office of the Federal Register (OFR) allowed the final rule to be published with that instruction, upon reviewing the rule for codification into the Code of Federal Regulations, OFR decided that the amendatory instruction removing the Administration fee column was inappropriate. Instead of revising the table as we intended, OFR left the table unchanged and instead included this footnote to the table in 50 CFR 13.11(d)(4): “Editorial Note: At 81 FR 91549, Dec. 16, 2016, § 13.11 was amended; however, the amendment could not be incorporated due to inaccurate amendatory instruction.”

This rule corrects the amendatory instruction in the December 16, 2016, final rule (81 FR 91494), so that the CFR properly incorporates all the revisions made by that rule.

We are also taking this opportunity to correct two longstanding errors in the table at § 13.11(d)(4). In the section “Migratory Bird Treaty Act” is an entry for “Falconry,” and in the section “Bald

and Golden Eagle Protection Act” is an entry for “Eagle falconry.” We are removing both of these entries from the table as they remain there in error: They should have been removed via a former rulemaking action. On October 8, 2008, we published a final rule (73 FR 59448) that revised the regulations pertaining to falconry. In that rule, we stated that Federal permitting for falconry would cease as of January 1, 2014, and, as of that date, States, territories, and Tribes would be responsible for issuing falconry permits. The rule revised pertinent sections of 50 CFR parts 21 and 22 but failed to make the necessary corresponding changes to the fee table in part 13. Accordingly, since we no longer issue Federal permits for falconry, we hereby remove two entries regarding application fees for falconry permits from the table in § 13.11(d)(4).

**Authority:** We issue this final rule under the authority of the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d).

**List of Subjects in 50 CFR Part 13**

Administrative practice and procedure, Exports, Fish, Imports, Plants, Reporting and recordkeeping requirements, Transportation, Wildlife.

**Regulation Promulgation**

For the reasons described in the preamble, we hereby amend subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

**PART 13—GENERAL PERMIT PROCEDURES**

■ 1. The authority citation for part 13 continues to read as follows:

**Authority:** 16 U.S.C. 668a, 704, 712, 742j-1, 1374(g), 1382, 1538(d), 1539, 1540(f), 3374, 4901-4916; 18 U.S.C. 42; 19 U.S.C. 1202; 31 U.S.C. 9701.

■ 2. Amend the table in § 13.11(d)(4) by:

■ a. Removing the entry “Falconry” under the section “Migratory Bird Treaty Act”; and

■ b. Revising the section “Bald and Golden Eagle Protection Act” and footnote 1 to read as follows:

**§ 13.11 Application procedures.**

\* \* \* \* \*  
 (d) \* \* \*  
 (4) \* \* \*

Type of permit	CFR citation	Permit application fee	Administration fee <sup>1</sup>	Amendment fee
<b>Bald and Golden Eagle Protection Act</b>				
Eagle Scientific Collecting	50 CFR part 22 ..	100		50
Eagle Exhibition	50 CFR part 22 ..	75		
Eagle—Native American Religion	50 CFR part 22 ..	No fee		
Eagle Take permits—Depredation and Protection of Health and Safety	50 CFR part 22 ..	100		
Golden Eagle Nest Take	50 CFR part 22 ..	100		50
Eagle Transport—Scientific or Exhibition	50 CFR part 22 ..	75		
Eagle Transport—Native American Religious Purposes	50 CFR part 22 ..	No fee		
Eagle Incidental Take—Up to 5 years, Commercial	50 CFR part 22 ..	2,500		500
Eagle Incidental Take—Non-commercial	50 CFR part 22 ..	500		150
Eagle Incidental Take—5–30 years	50 CFR part 22 ..	36,000	18,000	
Eagle Incidental Take—Transfer of a permit	50 CFR part 22 ..	1,000		
Eagle Nest Take—Single nest, Commercial	50 CFR part 22 ..	2,500		500
Eagle Nest Take—Single nest, Non-commercial	50 CFR part 22 ..	500		150
Eagle Nest Take—Multiple nests	50 CFR part 22 ..	5,000		500
Eagle Take—Exempted under ESA	50 CFR part 22 ..	No fee		

<sup>1</sup> An additional Administration Fee of \$8,000 will be assessed every 5 years for permits with durations longer than 5 years for permit review.

\* \* \* \* \*

Dated: August 25, 2017.

**Tina A. Campbell,**

*Chief, Division of Policy, Performance, and Management Programs, U.S. Fish and Wildlife Service.*

[FR Doc. 2017–18414 Filed 8–29–17; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 161020985–7181–02]

RIN 0648–XF646

**Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific ocean perch in the Western Aleutian district (WAI) of the Bering Sea and Aleutian Islands management area (BSAI) by vessels participating in the BSAI trawl limited access fishery. This action is necessary to prevent exceeding the 2017 total allowable catch (TAC) of Pacific ocean perch in this area allocated to vessels participating in the BSAI trawl limited access fishery.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), August 25, 2017, through 2400 hrs, A.l.t., December 31, 2017.

**FOR FURTHER INFORMATION CONTACT:** Steve Whitney, 907–586–7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2017 TAC of Pacific ocean perch, in the WAI, allocated to vessels participating in the BSAI trawl limited access fishery was established as a directed fishing allowance of 161 metric tons by the final 2017 and 2018 harvest specifications for groundfish in the BSAI (82 FR 11826; February 27, 2017).

In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific ocean perch in the WAI by vessels participating in the BSAI trawl limited access fishery.

After the effective dates of this closure, the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

**Classification**

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, (AA) finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such a requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of the Pacific ocean perch directed fishery in the WAI for vessels participating in the BSAI trawl limited access fishery. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of August 22, 2017. The Acting AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: August 25, 2017.

**Alan D. Risenhoover,**

*Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2017–18442 Filed 8–25–17; 4:15 pm]

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