

provide a reduction in public burden or costs.

This rule is not significant under Executive Order (E.O.) 12866, "Regulatory Planning and Review." Therefore, the requirements of E.O. 13771, "Reducing Regulation and Controlling Regulatory Costs," do not apply. This removal supports a recommendation of the DoD Regulatory Reform Task Force.

#### List of Subjects in 33 CFR Part 240

Flood control, Intergovernmental relations.

#### PART 240—[REMOVED]

■ Accordingly, for the reasons stated in the preamble and under the authority of 5 U.S.C. 301, the Corps removes 33 CFR part 240.

Approved by:

**R.D. James,**

*Assistant Secretary of the Army (Civil Works).*

[FR Doc. 2020–28125 Filed 1–14–21; 8:45 am]

**BILLING CODE 3720–58–P**

### DEPARTMENT OF DEFENSE

#### Department of the Army, Corps of Engineers

#### 33 CFR Part 263

[COE–2019–0005]

RIN 0710–AA93

#### Continuing Authorities Programs

**AGENCY:** U.S. Army Corps of Engineers, Department of Defense.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the U.S. Army Corps of Engineers' part titled Continuing Authorities Programs. Each removed section of this part is out-of-date and covers internal agency operations that have no public compliance component or adverse public impact. Current policy and procedures on this subject can be found in internal documents. Therefore, this part can be removed from the Code of Federal Regulations (CFR).

**DATES:** This rule is effective on January 15, 2021.

**ADDRESSES:** Department of the Army, U.S. Army Corps of Engineers, ATTN: CECW–P (Ms. Amy Frantz), 441 G Street NW, Washington, DC 20314–1000.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy Frantz at (202) 761–0106 or by email at [Amy.K.Frantz@usace.army.mil](mailto:Amy.K.Frantz@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** This final rule removes from the CFR 33 CFR part 263, Continuing Authorities Programs.

The rule was initially published in the **Federal Register** on November 3, 1975 (40 FR 51134), and amended on December 30, 1976 (41 FR 56943). The regulation provided policies and procedures for seven legislative authorities under which the Secretary of the Army, acting through the Chief of Engineers, was authorized to plan, design and construct certain types of water resource improvements without specific Congressional authorization. The Continuing Authorities Program is used to plan and implement projects of limited size, scope and complexity in an accelerated manner compared to traditional USACE projects. Three new authorities have been authorized since publication of the regulation and an updated internal agency policy reflects changes in cost share limits and program limits for all ten existing authorities. The rule was published, at that time, in the **Federal Register** to aid public accessibility. For current public accessibility purposes, the implementation procedures for the authorities listed in this regulation are currently covered under Engineer Pamphlet (EP) 1105–2–58, "Continuing Authorities Program," dated March 1, 2019 (available at [https://www.publications.usace.army.mil/Portals/76/EP\\_1105-2-58.pdf?ver=2019-04-30-105428-920](https://www.publications.usace.army.mil/Portals/76/EP_1105-2-58.pdf?ver=2019-04-30-105428-920)). The solicitation of public comment for this removal is unnecessary because the rule is out-of-date and covers internal agency operations that have no public compliance component or adverse public impact.

This rule removal is being conducted to reduce confusion for the public as well as for the Corps regarding the current policy which governs the Corps' Continuing Authorities Program. Because the regulation does not place a burden on the public, its removal does not provide a reduction in public burden or costs.

This rule is not significant under Executive Order (E.O.) 12866, "Regulatory Planning and Review." Therefore, the requirements of E.O. 13771, "Reducing Regulation and Controlling Regulatory Costs," do not apply. This removal supports a recommendation of the DoD Regulatory Reform Task Force.

#### List of Subjects in 33 CFR Part 263

Flood control, Navigation (water), Seashores, Water resources.

#### PART 263—[REMOVED]

■ Accordingly, for the reasons stated in the preamble and under the authority of

5 U.S.C. 301, the Corps removes 33 CFR part 263.

Approved by:

**R.D. James,**

*Assistant Secretary of the Army (Civil Works).*

[FR Doc. 2020–28126 Filed 1–14–21; 8:45 am]

**BILLING CODE 3720–58–P**

### DEPARTMENT OF DEFENSE

#### Department of the Army, Corps of Engineers

#### 33 CFR Part 276

[COE–2019–0006]

RIN 0710–AA95

#### Water Resources Policies and Authorities: Application of Section 134a of Public Law 94–587

**AGENCY:** U.S. Army Corps of Engineers, Department of Defense.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the U.S. Army Corps of Engineers' part regarding water resources policies and authorities. This part is obsolete as the regulation authority expired December 31, 1977. Therefore, this part can be removed from the Code of Federal Regulations (CFR).

**DATES:** This rule is effective on January 15, 2021.

**ADDRESSES:** Department of the Army, U.S. Army Corps of Engineers, ATTN: CECW–P (Ms. Amy Frantz), 441 G Street NW, Washington, DC 20314–1000.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy Frantz at (202) 761–0106 or by email at [Amy.K.Frantz@usace.army.mil](mailto:Amy.K.Frantz@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** This final rule removes from the CFR 33 CFR part 276, Water Resources Policies and Authorities: Application of Section 134a of Public Law 94–587. The rule was initially published in the **Federal Register** on February 15, 1977 (42 FR 9175). The regulation authorized and directed implementation of a procedure for certification of a locally constructed flood control element/component that is compatible with a specific, potential Federal Project under study. Section 134a provided that local interests could proceed to construct such certified compatible improvements at local expense with the understanding that such improvements could be expected to be included in the scope of the Federal project, if later authorized, both for the purposes of analyzing the costs and benefits of the project and assessing the local participation in the costs of such project. Cost assignable to that part

of the local improvement that would constitute an integral part of a prospective Federal plan would be eligible to be recommended for credit toward required local cooperation. It was published, at that time, in the **Federal Register** to aid public accessibility. The solicitation of public comment for this removal is unnecessary because the rule is obsolete. The regulation authority ceased to be in effect after December 31, 1977, in accordance with Section 134a of Public Law 94–587.

This rule removal is being conducted to reduce confusion for the public as well as for the Corps regarding a regulation that is no longer in use as the authority is no longer in effect. The removal of the regulation will ensure the Corps' regulations comply with current authorities. In an effort to reduce the number of regulations the Corps has promulgated, the removal of an obsolete regulation is appropriate. Because the regulation does not place a burden on the public, its removal does not provide a reduction in public burden or costs.

This rule is not significant under Executive Order (E.O.) 12866, "Regulatory Planning and Review." Therefore, the requirements of E.O. 13771, "Reducing Regulation and Controlling Regulatory Costs," do not apply. This removal supports a recommendation of the DoD Regulatory Reform Task Force.

#### List of Subjects in 33 CFR Part 276

Flood control, Intergovernmental relations.

#### PART 276—[REMOVED]

■ Accordingly, for the reasons stated in the preamble and under the authority of 5 U.S.C. 301, the Corps removes 33 CFR part 276.

Approved by:

**R.D. James,**

*Assistant Secretary of the Army (Civil Works).*

[FR Doc. 2020–28130 Filed 1–14–21; 8:45 am]

**BILLING CODE 3720–58–P**

## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### 33 CFR Part 279

[COE–2020–0011]

RIN 0702–AA97

#### Resource Use: Establishment of Objectives

**AGENCY:** U.S. Army Corps of Engineers, Department of Defense.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the U.S. Army Corps of Engineers' part titled Resource Use: Establishment of Objectives. Each removed section of this part is redundant or otherwise covers internal agency operations that have no public compliance component or adverse public impact. Current policy and procedures on this subject can be found in internal documents. Therefore, this part can be removed from the Code of Federal Regulations (CFR).

**DATES:** This rule is effective on January 15, 2021.

**ADDRESSES:** Department of the Army, U.S. Army Corps of Engineers, ATTN: CECW–P (Ms. Patricia Mutschler), 441 G Street NW, Washington, DC 20314–1000.

**FOR FURTHER INFORMATION CONTACT:** Ms. Patricia Mutschler at (202) 761–4744 or by email at [Patricia.L.Mutschler@usace.army.mil](mailto:Patricia.L.Mutschler@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** This final rule removes from the CFR 33 CFR part 279, Resource Use: Establishment of Objectives. The rule was initially published in the **Federal Register** on April 4, 1978 (43 FR 14014). The regulation provided policy and guidance for establishing resource use objectives for all Civil Works water resource projects during Phase I/Phase II post-authorization studies and reevaluation of completed projects. Resource use objectives, as defined in the regulation, are clearly written statements, specific to a given project, which specify the attainable options for resource use as determined from study and analysis of resource capabilities and public needs (opportunities and problems). It was published, at that time, in the **Federal Register** to aid public accessibility. The solicitation of public comment for this removal is unnecessary because the rule is redundant or otherwise covers internal agency operations that have no public compliance component or adverse public impact. For current

public accessibility purposes, implementation guidance and procedures for the establishment of resource use objectives related to the formulation of recommended plans for water resources development projects are now found in Engineer Regulation 1105–2–100, "Planning Guidance Notebook" (available at [https://www.publications.usace.army.mil/Portals/76/Publications/EngineerRegulations/ER\\_1105-2-100.pdf](https://www.publications.usace.army.mil/Portals/76/Publications/EngineerRegulations/ER_1105-2-100.pdf)); and Engineer Regulation and Pamphlet 1130–2–550, "Recreation Operations and Maintenance Guidance and Procedures, Chapter 3" (available at [https://www.publications.usace.army.mil/Portals/76/Publications/EngineerRegulations/ER\\_1130-2-550.pdf](https://www.publications.usace.army.mil/Portals/76/Publications/EngineerRegulations/ER_1130-2-550.pdf)). In addition, environmental evaluation is required under the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321–4347), and is implemented by the Corps pursuant to 33 CFR part 230.

This rule removal is being conducted to reduce confusion for the public as well as for the Corps regarding the current policy which governs the Corps' establishment of resource use objectives. Because the regulation does not place a burden on the public, its removal does not provide a reduction in public burden or costs.

This rule is not significant under Executive Order (E.O.) 12866, "Regulatory Planning and Review." Therefore, the requirements of E.O. 13771, "Reducing Regulation and Controlling Regulatory Costs," do not apply. This removal supports a recommendation of the DoD Regulatory Reform Task Force.

#### List of Subjects in 33 CFR Part 279

Natural resources, Water resources.

#### PART 279—[REMOVED]

■ Accordingly, for the reasons stated in the preamble and under the authority of 5 U.S.C. 301, the Corps removes 33 CFR part 279.

Approved by:

**R.D. James,**

*Assistant Secretary of the Army (Civil Works).*

[FR Doc. 2020–28127 Filed 1–14–21; 8:45 am]

**BILLING CODE 3720–58–P**