

still transit the bridge through one leaf and that most vessels can pass under the bridge without an opening.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

While some owners or operators of vessels intending to transit the bridge may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Government

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have

analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01, Rev.1, associated implementing instructions, and Environmental Planning Policy COMDTINST 5090.1 (series) which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f). The Coast Guard has determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule promulgates the operating regulations or procedures for drawbridges and is categorically excluded from further review, under paragraph L49, of Chapter 3, Table3–1 of the U.S. Coast Guard Environmental Planning Implementation Procedures.

Neither a Record of Environmental Consideration nor a Memorandum for the Record are required for this rule.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

■ 2. In § 117.391, effective from 11:59 p.m. on February 13, 2022 through 12 p.m. on November 1, 2022, temporarily add paragraph (f) to read as follows:

* * * * *

(f) The Dearborn Street Bridge, mile 1.13, need only operate one leaf for the passage of vessels, while the other leaf is secured to masted navigation for maintenance.

* * * * *

M.J. Johnston,

Rear Admiral, U.S. Coast Guard, Commander, Ninth Coast Guard District.

[FR Doc. 2022–02910 Filed 2–10–22; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2022–00596]

Safety Zone; Recurring Events in Captain of the Port Duluth Zone—Pointe to La Pointe Swim

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zone for the Pointe to La Pointe Swim event in Bayfield, WI. This action is necessary to protect participants and spectators during the event. During the enforcement period, entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth or a designated on-scene representative.

DATES: The regulation listed in 33 CFR 165.943(a)(9) will be enforced as listed in Table 1 to 33 CFR 165.943 from 7 a.m. through 11 a.m. on August 6, 2022.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document, call or email LTJG Joseph McGinnis,

telephone (218)725-3818, email DuluthWWM@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulation for the annual Pointe to La Pointe Swim event in 33 CFR 165.943(a)(9) from 7 a.m. through 11 a.m. on August 06, 2022 on all waters between Bayfield, WI and Madeline Island, WI within an imaginary line created by the following coordinates: 46°48'27.55" N, 090°48'56.86" W, moving southeast to 46°48'21.2" N, 090°48'59.9" W, moving south to 46°47'19.91" N, 090°49'46.18" W, moving east 46°47'21.18" N, 090°49'02.39" W, then moving north to 46°48'21.20" N, 090°48'56.86" W and finally running back to the starting point.

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth or a designated on-scene representative.

This notice of enforcement is issued under authority of 33 CFR 165.943 and 5 U.S.C. 552(a). In addition to this publication in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of the enforcement of this safety zone via Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port Duluth may be contacted via Channel 16, VHF-FM or at (218) 428-9357.

Dated: February 1, 2022.

F.M. Smith,

Commander, U.S. Coast Guard, Captain of the Port.

[FR Doc. 2022-02942 Filed 2-10-22; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 251

RIN 0596-AD36

Land Uses; Special Uses; Procedures for Operating Plans and Agreements for Powerline Facility Maintenance and Vegetation Management Within and Abutting the Linear Right-of-Way for a Powerline Facility

AGENCY: Forest Service, (Agriculture) USDA.

ACTION: Final rule; technical amendment.

SUMMARY: The Forest Service, U.S. Department of Agriculture, is making purely technical, clarifying revisions to its existing regulations governing

procedures for operating plans and agreements for powerline facility inspection, operation and maintenance, and vegetation management. The revisions are necessary to conform definitions and text in the regulations to revisions made to the proposed implementing directive in response to public comment. These purely technical, clarifying revisions do not formulate standards, criteria, or guidelines applicable to Forest Service programs and therefore do not require public notice and comment under section 14(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974.

DATES: Effective February 9, 2022.

FOR FURTHER INFORMATION CONTACT:

Reggie Woodruff, Energy Program Manager, Lands and Realty Management, 202-205-1196 or reginal.woodruff@usda.gov.

SUPPLEMENTARY INFORMATION: This final rule makes purely technical, clarifying revisions to the Department's existing regulations at 36 CFR 251.51 and 251.56(h) governing procedures for operating plans and agreements for powerline facility inspection, operation and maintenance, and vegetation management. The revisions conform definitions in § 251.51 and text in § 251.56(h) to revisions made to the proposed implementing directive in response to public comment.

Specifically, the Department is adding the term "qualified vegetation management specialist" to the definition of "hazard tree" to be more inclusive of personnel titles used by owners and operators and is removing the reference to the Forest Service in connection with who may identify hazard trees because the owner or operator, not the Forest Service, is responsible for inspecting, identifying, and felling hazard trees.

In the definition of "minimum vegetation clearance distance," the Department is adding the phrase "that is used to prevent flashover between conductors and vegetation for various altitudes and operating voltages" and removing the phrase "within or abutting the linear boundary of a special use authorization for a powerline facility" to better align the definition of minimum vegetation clearance distance with the industry definition.

In the definition for "operating plan or agreement for a powerline facility," the Department is adding a reference to construction, reconstruction, and maintenance of access roads and trails, which are covered by an operating plan or agreement.

The Department is revising the definition for "powerline facility" to clarify that it includes communications equipment that is owned by the owner or operator; that solely supports operation and maintenance of the electric distribution or transmission lines; and that is not leased to other parties for communications uses that serve other purposes. Communications equipment that does not meet these criteria must be authorized under a separate special use authorization.

The Department is removing the terms "removal" and "remove" as they relate to hazard trees and vegetation in the definitions and text and replacing them with the terms "felling" and "fell" to accurately describe accepted treatment of hazard trees and vegetation.

Consistent with the defined term "linear right-of-way," the Department is replacing the phrase "linear boundary of a special use authorization for a powerline facility" with the phrase "linear right-of-way for a powerline facility" in the definitions for "minimum vegetation clearance distance," "emergency vegetation management," "operating plan or agreement for a powerline facility (operating plan or agreement)," and "non-emergency (routine) vegetation management."

An owner or operator that meets either of the two criteria for an operating agreement specified in the governing statute, section 512 of the Federal Land Policy and Management Act (43 U.S.C. 1772), is eligible for an operating agreement. An owner or operator that meets both criteria is also eligible. To clarify that point, the Department is revising § 251.56(h)(2) to provide that an owner or operator that meets the first and/or the second criterion is eligible for an operating agreement.

Consistent with the final implementing directive, for powerline facilities without an operating plan, the Department is revising § 251.56(h)(3) to extend the deadline for submitting a proposed operating plan or agreement from August 31, 2023, to 18 months from the date the authorized officer notifies the owner or operator that a proposed operating plan or agreement must be submitted, which must occur no later than September 30, 2026. Revised § 251.56(h)(3) gives the authorized officer the discretion to determine the sequence of notification of the requirement to submit a proposed modified operating plan or proposed operating plan or agreement, based on factors enumerated in the final implementing directive.

The final implementing directive provides for the requisite environmental