

Manistee, MI, Manistee County-Blacker, VOR OR GPS RWY 9, Amdt 11 CANCELLED  
 Manistee, MI, Manistee County-Blacker, VOR OR GPS RWY 27, Amdt 11 CANCELLED  
 Saginaw, MI, MBS Intl, VOR RWY 5, Amdt 14A  
 Saginaw, MI, MBS Intl, VOR RWY 14, Amdt 13B  
 Saginaw, MI, MBS Intl, VOR RWY 23, Amdt 14A  
 Saginaw, MI, MBS Intl, VOR RWY 32, Amdt 9B  
 Saginaw, MI, MBS Intl, RNAV (GPS) RWY 5, Orig  
 Saginaw, MI, MBS Intl, RNAV (GPS) RWY 14, Orig  
 Saginaw, MI, MBS Intl, RNAV (GPS) RWY 23, Orig  
 Saginaw, MI, MBS Intl, RNAV (GPS) RWY 32, Orig  
 Minneapolis, MN Minneapolis-St Paul Intl/World Chamberlain, ILS RWY 22, Amdt 8  
 Point Lookout, MO, M. Graham Clark, NDB RWY 29, Amdt 7A (CANCELLED)  
 St. Louis, MO, Lambert-St. Louis Int'l, ILS PRM RWY 30R, Orig (Simultaneous Close Parallel)  
 Fargo, ND, Hector Intl, VOR OR TACAN RWY 35, Amdt 12B  
 Fargo, ND, Hector Intl, VOR/DME OR TACAN RWY 17, Orig-D  
 Fargo, ND, Hector Intl, RNAV (GPS) RWY 13, Orig  
 Fargo, ND, Hector Intl, RNAV (GPS) RWY 17, Orig  
 Fargo, ND, Hector Intl, RNAV (GPS) RWY 31, Orig  
 Fargo, ND, Hector Intl, RNAV (GPS) RWY 35, Orig  
 Del Rio, TX, Del Rio Intl, RNAV (GPS) RWY 13, Orig  
 Del Rio, TX, Del Rio Intl, GPS RWY 13, Amdt 1, CANCELLED  
 Charlotte Amalie, VI, Cyril E. King, RNAV (GPS) Z RWY 10, Amdt 1

\* \* \* Effective September 6, 2001

White Plains, NY, Westchester County, RNAV (GPS) RWY 34, Amdt 1

[FR Doc. 01-13794 Filed 5-31-01; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 30250; Amdt. No. 2053]

#### Standard Instrument Approach Procedures; Miscellaneous Amendments

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of changes occurring in

the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

**ADDRESSES:** Availability of matter incorporated by reference in the amendment is as follows:

*For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which affected airport is located; or

3. The Flight Inspection Area Office which originated the SIAP.

*For Purchase—*Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

*By Subscription—*Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

**FOR FURTHER INFORMATION CONTACT:**

Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082, Oklahoma City, OK 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description on each SIAP is contained in the appropriate FAA Form 8260 and the National Flight Data Center (FDC)/Permanent (P) Notices to Airmen (NOTAM) which are incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal

Aviation's Regulations (FAR). Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction of charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

#### The Rule

This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes SIAPs. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained in the content of the following FDC/P NOTAMs for each SIAP. The SIAP information in some previously designated FDC/Temporary (FDC/T) NOTAMs is of such duration as to be permanent. With conversion to FDC/P NOTAMs, the respective FDC/T NOTAMs have been canceled.

The FDC/P NOTAMs for the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these chart changes to SIAPs by FDC/P NOTAMs, the TERPS criteria were applied to only these specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in the TERPS. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable,

that good cause exists for making these SIAPs effective in less than 30 days.

**Conclusion**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 97**

Air Traffic Control, Airports, Navigation (Air).

Issued in Washington, DC on May 25, 2001.

**Nicholas A. Sabatini,**

*Director, Flight Standards Service.*

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

**PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES**

1. The authority citation for part 97 is revised to read as follows:

**Authority:** 49 U.S.C. 40103, 40113, 40120, 44701; 49 U.S.C. 106(g); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

**§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]**

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows: \* \* \* Effective Upon Publication

FDC date	State	City	Airport	FDC No.	Subject
04/30/01	TX	Dallas-Fort Worth	Dallas-Fort Worth Intl	1/4048	ILS Rwy 36L, Amdt 6A
05/09/01	NY	Westhampton Beach	The Francis S. Gabreski	1/4326	Copter ILS Rwy 24, Amdt 1A
05/09/01	TX	Cleveland	Cleveland Muni	1/4368	GPS 16, Orig
05/09/01	NY	White Plains	Westchester County	1/4389	Copter ILS/DME 162, Orig-A
05/10/01	NC	Maxton	Laurinburg-Maxton	1/4434	NDB or GPS Rwy 5, Orig-A
05/15/01	MI	Romeo	Romeo State	1/4534	GPS Rwy 36, Orig
05/15/01	MI	Romeo	Romeo State	1/4535	VOR/DME or GPS-A, Amdt 7
05/15/01	MI	Coldwater	Branch County Memorial	1/4541	VOR Rwy 6, Amdt 4A
05/15/01	MI	Lansing	Capital City	1/4549	VOR or GPS Rwy 24, Amdt 8A
05/15/01	MI	Lansing	Capital City	1/4550	Radar-1, Amdt 14
05/15/01	OK	Tulsa	Tulsa Intl	1/4571	HI-NDB or ILS Rwy 18L, Amdt 4
05/15/01	VA	Saluda	Hummel Field	1/4589	GPS Rwy 36, Orig (This replaces FDC 1/4589 in TL 01-12)
05/16/01	CA	Oakland	Metropolitan Oakland Intl	1/4602	NDB Rwy 27R, Amdt 5 (This replaces FDC 1/2278 in TL 01-12)
05/16/01	AK	Koliganek	Koliganek	1/4612	GPS Rwy 27, Orig-A
05/16/01	AK	Koliganek	Koliganek	1/4613	GPS Rwy 9, Orig-A
05/17/01	NY	Elmira	Elmira/Corning Regional	1/4631	RNAV (GPS) Rwy 28, Orig
05/17/01	OH	Cleveland	Cleveland-Hopkins Intl	1/4632	ILS Rwy 5R (CAT I, II, III), Amdt 16
05/17/01	OH	Cleveland	Cleveland-Hopkins Intl	1/4633	NDB or GPS Rwy 5R, Amdt 5A
05/17/01	OH	Cleveland	Cleveland-Hopkins Intl	1/4634	ILS Rwy 23L, Amdt 17A
05/17/01	OH	Cleveland	Cleveland-Hopkins Intl	1/4635	NDB or GPS Rwy 23L, Amdt 1A
05/17/01	NM	Albuquerque	Albuquerque Intl Sunport	1/4654	ILS Rwy 3, Orig-B
05/17/01	AZ	Phoenix	Williams Gateway	1/4663	VOR or TACAN Rwy 30C, Amdt 1A
05/17/01	AZ	Phoenix	Williams Gateway	1/4664	ILS Rwy 30C, Amdt 2
05/17/01	MI	Ionia	Ionia County	1/4666	RNAV (GPS) Rwy 27, Orig
05/17/01	MI	Coldwater	Branch County Memorial	1/4669	RNAV (GPS) Rwy 6, Orig-A
05/17/01	TX	Harlingen	Valley International	1/4680	NDB or GPS Rwy 17R, Amdt 11A
05/17/01	TX	Waco	Waco Regional	1/4689	GPS Rwy 19, Orig-A
05/17/01	TX	Waco	Waco Regional	1/4690	GPS Rwy 1, Orig-A
05/17/01	OK	Ardmore	Ardmore Downtown Executive	1/4699	GPS Rwy 17, Orig
05/18/01	MN	Minneapolis	Minneapolis-St Paul Intl (Wold-Chamberlain)	1/4734	Copter ILS Rwy 30R, Orig
05/18/01	MN	Minneapolis	Minneapolis-St Paul Intl (Wold-Chamberlain)	1/4735	ILS Rwy 30R, Amdt 10A
05/18/01	MN	Minneapolis	Minneapolis-St Paul Intl (Wold-Chamberlain)	1/4736	ILS PRM Rwy 30R, Amdt 5A
05/21/01	NM	Albuquerque	Albuquerque Intl Sunport	1/4813	NDB or GPS Rwy 35, Amdt 7A
05/22/01	CA	San Jose	San Jose Intl	1/4869	LOC/DME Rwy 30L, Amdt 11
05/22/01	CA	San Jose	San Jose Intl	1/4870	NDB/DME Rwy 30L, Amdt 5
05/22/01	CA	San Jose	San Jose Intl	1/4871	VOR Rwy 12R, Amdt 3
05/22/01	CA	San Jose	San Jose Intl	1/4872	GPS Rwy 12R, Orig
05/22/01	CA	San Jose	San Jose Intl	1/4873	VOR/DME Rwy 30L, Amdt 1
05/23/01	NY	New York	Laguardia	1/4943	Copter ILS/DME Rwy 22, Amdt 1

[FR Doc. 01-13795 Filed 5-31-01; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF THE TREASURY****Bureau of Alcohol, Tobacco and Firearms****27 CFR Part 9**

[T.D. ATF-456 ; Re: Notice No. 882]

RIN 1512-AA07

**Diamond Mountain District Viticultural Area (99R-223P)**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Treasury decision, final rule.

**SUMMARY:** This Treasury decision will establish a viticultural area in Napa County, California, to be known as "Diamond Mountain District." This viticultural area is a result of a petition submitted by Rudy von Strasser of Von Strasser Winery on behalf of the Diamond Mountain Appellation Committee, representing 15 growers and vintners in the proposed area.

**EFFECTIVE DATE:** Effective July 31, 2001.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Berry, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, New York 14202-2301, (716) 551-4048.

**SUPPLEMENTARY INFORMATION:****1. Background on Viticultural Areas***What Is ATF's Authority To Establish a Viticultural Area?*

ATF published Treasury Decision ATF-53 (43 FR 37672, 54624) on August 23, 1978. This decision revised the regulations in 27 CFR part 4, Labeling and Advertising of Wine, to allow the establishment of definitive viticultural areas. The regulations allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements. On October 2, 1979, ATF published Treasury Decision ATF-60 (44 FR 56692) which added 27 CFR part 9, American Viticultural Areas, for the listing of approved American viticultural areas, the names of which may be used as appellations of origin.

*What Is the Definition of an American Viticultural Area?*

An American viticultural area is a delimited grape-growing region distinguishable by geographic features. Viticultural features such as soil, climate, elevation, topography, etc., distinguish it from surrounding areas.

*What Is Required To Establish a Viticultural Area?*

Any interested person may petition ATF to establish a grape-growing region as a viticultural area. The petition should include:

- Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the area specified in the petition;
- Historical or current evidence that the boundaries of the viticultural area are as specified in the petition;
- Evidence relating to the geographical characteristics (climate, soil, elevation, physical features, etc.) which distinguish the viticultural features of the proposed area from surrounding areas;
- A description of the specific boundaries of the viticultural area, based on features which can be found on United States Geological Survey (U.S.G.S.) maps of the largest applicable scale; and
- A copy (or copies) of the appropriate U.S.G.S. map(s) with the boundaries prominently marked.

**2. Rulemaking Proceeding***Petition*

Rudy von Strasser of Von Strasser Winery petitioned ATF for the establishment of a viticultural area in Napa County, California, to be called "Diamond Mountain." The petition was filed on behalf of the Diamond Mountain Appellation Committee, whose 15 growers and vintners represent 87 percent of the total vineyard holdings in the viticultural area. The proposed viticultural area is located entirely in Napa County, California and encompasses approximately 5,000 acres, of which approximately 450 acres are planted to vineyards.

*Notices of Proposed Rulemaking*

A Notice of Proposed Rulemaking, Notice No. 882, was published in the **Federal Register** on September 29, 1999, requesting comments from all interested persons concerning the proposed viticultural area. The comment period was to close on November 29, 1999. On November 15, 1999, ATF received a request from Fred and Mary Constant of Diamond Mountain Vineyard to extend the comment period an additional 60 days. Diamond Mountain Vineyard is located within both Napa and Sonoma Counties, partially within the boundaries proposed for the Diamond Mountain viticultural area. According to the winery, it had been unable to get timely and complete information on the specifics of the proposal and therefore it

needed additional time to prepare its comments. In view of this, on November 26, 1999, ATF published Notice No. 886 extending the comment period until January 28, 2000.

*Comments*

Thirty-nine comments were received in response to Notice 882. Thirty-seven of the comments favored adoption of the viticultural area as proposed. Twenty-five of these specifically supported the use of the Napa and Sonoma county line as one of the boundary lines for proposed area. These commenters maintained that because the name "Diamond Mountain" has always been associated with Napa Valley, the boundaries should not encompass any areas outside Napa County.

Fred and Mary Constant of Diamond Mountain Vineyards submitted two comments proposing two changes to the proposed viticultural area. First, they proposed changing the name to "Diamond Mountain District." The Constants argued that because the proposed area does not physically encompass all of Diamond Mountain, as identified on the U.S.G.S. map included in the petition, the name "Diamond Mountain" could be confusing. The Constants, who own a trademark for the name "Diamond Mountain Vineyard", also felt that "Diamond Mountain District" would reduce confusion and conflicts with their trademark, their winery name, and other Diamond Mountain trademarks. As evidence for the use of this name, the Constants submitted two documents in which "District" is used in association with "Diamond Mountain". One, a 1913 school board document, twice referred to the Diamond Mountain school district. The other, an article from the 12/4/99 issue of the Wine Business Insider on the proposed Diamond Mountain viticultural area, used the phrase "Diamond Mountain District".

The Constants also proposed amending the southwestern boundary of the viticultural area to include their Sonoma county property. Their vineyard, Diamond Mountain Vineyard, straddles the Napa and Sonoma county line. Fifty-five of its acres are located in Napa County within the proposed boundaries of the Diamond Mountain viticultural area, while 15 of its acres are in Sonoma county, just outside the proposed boundaries. The Constants argued that their Sonoma property is on Diamond Mountain and should therefore be included in any viticultural area bearing its name. Referring to the U.S.G.S. map submitted by the petitioners (Calistoga, CA 1993, 1:24,000), they pointed out that much of