

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket No. APHIS-2013-0078]

### Asian Longhorned Beetle; Quarantined Areas in New Jersey

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the Asian longhorned beetle regulations by removing portions of Middlesex and Union Counties, NJ, from the list of quarantined areas based on our determination that those areas meet our criteria for removal. The interim rule was necessary to relieve restrictions that are no longer necessary because there are no longer any areas in New Jersey that are quarantined because of Asian longhorned beetle.

**DATES:** Effective on July 18, 2014, we are adopting as a final rule the interim rule published at 79 FR 17387–17388 on March 28, 2014.

**FOR FURTHER INFORMATION CONTACT:** Ms. Claudia Ferguson, Senior Regulatory Policy Specialist, Regulatory Coordination and Compliance, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737–1236; (301) 851–2352.

### SUPPLEMENTARY INFORMATION:

#### Background

The Asian longhorned beetle (ALB, *Anoplophora glabripennis*), an insect native to China, Japan, Korea, and the Isle of Hainan, is a destructive pest of hardwood trees. The ALB regulations in 7 CFR 301.51–1 through 301.51–9 (referred to below as the regulations)

restrict the interstate movement of regulated articles from quarantined areas to prevent the artificial spread of ALB to noninfested areas of the United States.

In an interim rule<sup>1</sup> effective and published in the **Federal Register** on March 28, 2014 (79 FR 17387–17388, Docket No. APHIS-2013-0078), we amended the regulations by removing the entry for Middlesex and Union Counties, NJ. That action relieved restrictions on the movement of regulated articles from those areas that are no longer warranted. With that change, there are no longer any areas in New Jersey that are quarantined because of ALB.

Comments on the interim rule were required to be received on or before May 27, 2014. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule without change.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

### List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

### PART 301—DOMESTIC QUARANTINE NOTICES

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR part 301 and that was published at 79 FR 17387–17388 on March 28, 2014.

Done in Washington, DC, this 14th day of July 2014.

**Kevin Shea,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2014-16924 Filed 7-17-14; 8:45 am]

**BILLING CODE 3410-34-P**

<sup>1</sup> To view the interim rule, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2013-0078>.

## Federal Register

Vol. 79, No. 138

Friday, July 18, 2014

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2013-0956; Airspace Docket No. 13-AWP-17]

### Establishment of Class E Airspace; Phoenix, AZ

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at the Phoenix VHF Omni-Directional Radio Range Tactical Air Navigation Aid (VORTAC), Phoenix, AZ, to facilitate vectoring of Instrument Flight Rules (IFR) aircraft under control of Albuquerque Air Route Traffic Control Center (ARTCC). This improves the safety and management of IFR operations within the National Airspace System.

**DATES:** Effective date, 0901 UTC, September 18, 2014. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Bill Nugent, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203-4518.

### SUPPLEMENTARY INFORMATION:

#### History

On December 26, 2013, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish controlled airspace at Phoenix, AZ (78 FR 78298). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received from the National Business Aviation Association in support of the recommended change.

Class E airspace designations are published in paragraph 6006, of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by establishing Class E en route domestic airspace extending upward from 1,200 feet above the surface, at the Phoenix VORTAC navigation aid, Phoenix, AZ, to accommodate IFR aircraft under control of Albuquerque Air Route Traffic Control Center (ARTCC) by vectoring aircraft from en route airspace to terminal areas. This action is necessary for the safety and management of IFR operations.

The FAA has determined this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (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. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 discusses the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes controlled airspace at the Phoenix VORTAC navigation aid, Phoenix, AZ.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

- 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

- 2. The incorporation by reference in 14 CFR part 71.1 of the Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013 is amended as follows:

*Paragraph 6006 En Route Domestic Airspace Areas.*

\* \* \* \* \*

**AWP AZ E6 Phoenix, AZ [New]**

Phoenix VORTAC, AZ

(Lat. 33°25'59" N., long. 111°58'13" W.) That airspace extending upward from 1,200 feet above the surface within an area bounded by lat. 34°01'00" N., long. 114°00'00" W.; to lat. 33°33'12" N., long. 111°51'21" W.; to lat. 33°29'30" N., long. 110°45'45" W.; to lat. 33°52'30" N., long. 108°45'00" W.; to lat. 33°50'00" N., long. 108°00'00" W.; to lat. 33°35'00" N., long. 107°36'00" W.; to lat. 33°35'00" N., long. 107°28'00" W.; to lat. 32°25'00" N., long. 108°00'00" W.; to lat. 32°25'00" N., long. 108°12'00" W.; to lat. 31°20'00" N., long. 108°12'00" W.; to lat. 31°20'00" N., long. 111°05'00" W.; to lat. 32°06'00" N., long. 113°30'30" W.; to lat. 32°44'15" N., long. 113°41'05" W.; to lat. 32°41'00" N., long. 114°00'00" W., thence to the point of beginning.

Issued in Seattle, Washington, on July 7, 2014.

**Clark Desing,**

*Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2014-16634 Filed 7-17-14; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

Docket No. FAA-2013-0995; Airspace Docket No. 13-ASW-30

**Establishment of Class E Airspace; Truth or Consequences, NM**

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at the Truth or Consequences VHF Omni-Directional Radio Range Tactical Air Navigation Aid (VORTAC), Truth or Consequences, NM, to facilitate vectoring of Instrument Flight Rules (IFR) aircraft under control of Albuquerque Air Route Traffic Control Center (ARTCC). This improves the safety and management of IFR operations within the National Airspace System.

**DATES:** Effective date, 0901 UTC, September 18, 2014. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Bill Nugent, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203-4518.

**SUPPLEMENTARY INFORMATION:****History**

On December 26, 2013, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish controlled airspace at Truth or Consequences, NM (78 FR 78299). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment National Business Aviation Association was received in support of the recommended change.

Class E airspace designations are published in paragraph 6006, of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by establishing Class E en route domestic