

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 1150

[Document No. AMS-DA-15-0068]

### National Dairy Promotion and Research Program

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Announcement of finding.

**SUMMARY:** The Agricultural Marketing Service (AMS) hereby gives notice that no changes will be made to the current distribution of domestic National Dairy Promotion and Research Board (Dairy Board) members in 12 regions as outlined in Section 1150.131(b) of the Dairy Research and Promotion Order (Dairy Order). The Dairy Order provides that the Dairy Board shall review the geographic distribution of milk production throughout the United States

(U.S.) and, if warranted, shall recommend to the Secretary a reapportionment of the regions and/or modification of the number of domestic members from the regions in order to better reflect the geographic distribution of milk production volumes in the U.S. The number of domestic Dairy Board members was last modified in 2011 based on 2010 U.S. milk production.

**DATES:** *Effective date:* September 13, 2016.

**FOR FURTHER INFORMATION CONTACT:** Jill Hoover, Deputy Director, Promotion, Research, and Planning Division, Dairy Program, AMS, USDA, 1400 Independence Ave. SW., Room 2958-S, Stop 0233, Washington, DC 20250-0233. Phone: (202) 720-6909. Email: [Jill.Hoover@ams.usda.gov](mailto:Jill.Hoover@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** The Dairy Production Stabilization Act of 1983 authorizes a national program for dairy product promotion, research and nutrition education. Congress found that it is in the public interest to authorize the establishment of an orderly procedure for financing (through assessments on all milk produced in the U.S. for commercial use and on imported dairy products) and carrying out a coordinated program of promotion designed to strengthen the dairy industry's position in the marketplace and to maintain and expand domestic and foreign markets and uses for fluid milk and dairy products.

Section 1150.131 of the Dairy Order (7 CFR 1150.131) provides that the Dairy Board shall review the geographic distribution of milk production throughout the U.S. and, if warranted, shall recommend to the Secretary a reapportionment of the regions and/or modification of the number of members from the regions in order to better reflect the geographic distribution of milk production volume in the U.S. The Dairy Order is administered by a 37-member Dairy Board, 36 members representing 12 geographic regions within the U.S. and 1 representing importers. The number of domestic Dairy Board members was last modified in 2011 based on 2010 U.S. milk production.

Based on a review of the 2014 geographic distribution of milk production, the Dairy Board has concluded that the number of Dairy Board members and regions represented should be maintained. This finding was submitted by the Dairy Board, which administers the Dairy Order.

In 2014, total milk production was 206,586 million pounds and each of the Dairy Board members would represent 5,738.5 million pounds of milk. Table 1 summarizes by region, the volume of milk production distribution for 2014, the percentage of total milk production, and the regions and number of Dairy Board seats for each region.

TABLE 1—REGIONS AND NUMBER OF BOARD SEATS

Regions and states	Milk production (mil. lbs.)	Percentage of total milk production	Current number of board seats
1. Alaska, Oregon, Washington .....	9,142.5	4.4	2
2. California, Hawaii .....	42,366.9	20.5	7
3. Arizona, Colorado, Montana, Nevada, Utah, Wyoming .....	11,594.5	5.6	2
4. Arkansas, Kansas, New Mexico, Oklahoma, Texas .....	22,319	10.8	4
5. Minnesota, North Dakota, South Dakota .....	11,560	5.6	2
6. Wisconsin .....	27,795	13.5	5
7. Illinois, Iowa, Missouri, Nebraska .....	9,074	4.4	2
8. Idaho .....	13,873	6.7	2
9. Indiana, Michigan, Ohio, West Virginia .....	19,066	9.2	3
10. Alabama, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Virginia .....	9,986.9	4.8	2
11. Delaware, Maryland, New Jersey, Pennsylvania .....	11,893.7	5.8	2
12. Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont .....	17,914.1	8.7	3
Total .....	206,586	100	36

\* Milk Production, Disposition, and Income, 2014 Summary, NASS, 2015.

\*\* Puerto Rico—2012 Census of Agriculture, Puerto Rico, Island and Municipio Data, NASS, 2014.

As described in this **Federal Register** document, the current distribution of domestic Dairy Board members in 12 regions, as outlined in Section 1150.131(b) of the Dairy Order, will be maintained.

Dated: September 7, 2016.

**Dana Coale,**  
Associate Administrator.

[FR Doc. 2016-21841 Filed 9-12-16; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2016-6006; Airspace Docket No. 15-AGL-3]

#### Modification of Class D Airspace; Peru, IN

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class D airspace at Grissom Army Reserve Base (ARB), IN, to allow for a lower Circling Minimum Descent Altitude, where Instrument Flight Rules Category E circling procedures are being used. This action increases the area of the existing controlled airspace for Grissom ARB, IN. Additionally, this action will add Peru, Grissom ARB, IN to the subtitle of the airspace designation.

**DATES:** Effective 0901 UTC, November 10, 2016. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.9Z, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202-267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal-regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html).

FAA Order 7400.9, Airspace Designations and Reporting Points, is

published yearly and effective on September 15.

#### FOR FURTHER INFORMATION CONTACT:

Rebecca Shelby, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone: 817-222-5857.

#### SUPPLEMENTARY INFORMATION:

#### Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes 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 modifies Class D airspace at Grissom ARB, Peru, IN.

#### History

On June 6, 2016, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to modify Class D Airspace to allow for a lower Circling Minimum Descent Altitude at Grissom Air Reserve Base (ARB), IN (81 FR 36214) FAA-2016-6006. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D airspace areas are published in paragraph 5000 of FAA Order 7400.9Z, dated August 6, 2016, and effective September 15, 2015, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### Availability and Summary of Documents for Incorporation by Reference

This document modifies FAA Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2016, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

#### The Rule

This action modifies Title 14, Code of Federal Regulations (14 CFR), Part 71 by modifying Class D airspace at Grissom ARB, IN, to within a 5.8-mile radius of the airport. This increase will allow for a lower Circling Minimum Descent Altitude, where Instrument Flight Rules Category E circling procedures are being used. Also, this action adds Peru, Grissom Air Reserve Base, IN, to the subtitle of the airspace designation. Controlled airspace is needed for the safety and management of IFR operations at the airport.

Class D airspace areas are published in paragraph 5000 of FAA Order 7400.9Z, dated August 6, 2016, and effective September 15, 2015, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### Regulatory Notices and Analyses

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, is non-controversial and unlikely to result in adverse or negative comments. 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. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exists that warrant preparation of an environmental assessment.

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

Airspace, Incorporation by reference, Navigation (air).