

**List of Subjects in 7 CFR Part 987**

Dates, Marketing agreements, Reporting and recordkeeping requirements.

■ For the reasons set forth in the preamble, 7 CFR part 987 is amended as follows:

**PART 997—DATES PRODUCED OR PACKED IN RIVERSIDE COUNTY, CALIFORNIA**

■ 1. The authority citation for 7 CFR part 987 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

■ Section 987.339 is revised to read as follows:

**§ 987.339 Assessment rate.**

On and after October 1, 2007, an assessment rate of \$0.75 per hundredweight is established for California dates.

Dated: August 30, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 07–4368 Filed 9–6–07; 8:45 am]

**BILLING CODE 3410–02–M**

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

[Docket No. FAA–2007–28559; Airspace Docket No. 07–AEA–03]

**Removal of Class D and E Airspace; Utica, NY; Amendment of Class D and E Airspace; Rome, NY; Establishment of Class E Airspace; Rome, NY**

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

**ACTION:** Final rule.

**SUMMARY:** This action will remove the Class D, E2, E4, and E5 airspace at Utica, NY, and amend the Class D and E2 airspace at Rome, NY. This action will also establish Class E5 airspace at Rome, NY. The Oneida County Airport, Utica, NY, is permanently closed and no longer operational, moving aircraft operations to Griffiss Airfield, Rome, NY. The closure necessitates the removal of all Class D and E airspace at Utica, NY. Subsequently, this action amends the Class D and E2 airspace at Rome, NY, published in the **Federal Register** on January 25, 2007, (72 FR 3365) but not charted due to inaccuracies in the legal descriptions. This action will also establish Class E5 airspace at Rome, NY, to replace the

Class E5 airspace being removed at Utica, NY. Class D surface area airspace is required when the control tower is open to contain Standard Instrument Approach Procedures (SIAPs) and other Instrument Flight Rules (IFR) operations at the airport. Class E2 surface area airspace is required when the control tower is closed to contain SIAPs and other IFR operations at the airport. Class E5 airspace extends upward from 700 feet Above Ground Level (AGL) and is required to contain SIAPs and other IFR operations at the airport. This action will amend Class D airspace extending upward from the surface to and including 3,000 feet MSL within an 8.4-mile radius and Class E2 airspace within an 8.4-mile radius of the Griffiss Airfield. This action will also establish Class E5 airspace extending upward from 700 feet above the surface within a 10.9 mile radius of Griffiss Airfield and within 5 miles each side of the Griffiss Airfield ILS localizer northwest course from the 10.9-mile radius to 15 miles northwest of Griffiss Airfield and within a 26-mile radius of the airport extending clockwise from a 125° bearing to 200° bearing from the airport.

**DATES:** Effective Date: 0901 UTC, October 25, 2007. 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:**

Mark D. Ward, Manager, System Support, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–5586.

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

On January 1, 2007, the Oneida County Airport, Utica, NY, was permanently closed and airport operations terminated. The closure, therefore, requires the removal of all Class D and E airspace at Utica, NY. Subsequently, operations were moved to Griffiss Airfield, Rome, NY, and Class D and E2 airspace areas were established. An amendment is required to correct errors in the legal description of the Class D and E airspace which has prevented the airspace from being charted. Establishment of Class E5 airspace at Rome, NY, is required to replace the Class E5 airspace being removed at Utica, NY. This rule becomes effective on the date specified in the “Effective Date” section. Since this action eliminates the impact of controlled airspace on users of airspace in the vicinity of Utica, NY, and has no

significant impact on the users of the airspace in the vicinity of the Griffiss Airfield, Rome, NY, notice and public procedure under 5 U.S.C. 553(b) are not necessary. Designations for Class D and E Surface Area Airspace, Class E Airspace Areas D Surface Area, and Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth are published in paragraphs 5000, 6002, 6004 and 6005 respectively of FAA Order 7400.9P, dated September 1, 2006, and effective September 15, 2006, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) removes Class D, E2, E4, and E5 airspace at Utica, NY, amends Class D, and E2 airspace at Rome, NY, and establishes Class E5 airspace at Rome, NY.

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. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule 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 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, CLASS B, CLASS C, CLASS D AND CLASS E AIRSPACE AREAS; AIRWAYS; 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; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

#### **§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9P, Airspace Designations and Reporting Points, dated September 1, 2006, and effective September 15, 2006, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

**AEA NY D Utica, NY [Remove]**

\* \* \* \* \*

**AEA NY D Rome, NY [Revised]**

Griffiss Airfield, NY

(Lat. 43°14'02" N, long. 75°24'25" W)

That airspace extending upward from the surface to and including 3,000 feet MSL within an 8.4-mile radius of the Griffiss Airfield. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

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*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

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**AEA NY E2 Utica, NY [Remove]**

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**AEA NY E2 Rome, NY [Revised]**

Griffiss Airfield, NY

(Lat. 43°14'02" N, long. 75°24'25" W)

Within an 8.4-mile radius of the Griffiss Airfield. This Class E airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

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*Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D Surface Areas.*

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**AEA NY E4 Utica, NY [Remove]**

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*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

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**AEA NY E5 Utica, NY [Remove]**

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**AEA NY E5 Rome, NY [New]**

Griffiss Airfield, NY

(Lat. 43°14'02" N, long. 75°24'25" W)

That airspace extending upward from 700 feet above the surface within a 10.9-mile radius of Griffiss Airfield and within 5 miles each side of the Griffiss Airfield ILS localizer

northwest course from the 10.9-mile radius to 15 miles northwest of the airport and within a 26-mile radius of the airport extending clockwise from a 125° bearing to a 200° bearing from the airport.

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Issued in College Park, Georgia, on August 8, 2007.

**Barry A. Knight,**

*Acting Manager, System Support Group, Eastern Service Center.*

[FR Doc. 07–4332 Filed 9–6–07; 8:45 am]

**BILLING CODE 4910–13–M**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA–2007–28776; Airspace Docket No. 07–ACE–10]**

#### **Amendment to Class E Airspace; Lee's Summit, MO**

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends the Class E airspace area at Lee's Summit Municipal Airport, Lee's Summit, MO. A review of the legal description revealed an incorrect coordinate describing the Airport Reference Point (ARP) for Lee's Summit Municipal Airport. This action corrects that error.

**DATES:** *Effective Date:* 0901 UTC, December 20, 2007. Comments for inclusion in the Rules Docket must be received on or before October 1, 2007. 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 FAAF Order 7400.9 and publication of conforming amendments.

**ADDRESSES:** Send comments on this direct final rule to the U.S. Department of Transportation, Docket Operations, M–30, West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590. You must identify the docket number FAA–2007–28776/Airspace Docket No. 07–ACE–10, at the beginning of your comments. You may also submit comments through the Internet at <http://dms.dot.gov>. You may review the public docket containing the direct final rule, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone

1–800–647–5527) is on the ground level of the building at the above address.

#### **FOR FURTHER INFORMATION CONTACT:**

Grant Nichols, System Support, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2522.

#### **SUPPLEMENTARY INFORMATION:**

##### **The Direct Final Rule Procedure**

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, and adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

##### **Comments Invited**

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the direct final rule. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the direct final rule. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA–2007–28776/Airspace Docket No. 07–ACE–10." The postcard will be date/time stamped and returned to the commenter.