

Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6611.

SUPPLEMENTARY INFORMATION:

History

On March 12, 1998, the FAA proposed to amend 14 CFR part 71 by modifying the Class D surface area at Mountain View, CA (63 FR 12043). This action will revise the vertical limit within the current geographic boundary of the Mountain View Class D surface area up to, but not including 2,500 feet MSL, excluding the San Jose (SJC) Class C surface area. This action will achieve compliance with criteria stated in FAA Order 7400.2D by ensuring that the Mountain View Class D surface area is of sufficient size to allow for and contain the safe and efficient handling of operations at Moffett Federal Airfield (NUQ).

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. Class D airspace designations for airspace areas designated as surface areas for airports are published in paragraph 5000 of FAA Order 7400.9E dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 modifies the Class D surface area at Mountain View, CA. A review of airspace classification made it necessary to revise the vertical limit of the Mountain View, CA Class D surface area within its current geographic boundary up to, but not including 2,500 feet MSL, excluding the San Jose (SJC) Class C surface area. The effect of this action will be provision of adequate airspace to allow for and contain the safe and efficient handling of operations at Moffett Federal Airfield (NUQ).

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. Therefore, this—(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; 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; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

Paragraph 5000—Subpart D—Class D Airspace

* * * * *

AWP CA D Mountain View, CA [Revised]

Moffett Federal Airfield, CA
(lat. 37°24'55"N, long. 122°02'54"W)
San Jose International Airport, CA
(lat. 37°21'42"N, long. 121°55'43"W)
Palo Alto of Santa Clara County Airport, CA
(lat. 37°27'40"N, long. 122°06'54"W)

That airspace extending upward from the surface to but not including 2,500 feet MSL within a 4.3-mile radius of Moffett Federal Airfield, excluding that airspace within the San Jose, CA, Class C airspace area, and excluding the portion within the Palo Alto of Santa Clara County Airport, CA, Class D airspace area during the specific dates and times it is effective. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Los Angeles, California, on April 22, 1998.

John G. Clancy,

*Acting Manager, Air Traffic Division,
Western-Pacific Region.*

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 96-AWP-4]

Establishment of Class E Airspace; Borrego Springs, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes a Class E airspace area at Borrego Springs, CA. The establishment of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (RWY) 25 at Borrego Valley Airport has made this action necessary. Additional controlled airspace extending upward from 700 feet or more above the surface of the earth is needed to contain aircraft executing the GPS RWY 25 SIAP at Borrego Valley Airport. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations Borrego Valley Airport, Borrego Springs, CA.

EFFECTIVE DATES: 0901 UTC August 13, 1998.

FOR FURTHER INFORMATION CONTACT:

Larry Tonish, Airspace Specialist, Airspace Branch, AWP-520, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6539.

SUPPLEMENTARY INFORMATION:

History

On March 9, 1998, the FAA proposed to amend 14 CFR part 71 by establishing a Class E airspace area at Berrego Springs, CA (63 FR 11382). The establishment of a GPS RWY 25 SIAP to Borrego Valley Airport has made this action necessary. Additional controlled airspace extending upward from 700 feet above the surface is needed to contain aircraft executing instrument operations at Borrego Valley Airport. This action will provide adequate controlled airspace for aircraft executing the GPS RWY 25 SIAP at Borrego Valley Airport, Borrego Springs, Ca.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. Class E airspace designations for airspace extending from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9E dated September 10,

1997, and effective September 16, 1997, 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.

The Rule

This amendment to 14 CFR part 71 establishes a Class E airspace area at Borrego Springs, CA. Additional controlled airspace extending upward from 700 feet above the surface was required for aircraft executing instrument operations at Borrego Valley Airport. The effect of this action will provide adequate airspace for aircraft executing the GPS RWY 25 SIAP at Borrego Valley Airport, Borrego Springs, CA.

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. 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 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; 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; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AWP CA E5 Borrego Springs, CA [New]

Borrego Valley Airport, CA
(lat. 33°15'33" N, long. 116°19'16" W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Borrego Valley Airport.

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Issued in Los Angeles, California, on April 22, 1998.

John G. Clancy,

*Acting Manager, Air Traffic Division,
Western-Pacific Region.*

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DEPARTMENT OF THE TREASURY

United States Customs Service

19 CFR Part 101

[T.D. 98–37]

Abolishment of Boca Grande as a Port of Entry

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations by abolishing the port of entry of Boca Grande, Florida, in order for Customs to obtain more efficient use of its personnel, facilities and resources and to provide better service to carriers, importers and the general public.

EFFECTIVE DATE: June 4, 1998.

FOR FURTHER INFORMATION CONTACT: Harry Denning, Office of Field Operations, 202–927–0196.

SUPPLEMENTARY INFORMATION

Background

As part of a continuing program to obtain more efficient use of its personnel, facilities and resources, and to provide better service to carriers, importers, and the general public, Customs proposed to amend § 101.3(b)(1), Customs Regulations (19 CFR 101.3(b)(1)), by abolishing the port of Boca Grande, Florida. A Notice of Proposed Rulemaking to this effect was published in the **Federal Register** (62 FR 37526) on July 14, 1997. The port was proposed to be abolished because there is not sufficient activity at the port to maintain the facility, and there are other nearby active ports such as Sarasota and Tampa which are available to handle any Customs transactions in that geographical area.

Determination

No comments either supporting or opposing the proposal were received. After further consideration of the proposal, Customs has determined to abolish the port of Boca Grande, Florida.

Authority

This change is made under the authority of 5 U.S.C. 301 and 19 U.S.C. 2, 66 and 1624.

Regulatory Flexibility Act

Customs establishes, expands and consolidates Customs ports of entry throughout the United States to accommodate the volume of Customs-related activity in various parts of the country. Although this document was issued with notice for public comment, it is not subject to the notice and public procedure requirements of 5 U.S.C. 553 because it relates to agency management and organization. Accordingly, this document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Executive Order 12866

Because this document relates to agency organization and management, it is not subject to E.O. 12866.

Drafting Information

The principal author of this document was Janet L. Johnson, Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 101

Customs duties and inspection, Customs ports of entry, Exports, Imports, Organization and functions (Government agencies).

Amendment to the Regulations

Accordingly, Part 101 of the Customs Regulations is amended as set forth below.

PART 101—GENERAL PROVISIONS

1. The general authority citation for Part 101 and the specific authority citation for § 101.3 continue to read as follows:

Authority: 5 U.S.C. 301, 19 U.S.C. 2, 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1623, 1624.

Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

* * * * *

2. Section 101.3(b)(1) is amended by removing, under the State of Florida, the