

controlled airspace at Napa County Fire Department Heliport, St. Helena, CA.

#### 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 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 71.1 of Federal Aviation Administration Order 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, and effective September 15, 2012, 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 St. Helena, CA [Amended]

Napa County Fire Department Heliport, CA,  
Point In Space Coordinates  
(Lat. 38°32'21" N., long. 122°29'35" W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Point In Space Coordinates serving the Napa County Fire Department Heliport.

Issued in Seattle, Washington, on April 4, 2013.

**Clark Desing,**

Manager, Operations Support Group, Western Service Center.

[FR Doc. 2013–08826 Filed 4–15–13; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2012–1254; Airspace Docket No. 12–ANM–28]

#### Modification of Class E Airspace; Lakeview, OR

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class E airspace at Lakeview, OR, to accommodate aircraft using Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures at Lakeview County Airport. This improves the safety and management of Instrument Flight Rules (IFR) operations at the airport. This action also corrects the airport name.

**DATES:** Effective date, 0901 UTC, June 27, 2013. 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:

Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA, 98057; telephone (425) 203–4537.

#### SUPPLEMENTARY INFORMATION:

#### History

On January 24, 2013, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to modify controlled airspace at Lakeview, OR (78 FR 5155). 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 E airspace designations are published in paragraph 6005, of FAA Order 7400.9W dated August 8, 2012, and effective September 15, 2012, 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 modifying Class E surface airspace extending upward from 700 feet above the surface at Lakeview County Airport, Lakeview, OR, to accommodate IFR aircraft executing RNAV (GPS) standard

instrument approach procedures at the airport. This action is necessary for the safety and management of IFR operations. Also, the airport formerly called Lakeview Airport is changed to Lakeview County Airport.

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 will only affect air traffic procedures and air navigation, it is certified this rule, when promulgated, will 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 modifies controlled airspace at Lakeview County Airport, Lakeview, OR.

#### 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 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, and effective September 15, 2012 is amended as follows:

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

\* \* \* \* \*

### ANM OR E5 Lakeview, OR [Modified]

Lakeview County Airport, OR  
(Lat. 42°09'40" N., long. 120°23'57" W.)

That airspace extending upward from 700 feet above the surface within a 4.3-mile radius of the Lakeview County Airport, and within 1.8 miles each side of the 180° bearing of the airport extending from the 4.3-mile radius to 7 miles south of the airport; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at lat. 42°50'00" N., long. 120°57'00" W.; to lat. 42°54'00" N., long. 120°22'00" W.; to lat. 41°23'00" N., long. 119°52'00" W.; to lat. 41°17'00" N., long. 120°25'00" W.; to lat. 41°41'00" N., long. 120°41'00" W., thence to the point of beginning; that airspace extending upward from 10,500 feet MSL bounded on the north by lat. 44°00'00" N., on the east by a line extending from lat. 44°00'00" N., long. 120°00'04" W., to the north edge of V–122 at long. 119°00'04" W., on the south by the north edge of V–122, and on the west by the east edge of V–165.

Issued in Seattle, Washington, on April 2, 2013.

**Clark Desing,**

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

[FR Doc. 2013–08812 Filed 4–15–13; 8:45 am]

**BILLING CODE 4910–13–P**

## COMMODITY FUTURES TRADING COMMISSION

**17 CFR Parts 1, 3, 5, 9, 11, 31, 40, 41, 140, 145, 170, 171 and 190**

**RIN 3038–AE03**

### Reassignment of Commission Staff Responsibilities and Delegations of Authority

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission is amending its regulations to reflect the reassignment of responsibilities, including delegations of authority, resulting from its recent reorganization of Commission staff. Effective October 9, 2011, the Commission abolished the Division of Clearing and Intermediary Oversight and reassigned its staff and responsibilities to the newly established Division of Swap Dealer and Intermediary Oversight and Division of Clearing and Risk.

**DATES:** These amendments shall become effective on April 16, 2013.

### FOR FURTHER INFORMATION CONTACT:

Frank Fisanich, Chief Counsel, Telephone: (202) 418–5949, Email: [ffisanich@cftc.gov](mailto:ffisanich@cftc.gov), Amanda Leshner Olear, Special Counsel, Telephone: (202) 418–5283, Email: [aolear@cftc.gov](mailto:aolear@cftc.gov), Division of Swap Dealer and Intermediary Oversight; or Robert Wasserman, Chief Counsel, Telephone: (202) 418–5092, Email: [rwasserman@cftc.gov](mailto:rwasserman@cftc.gov), Jocelyn Partridge, Special Counsel, Telephone: (202) 418–5926, Email: [jpartridge@cftc.gov](mailto:jpartridge@cftc.gov), Division of Clearing and Risk, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.

### SUPPLEMENTARY INFORMATION:

#### I. Background

On July 21, 2010, President Obama signed the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank Act”),<sup>1</sup> which extensively revises the Commodity Exchange Act.<sup>2</sup> In order to more effectively implement its provisions, the Commission has reorganized its operating divisions. Under the reorganized structure, the Division of Clearing and Intermediary Oversight has been reconfigured into two new divisions: the Division of Swap Dealer and Intermediary Oversight and the Division of Clearing and Risk.

The Commission is amending its regulations to reflect this reorganized structure. Accordingly, as indicated in the chart below, the Commission is deleting references to the former division and replacing them with references to the new divisions in the Commission’s regulations. As amended, the regulations will reflect new assignments of responsibilities,

including delegated authorities, to the new divisions.

## II. Related Matters

### A. Administrative Procedure Act

The amendments to the Commission’s regulations in this rulemaking do not establish any new substantive or legislative rules, but rather relate solely to the restructuring of responsibilities within the Commission, including amendments re-delegating authority to newly formed divisions, and therefore relate solely to agency organization, procedure, and practice. Therefore, this rulemaking is excepted from the public rulemaking provisions of the Administrative Procedure Act.<sup>3</sup> Additionally, as the revisions to the Commission’s regulations in this rulemaking will not cause any party to undertake efforts to comply with the regulations as revised, the Commission has determined to make this rulemaking effective upon publication in the **Federal Register**.<sup>4</sup>

### B. Regulatory Flexibility Act

The Regulatory Flexibility Act requires the Commission to consider whether the regulations it adopts will have a significant economic impact on a substantial number of small entities.<sup>5</sup> The Commission is obligated to conduct a regulatory flexibility analysis for any rule for which the agency publishes a general notice of proposed rulemaking pursuant to section 553(b) of the Administrative Procedure Act.<sup>6</sup> This rulemaking is excepted from the public rulemaking provisions of the Administrative Procedure Act. Accordingly, the Commission is not obligated to conduct a regulatory flexibility analysis for this rulemaking.

### C. Paperwork Reduction Act

The Commission may not conduct or sponsor, and a respondent is not required to respond to, a collection of information contained in a rulemaking unless the information collection displays a currently valid control number issued by the Office of Management and Budget (“OMB”) pursuant to the Paperwork Reduction Act.<sup>7</sup> This rulemaking contains no collection of information for which the Commission is obligated to obtain a control number from OMB.

<sup>1</sup> See Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111–203, 124 Stat. 1376 (2010). The text of the Dodd-Frank Act may be accessed at <http://www.cftc.gov/LawRegulation/OTCDERIVATIVES/index.htm>.

<sup>2</sup> The Commodity Exchange Act may be found at 7 U.S.C. 1 et seq.

<sup>3</sup> 5 U.S.C. 553(b).

<sup>4</sup> See 5 U.S.C. 553(d).

<sup>5</sup> See 5 U.S.C. 601 et seq.

<sup>6</sup> 5 U.S.C. 601(2).

<sup>7</sup> See 44 U.S.C. 3501 et seq.