

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-2006-24813/Airspace Docket No. 06-AAL-16." The postcard will be date/time stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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 "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, 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 United States Code. Subtitle 1, 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 1, Section 40103, Sovereignty and use of airspace. Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority because it follows the U.S. Army's actions in renaming Wainwright AAF to Ladd AAF and thereby changes the Class E airspace description in FAA Order 7400.9N and represents the FAA's continuing effort to safely and efficiently use the navigable airspace.

#### 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 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 7400.9N, *Airspace Designations and Reporting Points*, dated September 1, 2005, and effective September 15, 2005, is amended as follows:

*Paragraph 5000—General.*

\* \* \* \* \*

#### AAL AK D Fairbanks, Ladd AAF, AK [Revised]

That airspace extending upward from the surface within a 5.3-mile radius of lat. 64°50'11" N., long. 147°37'01" W. to and including 2900 feet MSL, excluding the portion north and west of a line from lat. 64°45'14" N., long. 147°41'16" W.; to lat. 64°51'10" N., long. 147°44'09" W.; to lat. 64°54'48" N., long. 147°30'57" W. 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 Alaska Supplement (Airport/Facility Directory).

\* \* \* \* \*

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

#### AAL AK E4 Fairbanks, Ladd AAF, AK [Revised]

Fairbanks VORTAC

(Lat. 64°48'00" N., long. 148°00'43" W.)

Chena NDB

(Lat. 64°50'19" N., long. 147°29'42" W.)

That airspace extending upward from the surface within 2.4 miles each side of the Chena NDB 089° bearing extending from the 5.3-mile radius of lat. 64°50'11" N., long. 147°37'01" W. to 10.1 miles east of lat. 64°50'11" N., long. 147°37'01" W., and within 1.8 miles north of the Fairbanks VORTAC 078° radial extending from the 5.3-mile radius of lat. 64°50'11" N., long. 147°37'01" W. to 9.9 miles east of lat. 64°50'11" N., long. 147°37'01" W.; excluding the portion of the arrival extension south of a line from lat.

64°48'52" N., long. 147°12'04" W. to lat. 64°47'27" N., long. 147°25'56" W. This Class E 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 Alaska Supplement (Airport/Facility Directory).

*Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth*

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#### AAL AK E5 Fairbanks, Ladd AAF, AK [Revised]

Fairbanks VORTAC

(Lat. 64°48'00" N., long. 148°00'43" W.)

Chena NDB

(Lat. 64°50'19" N., long. 147°29'42" W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of lat. 64°50'11" N., long. 147°37'01" W. and within 3.9 miles each side of the 089° bearing of the Chena NDB extending from the 6.8-mile radius to 12.9 miles east of lat. 64°50'11" N., long. 147°37'01" W. and within 3.8 miles north of the 078° radial of the Fairbanks VORTAC extending from the 6.8-mile radius to 9.9 miles east of lat. 64°50'11" N., long. 147°37'01" W.

\* \* \* \* \*

Issued in Anchorage, AK, on July 7, 2006.

**Anthony M. Wylie,**

*Director, Flight Service Information Office (AK).*

[FR Doc. E6-11168 Filed 7-14-06; 8:45 am]

**BILLING CODE 4910-13-P**

## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Part 30

#### Foreign Futures and Options Transactions

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Amended Supplemental Order for Expanded Relief.

**SUMMARY:** The Commodity Futures Trading Commission ("Commission or CFTC") is issuing an Amended Supplemental Order for expanded relief, authorizing members of the Sydney Futures Exchange ("Exchange or SFE") to solicit and accept orders from U.S. customers for otherwise permitted transactions on all non-U.S. and non-Australian exchanges ("foreign exchanges") where such members are authorized by the regulations of the SFE to conduct futures business for customers. The Amended Supplemental Order supercedes the prior Supplemental Orders, relating to expanded relief, issued to SFE in 1997 and 1993. This Amended Supplemental Order is issued pursuant to Commission

Regulation 30.10, which permits the Commission to grant an exemption from certain provisions of Part 30 of the Commission's regulations, and the Commission's Order to SFE dated November 1, 1988 (Original Order), granting relief under Regulation 30.10 to designated members of the Exchange.

**DATES:** *Effective Date:* July 17, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Lawrence B. Patent, Esq., Deputy Director, or Susan A. Elliott, Esq., Special Counsel, Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581. Telephone: (202) 418-5430.

**SUPPLEMENTARY INFORMATION:** The Commission has issued the following Order: Amended Supplemental Order Under CFTC Regulation 30.10 Exempting Firms Designated by the Sydney Futures Exchange From the Application of Certain of the Foreign Futures and Option Regulations for Trading on Certain Non-U.S. and non-Australian Exchanges ("Foreign Exchanges"), After Filing of Consents by Such Firms and the Sydney Futures Exchange, as Appropriate, to the Terms and Conditions of the Order Herein.

On November 1, 1988, the Commission issued an Order under Regulation 30.10 authorizing designated members of the SFE to offer or sell certain futures and option contracts traded on the Exchange to persons located in the United States.<sup>1</sup> The Original Order limited the scope of permissible brokerage activities undertaken by designated SFE members on behalf of U.S. customers to transactions "on or subject to the rules of the Exchange."<sup>2</sup> Subsequently, the Commission issued Regulation 30.10 orders which did not include this limitation (expanded relief), including such orders to SFE.<sup>3</sup>

A condition of the Commission's grant of expanded relief in 1993 is that SFE carry out its compliance, surveillance and rule enforcement activities with respect to solicitations and acceptance of orders by designated SFE members of U.S. customers for futures business on Recognized Futures Exchanges, as defined in Section 9(b) of the Australian Corporations Law (ACL), other than a contract market designated as such pursuant to section 5a of the

Commodity Exchange Act (Act), to the same extent that it conducts such activities with regard to SFE business.

The passage of the Financial Services Reform Act (FSRA) in Australia in March 2002 eliminated the list of Recognized Futures Exchanges as defined in the ACL. A condition for the granting of Part 30 Expanded Relief to SFE in 1993 was that a foreign exchange be included on that list. This Amended Supplemental Order eliminates this condition, and substitutes the condition that SFE must identify in its rules the foreign exchanges on which its members handle transactions on behalf of U.S. customers.<sup>4</sup> SFE has submitted a proposal to its regulator, the Australian Securities and Investments Commission (ASIC),<sup>5</sup> representing that it will identify in its rules the foreign exchanges on which its members may handle transactions on behalf of U.S. customers, pursuant to its expanded relief. SFE will make the rule effective on August 1, 2006.

The relief provided under this Amended Supplemental Order, however, is contingent on the SFE's Exchange Members' continued compliance with the Original Order and the Exchange's and Exchange Members' compliance with the following conditions:

(1) The SFE will carry out its compliance, surveillance and rule enforcement activities with respect to solicitations and acceptance of orders by designated Exchange Members of U.S. customers for options and futures business on all non-U.S. exchanges listed in Rule 2.2.30(a) of the Exchange rules to the same extent that it conducts such activities in regard to Exchange business;

(2) The SFE will cooperate with the Commission with respect to any inquiries concerning any activity that is the subject of this Amended Supplemental Order, including sharing the information specified in Appendix A to the Commission's part 30 regulations, 17 CFR part 30, on an "as needed" basis on the same basis as set forth in the Original Order;

(3) Each SFE Member confirmed for relief under the Original Order seeking to engage in activities that are the

subject of this Amended Supplemental Order must agree to provide the books and records related to such activities required to be maintained under the applicable laws and regulations now in effect in Australia and Exchange regulations on the same basis as set forth in the Original Order;<sup>6</sup>

(4) Foreign futures and options exchanges on which each SFE Member firm may engage in transactions on behalf of U.S. customers are those foreign exchanges identified in Rule 2.2.30(a) of the Exchange rules, provided however, that Exchange Members may not engage in any transactions on behalf of U.S. customers on an exchange designated as a contract market under section 5 of the Act;

(5) SFE Members who apply for confirmation of Regulation 30.10 relief with National Futures Association must provide a list of the foreign exchanges where they intend to engage in transactions on behalf of U.S. customers pursuant to the SFE Expanded Relief granted in this order and must agree to abide by the Original Order; and

(6) The SFE will continue to comply with the terms of the Original Order with respect to transactions effected for U.S. customers on the SFE.

This Amended Supplemental Order is issued based on the information provided to the Commission and its staff. Any changes or material omissions may require the Commission to reconsider the authorization granted in this Amended Supplemental Order.

**List of Subjects in 17 CFR Part 30**

Commodity futures, Commodity options, Foreign futures.

■ Accordingly, the Commission hereby amends Chapter I of Title 17 of the Code of Federal Regulations as follows:

**PART 30—FOREIGN FUTURES AND FOREIGN OPTION TRANSACTIONS**

■ 1. The authority citation for part 30 continues to read as follows:

**Authority:** Secs. 1a, 2(a)(1)(A), 4, 4c, and 8a of the Commodity Exchange Act, 7 U.S.C. 1a, 2, 6, 6c and 12a.

**Appendix C to Part 30—[Amended]**

■ 2. Appendix C to Part 30—Foreign Petitioners Granted Relief from the

<sup>4</sup> Relief under this Amended Supplemental Order extends only to those products falling within the jurisdiction of the Act and remains subject to existing product restrictions under the Act and Commission regulations thereunder related to stock indices and foreign government debt (see Section 2(a)(1)(B)(v) of the Act and Securities and Exchange Commission Regulation 3a12-8, 17 CFR 240.3a12-8 (2006)).

<sup>5</sup> Letter of April 3, 2006 from Barbara Jones, Senior Legal Counsel, SFE, to Ms. Tracey Lyons, Director, Markets Regulation, ASIC.

<sup>6</sup> SFE member firms that currently operate under the Original Order will be deemed to have consented to condition (3) by effecting transactions pursuant to this Amended Supplemental Order. Exchange members who apply for confirmation of Regulation 30.10 relief subsequent to the issuance of this Amended Supplemental Order must submit representations to the National Futures Association consistent with condition (3) of this Order, and the list of foreign exchanges required by condition (4), as well as the representations required by the Original Order.

<sup>1</sup> 53 FR 44856 (November 7, 1988).

<sup>2</sup> 53 FR at 44857.

<sup>3</sup> 58 FR 19209 (April 13, 1993), hereafter 1993 Supplemental Order, and 62 FR 10445 (March 7, 1997), hereafter 1997 Supplemental Order. The 1997 Supplemental Order clarified certain depository requirements later adopted as Regulation 30.7, 17 CFR 30.7 (2006).

Application of Certain of the Part 30 Rules. The following citation is added:

Firms designated by the Sydney Futures Exchange Limited.

\* \* \* \* \*

FR date and citation: 70 FR [insert number of page on which this release begins] July 17, 2006.

\* \* \* \* \*

Issued in Washington, DC, on July 11, 2006.

**Eileen A. Donovan,**

*Acting Secretary of the Commission.*

[FR Doc. E6-11152 Filed 7-14-06; 8:45 am]

BILLING CODE 6351-01-P

## DEPARTMENT OF THE TREASURY

### Alcohol and Tobacco Tax and Trade Bureau

#### 27 CFR Part 9

[T.D. TTB-52; Re: Notice No. 55]

RIN 1513-AB15

#### Establishment of the Saddle Rock-Malibu Viticultural Area (2003R-110P)

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau, Treasury.

**ACTION:** Final rule; Treasury decision.

**SUMMARY:** This Treasury decision establishes the 2,090-acre Saddle Rock-Malibu viticultural area in Los Angeles County, California. We designate viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase.

**DATES:** *Effective Date:* August 16, 2006.

**FOR FURTHER INFORMATION CONTACT:** N.A. Sutton, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 925 Lakeville St., No. 158, Petaluma, CA 94952; telephone 415-271-1254.

#### SUPPLEMENTARY INFORMATION:

##### Background on Viticultural Areas

###### *TTB Authority*

Section 105(e) of the Federal Alcohol Administration Act (the FAA Act, 27 U.S.C. 201 *et seq.*) requires that alcohol beverage labels provide consumers with adequate information regarding product identity and prohibits the use of misleading information on those labels. The FAA Act also authorizes the Secretary of the Treasury to issue regulations to carry out its provisions. The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers these regulations.

Part 4 of the TTB regulations (27 CFR part 4) allows the establishment of

definitive viticultural areas and the use of their names as appellations of origin on wine labels and in wine advertisements. Part 9 of the TTB regulations (27 CFR part 9) contains the list of approved viticultural areas.

###### *Definition*

Section 4.25(e)(1)(i) of the TTB regulations (27 CFR 4.25(e)(1)(i)) defines a viticultural area for American wine as a delimited grape-growing region distinguishable by geographical features, the boundaries of which have been recognized and defined in part 9 of the regulations. These designations allow vintners and consumers to attribute a given quality, reputation, or other characteristic of a wine made from grapes grown in an area to its geographical origin. The establishment of viticultural areas allows vintners to describe more accurately the origin of their wines to consumers and helps consumers to identify wines they may purchase. Establishment of a viticultural area is neither an approval nor an endorsement by TTB of the wine produced in that area.

###### *Requirements*

Section 4.25(e)(2) of the TTB regulations outlines the procedure for proposing an American viticultural area and provides that any interested party may petition TTB to establish a grape-growing region as a viticultural area. Section 9.3(b) of the TTB regulations requires the petition to include—

- Evidence that the proposed viticultural area is locally and/or nationally known by the name specified in the petition;
- Historical or current evidence that supports setting the boundary of the proposed viticultural area as the petition specifies;
- Evidence relating to the geographical features, such as climate, soils, elevation, and physical features, that distinguish the proposed viticultural area from surrounding areas;
- A description of the specific boundary of the proposed viticultural area, based on features found on United States Geological Survey (USGS) maps; and
- A copy of the appropriate USGS map(s) with the proposed viticultural area's boundary prominently marked.

##### **Saddle Rock-Malibu Viticultural Area Petition and Rulemaking**

###### *Background*

Lisa A. Semler and Derek Baugh of Semler Malibu Estate Vineyards in Malibu, California, submitted a petition to establish the Saddle Rock-Malibu

viticultural area. Located in western Los Angeles County, California, the proposed viticultural area covers approximately 2,090 acres in the Santa Monica Mountains, approximately 32 miles west of downtown Los Angeles and 5 miles inland from the Pacific Ocean. The proposed area lies between 1,700 and 2,236 feet in elevation and has 70 acres of vineyards located between 1,800 and 2,000 feet in elevation.

The primary distinguishing viticultural features of the proposed Saddle Rock-Malibu viticultural area include its high elevation and location, as well as its orientation within the Santa Monica Mountains, which limits its exposure to the cooling Pacific marine inversion layer, according to the petition. As a result, the proposed area receives more solar radiation and is warmer than neighboring areas with more marine influence during the growing season.

The information submitted in support of the petition is summarized below.

###### *Name Evidence*

The name of the proposed Saddle Rock-Malibu viticultural area combines the name of a high, prominent rock formation within the proposed area, Saddle Rock, with the name of the surrounding region of western Los Angeles County, Malibu. According to the petition, the "Saddle Rock-Malibu" name provides an accurate geographical description of the proposed viticultural area.

Located in the Santa Monica Mountains near the center of the proposed area, Saddle Rock is a prominent saddle-shaped rock formation that rises 2,000 feet above sea level. Saddle Rock is identified on the USGS Point Dume, California, quadrangle map in section 12, T1S/R19W. Saddle Rock Ranch is located within the proposed viticultural area, and the Saddle Rock Pictograph Site, located on the ranch between Saddle Rock and Mitten Rock, is a National Historic Landmark. The pictographs found at the Saddle Rock site are characteristic of the Chumash Indian art style, according to the National Park Service's National Historic Landmark Web site, which also notes that Saddle and Mitten Rocks served as landmarks for prehistoric and early historic travelers (see [http://www.cr.nps.gov/nhl/DOE\\_dedesignations/saddlerock.htm](http://www.cr.nps.gov/nhl/DOE_dedesignations/saddlerock.htm)).

The Malibu region, which the petition describes as encompassing western Los Angeles County from the ridge line of the Santa Monica Mountains in the north to the Pacific Ocean in the south