

necessary as a result of this action. Should any changes become necessary, they would be submitted to OMB for approval.

This rule imposes no additional reporting or recordkeeping requirements on either small or large California kiwifruit handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. As noted in the initial regulatory flexibility analysis, USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this final rule.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

A proposed rule concerning this action was published in the **Federal Register** on November 5, 2015 (80 FR 68473). Copies of the proposed rule were also mailed or sent via facsimile to all California kiwifruit handlers. Finally, the proposal was made available through the internet by USDA and the Office of the Federal Register. A 15-day comment period ending November 20, 2015, was provided for interested persons to respond to the proposal. One comment in support of the rule was received, with the commenter requesting more information on the type of research the committee was conducting. The research the Committee recommended involves two field trials during the first year of a research proposal to study the beneficial effects of Nimitz nematocide on the Root-knot nematode. This type of production research is authorized under § 920.47 of the marketing order and will benefit growers. Accordingly, no changes will be made to the rule as proposed, based on the comment received.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/rules-regulations/moa/small-businesses>. Any questions about the compliance guide should be sent to Jeffrey Smutny at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth,

will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it also found and determined that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) The 2015–16 fiscal year began on August 1, 2015. Handlers began shipping kiwifruit in September and the marketing order requires that the rate of assessment apply to all assessable kiwifruit handled during the fiscal period; (2) the Committee needs to have sufficient funds to pay its expenses, which are incurred on a continuous basis; and (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years. Also, a 15-day comment period was provided for in the proposed rule, and one supportive comment was received.

#### List of Subjects in 7 CFR Part 920

Kiwifruit, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 920 is amended as follows:

#### PART 920—KIWIFRUIT GROWN IN CALIFORNIA

- 1. The authority citation for 7 CFR part 920 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

- 2. Section 920.213 is revised to read as follows:

#### § 920.213 Assessment rate.

On and after August 1, 2015, an assessment rate of \$0.040 per 9-kilo volume-fill container or equivalent of kiwifruit is established for kiwifruit grown in California.

Dated: January 29, 2016.

**Erin Morris,**

*Associate Administrator, Agricultural Marketing Service.*

[FR Doc. 2016–02067 Filed 2–2–16; 8:45 am]

**BILLING CODE 3410–02–P**

#### DEPARTMENT OF AGRICULTURE

#### National Institute of Food and Agriculture

#### 7 CFR Part 3434

**RIN 0524–AA39**

#### Hispanic-Serving Agricultural Colleges and Universities (HSACU)

**AGENCY:** National Institute of Food and Agriculture (NIFA), USDA.

**ACTION:** Final rule.

**SUMMARY:** This rule updates the list of institutions that are granted HSACU certification by the Secretary and are eligible for HSACU programs for the period starting October 1, 2015, and ending September 30, 2016.

**DATES:** This rule is effective February 3, 2016 and applicable October 1, 2015.

**FOR FURTHER INFORMATION CONTACT:** Lisa DePaolo; Policy Analyst; National Institute of Food and Agriculture; U.S. Department of Agriculture; STOP 2272; 1400 Independence Avenue SW.; Washington, DC 20250–2272; Voice: 202–401–5061; Fax: 202–401–7752; Email: [ldepaolo@nifa.usda.gov](mailto:ldepaolo@nifa.usda.gov).

#### SUPPLEMENTARY INFORMATION:

#### HSACU Institutions for Fiscal Year 2016

This rule makes changes to the existing list of institutions in Appendix B of 7 CFR part 3434. The list of institutions is amended to reflect the institutions that are granted HSACU certification by the Secretary and are eligible for HSACU programs for the period starting October 1, 2015, and ending September 30, 2016.

#### Certification Process

As stated in 7 CFR 3434.4, an institution must meet the following criteria to receive HSACU certification: (1) Be a Hispanic-Serving Institution (HSI), (2) offer agriculture-related degrees, (3) not appear on the Excluded Parties List System (EPLS), (4) be accredited, and (5) award at least 15% of agriculture-related degrees to Hispanic students over the two most recent academic years.

NIFA obtained the latest report from the U.S. Department of Education's National Center for Education Statistics that lists all HSIs and the degrees conferred by these institutions (completion data) during the 2013–14 academic year. NIFA used this report to identify HSIs that conferred a degree in an instructional program that appears in Appendix A of 7 CFR part 3434 and to confirm that over the 2012–13 and 2013–14 academic years at least 15% of the degrees in agriculture-related fields were awarded to Hispanic students. NIFA further confirmed that these institutions were nationally accredited and were not listed in the System for Award Management (<https://www.sam.gov>) with exclusions.

The updated list of HSACUs is based on (1) completions data from 2012–13 and 2013–14, and (2) enrollment data from Fall 2014. NIFA identified 101 institutions that met the eligibility criteria to receive HSACU certification

for FY 2016 (October 1, 2015 to September 30, 2016).

### Declaration of Intent To Apply for NLGCA Designation

As set forth in Section 7101 of the Agricultural Act of 2014 (Pub. L. 113–79), which amends 7 U.S.C. 3103, an institution that is eligible to be designated as an HSACU may notify the Secretary of its intent not to be considered an HSACU. To opt out of designation as an HSACU, an authorized official at the institution must submit a declaration of intent not to be considered an HSACU to NIFA by email at [NLGCA.status@nifa.usda.gov](mailto:NLGCA.status@nifa.usda.gov). In accordance with Section 7101, a declaration by an institution not to be considered an HSACU shall remain in effect until September 30, 2018. Institutions that opt out of HSACU designation will have the option to apply for designation as a Non-Land Grant College of Agriculture (NLGCA) institution. To be eligible for NLGCA designation, institutions must be public colleges or universities offering baccalaureate or higher degrees in the study of food and agricultural sciences, as defined in 7 U.S.C. 3103. An online form to request NLGCA designation is available at <http://nifa.usda.gov/webform/request-non-land-grant-college-agriculture-designation>.

In FY 2014 and FY 2015, six institutions opted out of their HSACU designation and received NLGCA designation, hence they are excluded from the FY 2016 HSACU list.

### Appeal Process

As set forth in 7 CFR 3434.8, NIFA will permit HSIs that are not granted HSACU certification to submit an appeal within 30 days of the publication of this notice.

### Classification

This rule relates to internal agency management. Accordingly, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comment are not required, and this rule may be made effective less than 30 days after publication in the **Federal Register**. This rule also is exempt from the provisions of Executive Order 12866. This action is not a rule as defined by the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 601 *et seq.*, or the Congressional Review Act, 5 U.S.C. 801 *et seq.*, and thus is exempt from the provisions of those Acts. This rule contains no information collection or recordkeeping requirements under the

Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

### List of Subjects in 7 CFR Part 3434

Administrative practice and procedure; Agricultural research, education, extension; Hispanic-Serving Institutions; Federal assistance.

Title 7, part 3434, of the Code of Federal Regulations is amended accordingly as set forth below:

### PART 3434—HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES CERTIFICATION PROCESS

■ 1. The authority citation for Part 3434 continues to read as follows:

**Authority:** 7 U.S.C. 3103.

■ 2. Revise part 3434 Appendix B to read as follows:

#### Appendix B to Part 3434—List of HSACU Institutions, 2015–2016

The institutions listed in this appendix are granted HSACU certification by the Secretary and are eligible for HSACU programs for the period starting October 1, 2015, and ending September 30, 2016. Institutions are listed alphabetically under the state of the school's location, with the campus indicated where applicable.

#### Arizona (3)

Arizona Western College  
Cochise College  
Phoenix College

#### California (39)

Allan Hancock College  
Antelope Valley College  
Antioch University—Los Angeles  
Bakersfield College  
California Baptist University  
California Lutheran University  
California State University—Dominquez Hills  
California State University—East Bay  
California State University—Long Beach  
California State University—San Bernardino  
College of San Mateo  
College of the Desert  
College of the Sequoias  
El Camino Community College District  
Fullerton College  
Golden West College  
Hartnell College  
Imperial Valley College  
Long Beach City College  
Los Angeles City College  
Los Angeles Pierce College  
Mendocino College  
Merced College  
MiraCosta College  
Modesto Junior College  
Monterey Peninsula College  
Mt. San Antonio College  
Mt. San Jacinto Community College District  
National University  
Pacific Union College  
Porterville College  
Reedley College  
Saddleback College

Saint Mary's College of California  
San Diego City College  
San Diego Mesa College  
San Diego State University  
San Francisco State University  
San Jose State University  
Santa Ana College  
University of California-Riverside  
University of La Verne  
West Hills College Coalinga  
Whittier College

#### Colorado (1)

Trinidad State Junior College

#### Florida (5)

Broward College  
Florida International University  
Miami Dade College  
Nova Southeastern University  
Valencia College

#### Nevada (2)

College of Southern Nevada  
Truckee Meadows Community College

#### New Jersey (2)

Saint Peter's University  
William Paterson University of New Jersey

#### New Mexico (9)

Central New Mexico Community College  
Eastern New Mexico University—Main Campus  
Eastern New Mexico University—Ruidoso Campus  
Mesalands Community College  
New Mexico Highlands University  
New Mexico Institute of Mining and Technology  
Northern New Mexico College  
University of New Mexico—Main Campus  
Western New Mexico University

#### New York (2)

CUNY Bronx Community College  
CUNY LaGuardia Community College

#### Puerto Rico (15)

Bayamon Central University  
Instituto Tecnológico de Puerto Rico—Manatí  
Inter American University of Puerto Rico—Aguadilla  
Inter American University of Puerto Rico—Bayamon  
Inter American University of Puerto Rico—Metro  
Inter American University of Puerto Rico—Ponce  
Inter American University of Puerto Rico—San German  
Pontifical Catholic University of Puerto Rico—Ponce  
Universidad Del Turabo  
Universidad Metropolitana  
University of Puerto Rico—Arecibo  
University of Puerto Rico—Humacao  
University of Puerto Rico—Medical Sciences Campus  
University of Puerto Rico—Rio Piedras Campus  
University of Puerto Rico—Utuado

#### Texas (22)

Houston Community College  
Lee College  
Palo Alto College

Richland College  
 San Antonio College  
 Saint Edward's University  
 St. Mary's University  
 Southwest Texas Junior College  
 Texas A&M International University  
 Texas A&M University—Corpus Christi  
 Texas A&M University—Kingsville  
 Texas State Technical College—Harlingen  
 Texas State University  
 University of Houston  
 University of Houston—Clear Lake  
 University of St. Thomas  
 University of Texas at Arlington  
 University of Texas at Brownsville  
 University of Texas at El Paso  
 University of Texas at San Antonio  
 University of Texas Rio Grande Valley  
 University of the Incarnate Word

#### Washington (3)

Columbia Basin College  
 Wenatchee Valley College  
 Yakima Valley Community College

Done in Washington, DC, this 21st day of January, 2016.

**Sonny Ramaswamy,**

*Director, National Institute of Food and Agriculture.*

[FR Doc. 2016-01893 Filed 2-2-16; 8:45 am]

**BILLING CODE 3410-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 31055; Amdt. No. 3677]

#### Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures (ODPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective February 3, 2016. The compliance date for each SIAP, associated Takeoff Minimums,

and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of February 3, 2016.

**ADDRESSES:** Availability of matters incorporated by reference in the amendment is as follows:

#### For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE., West Bldg., Ground Floor, Washington, DC 20590-0001;

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Navigation Products, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. 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).

#### Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at [nfdc.faa.gov](http://nfdc.faa.gov) to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

#### FOR FURTHER INFORMATION CONTACT:

Richard A. Dunham III, Flight Procedure Standards Branch (AFS-420), Flight Technologies and Programs Divisions, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082, Oklahoma City, OK 73125), Telephone: 405-954-4164.

**SUPPLEMENTARY INFORMATION:** This rule amends Title 14 of the Code of Federal Regulations, Part 97 (14 CFR part 97), by establishing, amending, suspending, or removes SIAPs, Takeoff Minimums and/or ODPs. The complete regulatory description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA forms are FAA Forms 8260-3, 8260-4, 8260-5, 8260-15A, and 8260-15B when required by an entry on 8260-15A.

The large number of SIAPs, Takeoff Minimums and ODPs, their complex nature, and the need for a special format make publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA form documents is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPs, Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure, and the amendment number.

#### Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPs, Takeoff Minimums and/or ODPs as identified in the amendatory language for part 97 of this final rule.

#### The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find