C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No comments were solicited or received on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4 (f)(6) thereunder.13

A proposed rule change filed under Rule 19b–4 (f)(6) normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4 (f)(6)(iii)14 permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposed rule change will become operative on filing. Waiver of the operative delay would allow the Exchange to implement the proposed rule change on May 14, 2018, which is same day as the anticipated date for the migration of C2 to the Bats technology platform. The Exchange stated that the proposed rule change promotes the protection of investors and the public interest because it would minimize the amount of disruption as C2 (and eventually Cboe Options) migrates to the Bats technology platform. Therefore, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.15 At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments:
- Use the Commission’s internet comment form (http://www.sec.gov/rules/sro.shtml); or
- Send an email to rule-comments@ sec.gov. Please include File Number SR–CboeBYX–2018–005 on the subject line.

Paper Comments:
- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to File Number SR–CboeBYX–2018–005 on the subject line.

Comments should be submitted on or before June 12, 2018.

Although comments are solicited from all interested persons, no written comments are required to be submitted by any person, entity, organization, or governmental entity. Comments must be received on or before June 12, 2018.

Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–CboeBYX–2018–005, and should be submitted on or before June 12, 2018. For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.16 Eduardo A. Aleman, Assistant Secretary.

[FR Doc. 2018–10827 Filed 5–21–18; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration


AGENCY: Federal Aviation Administration, (FAA), Department of Transportation.

ACTION: Notice of availability.

SUMMARY: The FAA, Western Service Area is issuing this notice to advise the public of the availability of the Categorical Exclusion/Record of Decision (CATEX/ROD) for the Proposed West Flow Area Navigation (RNAV) Standard Instrument Departure (SID) Procedures at Phoenix Sky Harbor International Airport in Phoenix, AZ.

The FAA reviewed the action and determined it to be categorically excluded from further environmental documentation.

FOR FURTHER INFORMATION CONTACT:
Marina Landis, Federal Aviation Administration, Operations Support Group, Western Service Center, 2200 S 216th St., Des Moines, WA 98198–6547 or (206) 231–2238 or https://www.faa.gov/nextgen/nextgen_near you/community_involvement/phx/.

SUPPLEMENTARY INFORMATION:

Background

The FAA is proposing to amend the west flow RNAV SID procedures from Runways 25 Left, 25 Right and 26 at Phoenix Sky Harbor International Airport, Phoenix, Arizona. The proposed amendments are consistent with the resolution of the parties as stipulated in the Memorandum

13 17 CFR 240.19b–4 (f)(6). In addition, Rule 19b–4 (f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.
15 For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule’s impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).
Regarding Implementation of the Court Order, jointly negotiated following the court's August 29, 2017, Order in City of Phoenix, Arizona v. Huerta, 869 F.3d 963 (D.C. Circuit 2017). In response to the Court's decision, the FAA and the Petitioners worked together on the best way to implement the Court's order and agreed on an approach to address the Petitioners' concerns while ensuring that aircraft operations remain safe and efficient. The FAA, in consultation with the City of Phoenix, developed the Proposed Action to comply with the Court's Order and to meet the requirements set forth in the Memorandum. The parties agreed to a two-step process for departures for the western RNAV routes. The first step (Step One) of the process would provide interim noise relief to the Petitioners by approximating the western departure routes that were in place before the September 2014 RNAV procedures. Step Two, which is not part of the current proposal, is described in the Memorandum.

Step One was further broken down into Step 1A and Step 1B. The FAA implemented Step 1A on March 29, 2018, to provide more immediate noise relief to the Petitioners. Step 1B is the subject of the current action and would involve replacing the departure routes in Step 1A and implementing nine new RNAV SID procedures. Step 1B is an independent proposed action consistent with Section 5 of the Memorandum and would constitute Step One.

Right of Appeal: This CATEX/ROD constitutes a final order of the FAA Administrator and is subject to exclusive judicial review under 49 U.S.C. 46110 by the U.S. Circuit Court of Appeals for the District of Columbia or the U.S. Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate U.S. Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 U.S.C. 46110.

Issued in Des Moines, WA, on May 16, 2018.

B.G. Chew,
Acting Manager, Operations Support Group, Western Service Center, Air Traffic Organization.

[FR Doc. 2018–09590 Filed 5–21–18; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0079]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel MAYFLOWER; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-flag vessels that uses U.S.-build requirement of the coastwise laws

Supplementary Information: As described by the applicant the intended service of the vessel MAYFLOWER is:

—Intended Commercial Use of Vessel: “Mayflower is intended to carry six or fewer passengers on weekend sailing trips to Catalina Island and along the coast of Southern California.”

—Geographic Region: “California.”

The complete application is given in D.O.T. docket MARAD–2018–0079 at http://www.regulations.gov. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 49 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an undue adverse effect on a U.S.-flag vessel or a business that uses U.S.-flag vessels in that business, a waiver will not be granted.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.


T. Mitchell Hudson, Jr., Secretary, Maritime Administration.

[FR Doc. 2018–09687 Filed 5–21–18; 8:45 am]
BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0075]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel BLACKBIRD X; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-flag vessels that uses U.S.-build requirement of the coastwise laws