

**DATES:** Effective 0901 UTC September 1, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis Jordan, Airspace Specialist, Airspace and Operations, ETSU, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434-4809, telephone: (718) 553-4521.

**SUPPLEMENTARY INFORMATION:**

**History**

On April 11, 2005, a notice proposing to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by consolidating existing Class E-5 airspace designations in the Newburgh, NY metropolitan area and incorporating those areas into the Newburgh, NY description was published in the **Federal Register** (70 FR 18337-18338). 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. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace area designations for airspace extending upward from the surface are published in paragraph 6005 of FAA Order 7400.9M, dated August 30, 2004 and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be amended in the order.

**The Rule**

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) provides controlled Class E airspace extending upward from 700 ft above the surface for aircraft conducting IFR operations within the Newburgh, NY Class E-5 airspace description.

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 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—[AMENDED]**

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

■ The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

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

\* \* \* \* \*

**AEA NY E5 Newburgh, NY [Revised]**

That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at lat. 41°23'15" N., long. 74°43'13" W., to lat. 41°47'24" N., long. 75°03'06" W., to lat. 41°53'35" N., long. 74°51'10" W., to lat. 41°54'08" N., long. 73°30'07" W., to lat. 41°38'33" N., long. 73°26'39" W., to lat. 41°21'22" N., long. 73°44'39" W., to lat. 41°26'08" N., long. 73°52'54" W., to the point of beginning, excluding that portion that coincides with the Danbury, CT Class E airspace area.

\* \* \* \* \*

Issued in Jamaica, New York, on May 31, 2005.

**John G. McCartney,**

*Acting Area Director, Eastern Terminal Operations.*

[FR Doc. 05-11331 Filed 6-7-05; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2005-20056; Airspace Docket No. 05-AEA-01]

**Amendment of Class E Airspace; Harrisburg, PA**

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects a rule that was published in the **Federal**

**Register** on April 11, 2005, (70 FR 18295-18296). It corrects an error in the legal description of Class E airspace for Harrisburg, PA.

**DATES:** Effective June 8, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis Jordan, Airspace Specialist, Airspace and Operations, ETSU, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434-4809, telephone: (718) 553-4521.

**SUPPLEMENTARY INFORMATION:** Docket No. FAA-2005-20056; Airspace Docket No. 05-AEA-01, published in the **Federal Register** on April 11, 2005 (70 FR 18295-18296), amended the description of the Class E airspace at Harrisburg, PA. An error was discovered in the geographic coordinates describing the designated airspace area. This action corrects that error.

**List of Subjects in CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Correction to Final Rule**

**§ 71.1 [Corrected]**

■ On page 18296, column 2, beginning with line 10, change to read:

**AEA PA E5 Harrisburg, PA [Revised]**

That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at lat. 39°43'19" N., long. 76°51'26" W., to lat. 70°07'49" N., long. 77°20'54" W., to lat. 40°16'46" N., long. 77°20'53" W., to lat. 40°42'10" N., long. 76°32'34" W., to lat. 40°13'15" N., long. 76°00'32" W., to lat. 40°00'59" N., long. 76°01'11" W., to the point of beginning, excluding that portion that coincides with the Pottsville, PA, Class E airspace area and the Reading, PA, Class E airspace area.

Issued in Jamaica, New York, on May 31, 2005.

**John G. McCartney,**

*Acting Area Director, Eastern Terminal Operations.*

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**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2005-20674; Airspace Docket No. 05-AEA-07]

**Amendment of Class E Airspace; Newburgh, NY**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This action removes the description of the Class E airspace designated for Joseph Y. Resnick Airport (N89), Ellenville, NY; Sullivan County International Airport (MSV), Monticello, NY; Monticello Airport (N37), NY; Stewart International Airport (SWF), Newburgh, NY; Orange County Airport (MGJ), NY; Randall Airport (06N), NY; Dutchess County Airport (POU), Poughkeepsie, NY; Sky Acres Airport (44N), NY; Stormville Airport (N69), NY; Wurtsboro-Sullivan County Airport (N82), Wurtsboro, NY. The affected Class E-5 airspace for the airports included in these descriptions will be consolidated into the amended Newburgh, NY airspace description contained in Docket No. FAA-2005-20673, Airspace Docket No. 05-AEA-06, effective September 1, 2005.

**DATES:** *Effective date:* September 1, 2005.

*Comment Date:* Comments must be received on or before July 8, 2005.

**ADDRESSES:** Send comments on the rule to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2005-20674; Airspace Docket No. 05-AEA-07 at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the rule, any comments received, and any final disposition in person in the Docket Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address. An informal docket may also be examined during normal business hours at the office of the Area Director, Eastern Terminal Operations, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, NY 11434-4890.

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**SUPPLEMENTARY INFORMATION:** Although this action is a final rule, which involves the amendment of Class E airspace within New York, by consolidating that airspace into one description, and was not preceded by notice and public procedures, comments are invited on the rule. This rule will become effective on the date specified in the **DATES** section. However,

after the review of any comments, if the FAA finds that further changes are appropriate, it will initiate rulemaking proceedings to extend the effective date or to amend the regulation.

Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule, and in determining whether additional rulemaking is required. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the rule which might suggest the need to modify the rule.

#### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) amends the description of Class E airspace in the Newburgh, NY area by removing the airspace designations for Joseph Y. Resnick Airport (N89), Ellenville, NY; Sullivan County International Airport (MSV), Monticello, NY; Monticello Airport (N37), NY; Stewart International Airport (SWF), Newburgh, NY; Orange County Airport (MGJ), NY; Randall Airport (06N), NY; Dutchess County Airport (POU), Poughkeepsie, NY; Sky Acres Airport (44N), NY; Stormville Airport (N69), NY; Wurtsboro-Sullivan County Airport (N82), Wurtsboro, NY. It consolidates those airspace areas into the amended Newburgh, NY description. The proliferation of airports with Instrument Flight Rule (IFR) operations within the Newburgh, NY geographic area has resulted in the overlap of numerous Class E airspace areas that complicate the chart depictions. This action clarifies the airspace and diminishes the scope and complexity of charting. The IFR airports within those areas will be incorporated into the Newburgh, NY Class E airspace area. Accordingly, since this action merely consolidates these airspace areas into one airspace designation and has inconsequential impact on aircraft operations in the area, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Class E airspace designations for airspace extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, 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 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 operational 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 significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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#### Adoption of the Amendment

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#### PART 71—[AMENDED]

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#### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004 and effective September 16, 2004, is amended as follows:

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

\* \* \* \* \*

AEA NY E5 Ellenville, NY [Removed]

AEA NY E5 Monticello, NY [Removed]

AEA NY E5 Poughkeepsie, NY [Removed]

AEA NY E5 Wurtsboro, NY [Removed]

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Issued in Jamaica, New York, on May 31, 2005.

**John G. McCartney,**

*Assistant Area Director, Eastern Terminal Operations.*

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