

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2005-21874; Airspace
Docket No. 05-ACE-28]

**Modification of Class E Airspace;
Dodge City Regional Airport, KS**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Direct final rule; confirmation of
effective date.

SUMMARY: This document confirms the
effective date of the direct final rule
which revises Class E airspace at Dodge
City Regional Airport, KS.

EFFECTIVE DATE: 0901 UTC, October 27,
2005.

FOR FURTHER INFORMATION CONTACT:

Brenda Mumper, Air Traffic Division,
Airspace Branch, ACE-520A, DOT
Regional Headquarters Building, Federal
Aviation Administration, 901 Locust,
Kansas City, MO 64106; telephone:
(816) 329-2524.

SUPPLEMENTARY INFORMATION: The FAA
published this direct final rule with a
request for comments in the **Federal
Register** on July 29, 2005 (70 FR 43744).
The FAA uses the direct final
rulemaking procedure for a non-
controversial rule where the FAA
believes that there will be no adverse
public comment. This direct final rule
advised the public that no adverse
comments were anticipated, and that
unless a written adverse comment, or a
written notice of intent to submit such
an adverse comment, were received
within the comment period, the
regulation would become effective on
October 27, 2005. No adverse comments
were received, and thus this notice
confirms that this direct final rule will
become effective on that date.

Issued in Kansas City, MO, on September
8, 2005.

Elizabeth S. Wallis,

*Acting Area Director, Western Flight Service
Operations.*

[FR Doc. 05-19203 Filed 9-26-05; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA-2005-22397; Airspace
Docket No. 05-ASO-9]

RIN 2120-AA66

**Modification of Restricted Area R-
3004; Fort Gordon, GA**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies
Restricted Area R-3004, Fort Gordon,
GA, by vertically subdividing the
airspace into two separate areas; R-
3004A (surface to 7,000 feet Mean Sea
Level (MSL)) and R-3004B (7,001 feet
MSL to 16,000 feet MSL). This
modification will not alter the existing
lateral boundary or current upper limit
of restricted airspace, or change the use
of the area. The FAA is taking this
action to allow for more efficient real-
time utilization of the airspace during
periods when only the lower segment of
the restricted area is needed for military
operations.

DATES: Effective 0901 UTC, December
22, 2005.

FOR FURTHER INFORMATION CONTACT: Paul
Gallant, Airspace and Rules, Office of
System Operations Airspace and AIM,
Federal Aviation Administration, 800
Independence Avenue, SW.,
Washington, DC 20591; telephone (202)
267-8783.

SUPPLEMENTARY INFORMATION:

Background

In its current configuration, R-3004
extends from the surface to 16,000 feet
MSL. However, a number of military
missions conducted in the area only
require restricted airspace up to 7,000
feet MSL. This results in the airspace
above 7,000 feet MSL being
unnecessarily restricted during periods
when only low altitude activities are in
progress. Subdividing the restricted area
at 7,000 feet MSL will facilitate the
more efficient use of airspace by
releasing the altitudes above 7,000 feet
MSL during those periods when only
the lower altitude stratum is needed for
military operations.

The Rule

This action amends Title 14 Code of
Federal Regulations (14 CFR) part 73 by
subdividing R-3004 into two separate
areas, designated R-3004A and R-
3004B. This subdivision will not change
the overall external boundaries,

designated altitudes, time of
designation, or activities conducted
within the restricted area.

This action will facilitate the release
of restricted airspace that is not needed
for military operations, and will
enhance the efficient use of the
navigable airspace. Therefore, notice
and public procedure under 5 U.S.C.
553(b) are unnecessary.

This regulation is limited to 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 Department of
Transportation (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.

Environmental Review

This action is a minor change to the
technical description of special use
airspace to internally subdivide an
existing restricted area. This action does
not alter the overall dimensions,
altitudes, or time of designation of R-
3004. Therefore, this action is not
subject to environmental assessments
and procedures in accordance with FAA
Order 1050.1E, “Environmental
Impacts: Policies and Procedures,”
paragraph 311d.

List of Subjects in 14 CFR Part 73

Airspace, Prohibited Areas, Restricted
Areas.

Adoption of the Amendment

■ In consideration of the foregoing, the
Federal Aviation Administration
amends 14 CFR part 73, as follows:

PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73
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.

§ 73.30 [Amended]

■ 2. Section 73.30 is amended as
follows:

* * * * *

R-3004 Fort Gordon, GA [Revoke]

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R-3004A Fort Gordon, GA [Added]

Boundaries. Beginning at lat. 33°21'54" N., long. 82°12'14" W.; to lat. 33°19'44" N., long. 82°12'14" W.; to lat. 33°16'21" N., long. 82°17'59" W.; to lat. 33°17'30" N., long. 82°22'59" W.; to lat. 33°21'16" N., long. 82°18'46" W.; to lat. 33°22'16" N., long. 82°16'59" W.; to the point of beginning.

Designated altitudes. Surface to 7,000 feet MSL.

Time of designation. By NOTAM 24 hours in advance.

Controlling agency. FAA, Atlanta ARTCC.
Using agency. U.S. Army, Commanding Officer, Fort Gordon, GA.

Aircraft activity is limited to the following terms and conditions:

1. Aircraft activities may not be conducted on weekends, National holidays, or the entire week of the Masters Golf Tournament.

2. Aircraft activities may only be conducted from the surface to 12,000 feet AGL.

3. Weather conditions required for aircraft activities are 5 miles visibility and with prevailing clouds or obscuring phenomena no greater than five-tenths coverage of the sky and bases no lower than 3,000 feet AGL.

R-3004B Fort Gordon, GA [Added]

Boundaries. Beginning at lat. 33°21'54" N., long. 82°12'14" W.; to lat. 33°19'44" N., long. 82°12'14" W.; to lat. 33°16'21" N., long. 82°17'59" W.; to lat. 33°17'30" N., long. 82°22'59" W.; to lat. 33°21'16" N., long. 82°18'46" W.; to lat. 33°22'16" N., long. 82°16'59" W.; to the point of beginning.

Designated altitudes. 7,001 feet MSL to 16,000 feet MSL.

Time of designation. By NOTAM 24 hours in advance

Controlling agency. FAA, Atlanta ARTCC.
Using agency. U.S. Army, Commanding Officer, Fort Gordon, GA.

Aircraft activity is limited to the following terms and conditions:

1. Aircraft activities may not be conducted on weekends, National holidays, or the entire week of the Masters Golf Tournament.

2. Aircraft activities may only be conducted from the surface to 12,000 feet AGL.

3. Weather conditions required for aircraft activities are 5 miles visibility and with prevailing clouds or obscuring phenomena no greater than five-tenths coverage of the sky and bases no lower than 3,000 feet AGL.

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Issued in Washington, DC, on September 15, 2005.

Edith V. Parish,

Acting Manager, Airspace and Rules.

[FR Doc. 05-19204 Filed 9-26-05; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 100**

[CGD05-05-076]

RIN 1625-AA08

Special Local Regulations for Marine Events; Sunset Lake, Wildwood Crest, NJ

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a special local regulation during the "Sunset Lake Hydrofest", a marine event to be held September 24 and 25, 2005, on the waters of Sunset Lake, Wildwood Crest, New Jersey. This special local regulation is necessary to provide for the safety of life on navigable waters during the event. This action will restrict vessel traffic in portions of Sunset Lake during the event.

DATES: This rule is effective from 8:30 a.m. on September 24, 2005 to 5:30 p.m. on September 25, 2005.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD05-05-076 and are available for inspection of copying at Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Dennis Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:**Regulatory Information**

On July 27, 2005, we published a notice of proposed rulemaking (NPRM) entitled "Special Local Regulations for Marine Events; Sunset Lake, Wildwood Crest, NJ" in the **Federal Register** (70 FR 43345). We received no letters commenting on the proposed rule. No public meeting was requested, and none was held.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying its effective date would be contrary to public interest, since immediate action is needed to protect event participants, spectator craft and other vessels transiting the

event area from the dangers of high-speed power boat racing. Additionally, the parameters of the safety zone are limited to the race area, and the length of time this zone will be effective is limited to the times and dates of the event.

Background and Purpose

On September 24 and 25, 2005, the Sunset Lake Hydrofest Association will sponsor the "Sunset Lake Hydrofest", on the waters of Sunset Lake near Wildwood Crest, New Jersey. The event will consist of approximately 100 inboard hydroplanes, Jersey Speed Skiffs and flat-bottom ski boats racing in heats counter-clockwise around an oval racecourse. A fleet of approximately 100 spectator vessels is expected to gather nearby to view the competition. Due to the need for vessel control during the event, vessel traffic will be temporarily restricted to provide for the safety of participants, spectators and transiting vessels.

Discussion of Comments and Changes

No comments were received in response to the notice of proposed rulemaking (NPRM) published in the **Federal Register**. Accordingly, the Coast Guard is establishing temporary special local regulations on specified waters of Sunset Lake. Since no comments were received, no changes to this regulation were made.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this regulation prevents traffic from transiting a portion of Sunset Lake during the event, the effect of this regulation would not be significant due to the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, local radio stations and area newspapers, so mariners can adjust their plans accordingly. Additionally,