

By order of the Board of Governors of the Federal Reserve System, December 14, 2007.
Jennifer J. Johnson,
Secretary of the Board.
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2007-29011; Airspace
 Docket No. 07-AAL-14]

Revision of Class D and E Airspace; Kenai, AK

AGENCY: Federal Aviation
 Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revises Class D and E airspace at Kenai, AK to provide adequate controlled airspace to contain aircraft executing Standard Instrument Approach Procedures (SIAPs). Five SIAPs are being amended for the Kenai Municipal Airport at Kenai, AK. Additionally, one textual departure procedure (DP) is being amended. This action revises existing Class D and E airspace upward from the surface, from 700 feet (ft.) and 1,200 ft. above the surface at the Kenai Municipal Airport, Kenai, AK.

DATES: *Effective Date:* 0901 UTC, February 14, 2008. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Gary Rolf, AAL-538G, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5898; fax: (907) 271-2850; e-mail: gary.ctr.rolf@faa.gov. Internet address: <http://www.alaska.faa.gov/at>.

SUPPLEMENTARY INFORMATION:

History

On Tuesday, October 16, 2007, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise Class D and E airspace upward from the surface, from 700 ft. above the surface and from 1,200 ft. above the surface at Kenai, AK (72 FR 58561). The action was proposed in order to create Class D and E airspace sufficient in size to contain aircraft while executing SIAPs for the Kenai Municipal Airport. The Notice of

Proposed Rulemaking contained an incorrect mileage annotation in the Class E5 description. It is corrected in this rule. Additionally, the Class E2 surface area was omitted, which has the same dimension as the Class D airspace. It should have been included and is addressed in this rule. Class D and E controlled airspace extending upward from the surface, from 700 ft. above the surface and from 1,200 ft. above the surface, in the Kenai Municipal Airport area is revised by this action.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. The rule is adopted as proposed with the correction to the mileage annotation and the inclusion of the Class E2 airspace description.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. Class D airspace is published in paragraph 5000 of FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class E airspace areas designated as surface areas are published in paragraph 6002 and 6004 of FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class E airspace areas designated as 700/1,200 ft. transition areas are published in paragraph 6005 of FAA Order 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 revises Class D and E airspace at the Kenai Municipal Airport, Alaska. This Class D and E airspace is revised to accommodate aircraft executing amended SIAPs, and will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at the Kenai Municipal Airport, Kenai, Alaska.

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. It, therefore—(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 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 creates Class D and E airspace sufficient in size to contain aircraft executing instrument procedures for the Kenai Municipal Airport 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 14 CFR 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 7400.9R, *Airspace Designations and Reporting Points*, signed August 15, 2007, and effective

September 15, 2007, is amended as follows:

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Paragraph 5000 General.

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AAL AK D Kenai, AK [Revised]

Kenai, Kenai Municipal Airport, AK
(Lat. 60°34'23" N., long. 151°14'42" W.)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 5.2-mile radius of the Kenai Municipal Airport, excluding the airspace below 1,100 feet MSL beyond 4 miles from the Kenai Municipal Airport extending from the 310° bearing clockwise to the 350° bearing from the Kenai Municipal Airport. 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 Airport/Facility Directory.

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Paragraph 6002 Class E Airspace Designated as Surface Areas.

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AAL AK E2 Kenai, AK [Revised]

Kenai, Kenai Municipal Airport, AK
(Lat. 60°34'23" N., long. 151°14'42" W.)
Kenai VOR/DME
(Lat. 60°36'53" N., long. 151°11'43" W.)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 5.2-mile radius of the Kenai Municipal Airport, excluding the airspace below 1,100 feet MSL beyond 4 miles from the Kenai Municipal Airport extending from the 310° bearing clockwise to the 350° bearing from the Kenai Municipal Airport; and that airspace extending upward from the surface within 3.7 miles each side of the 031° radial of the Kenai VOR/DME extending from the 5.2-mile radius of the Kenai Municipal Airport to 10.2 miles northeast of the Kenai Municipal Airport. 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 Airport/Facility Directory.

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

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AAL AK E4 Kenai, AK [Revised]

Kenai, Kenai Municipal Airport, AK
(Lat. 60°34'23" N., long. 151°14'42" W.)
Kenai VOR/DME
(Lat. 60°36'53" N., long. 151°11'43" W.)

That airspace extending upward from the surface within 3.7 miles each side of the 031° radial of the Kenai VOR/DME extending from the 5.2-mile radius of the Kenai Municipal Airport to 10.2 miles northeast of the Kenai Municipal Airport.

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

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AAL AK E5 Kenai, AK [Revised]

Kenai, Kenai Municipal Airport, AK
(Lat. 60°34'23" N., long. 151°14'42" W.)

That airspace extending upward from 700 feet above the surface within a 7.7-mile radius of the Kenai Municipal Airport and within 4 miles east and west of the 031° bearing from the Kenai Municipal Airport extending from the 7.7-mile radius to 11 miles north of the Kenai Municipal Airport; and that airspace extending upward from 1,200 feet above the surface within a 75-mile radius of the Kenai Municipal Airport.

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Issued in Anchorage, AK, on December 11, 2007.

Anthony M. Wylie,
Manager, Alaska Flight Services Information Area Group.

[FR Doc. E7-24402 Filed 12-18-07; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2007-0245; Airspace Docket No. 07-ANE-95]

Establishment of Class E Airspace; Lewiston, ME

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule, request for comments.

SUMMARY: This action establishes Class E Airspace at Lewiston, ME. The existing controlled airspace from nearby Auburn/Lewiston Municipal Airport does not adequately support a new Area Navigation (RNAV) Global Positioning system (GPS) Special Instrument Approach Procedure (IAP) that has been developed for medical flight operations. This action enhances the safety and management of Instrument Flight Rule (IFR) operations by providing the required controlled airspace to protect for this approach around the Central Maine Medical Center.

DATES: Effective 0901 UTC, February 14, 2008. The Director of the **Federal Register** approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments. Comments for inclusion in the Rules Docket must be received on or before February 4, 2008.

ADDRESSES: Send comments on this rule to: Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave., SE., West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA-2007-0245; Airspace Docket No. 07-ANE-95, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

You may review the public docket containing the rule, any comments received, and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Avenue, College Park, Georgia 30337.

FOR FURTHER INFORMATION CONTACT: Daryl Daniels, System Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5581.

SUPPLEMENTARY INFORMATION:

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comments, and, therefore, issues it as a direct final rule. The FAA has determined that this rule only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Unless a written adverse or negative comment or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the effective date. If the FAA receives, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a direct final rule, and was not preceded