

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2007-29372; Airspace
Docket No. 07-ASW-9]

**Establishment of Class D Airspace;
New Braunfels, TX**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action will establish Class D airspace at New Braunfels, Texas. Establishment of an air traffic control tower at New Braunfels Municipal Airport has made this action necessary for the safety and management of Instrument Flight Rules (IFR) aircraft operations at New Braunfels Municipal Airport, New Braunfels, Texas.

DATES: *Effective Date:* 0901 UTC, June 5, 2008. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Gary Mallett, AMTI CTR, Central Service Center, System Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Ft Worth, Texas, 76193-0530; at telephone (817) 222-4949.

SUPPLEMENTARY INFORMATION:**History**

On December 18, 2007, the FAA published in the **Federal Register** a notice of proposed rulemaking to establish Class D airspace at New Braunfels, Texas (72 FR 71606).

This action would improve the safety of IFR aircraft at New Braunfels Municipal Airport, New Braunfels, Texas. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D airspace designations are published in paragraph 5000 of FAA Order 7400.9R, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR, part 71.1. The Class D airspace designations listed in this document will be published subsequently in that Order.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR), part 71 by establishing Class D airspace at New

Braunfels, Texas. A new air traffic control tower has been installed at New Braunfels Municipal Airport, making this action necessary for the safety and management of IFR aircraft operations at the airport.

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, when promulgated, 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 U.S. 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 I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes controlled airspace at New Braunfels Municipal Airport, New Braunfels, Texas.

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, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 part 71.1 of the Federal Aviation Administration Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

**ASW TEXAS D New Braunfels, Texas
[New]**

New Braunfels Municipal Airport, Texas
(Lat. 29°42'16" N., long. 98°02'32" W)

That airspace extending upward from the surface to and including 2,700 feet MSL within a 4.1-mile radius of New Braunfels 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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Issued in Fort Worth, Texas, on March 28, 2008.

Richard H. Farrell, III,

*Acting Manager, System Support Group, ATO
Central Service Center.*

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2008-0004; Airspace
Docket No. 08-ASW-2]

**Proposed Establishment of Class E
Airspace; Huntsville, AR**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This action confirms the effective date of the direct final rule that establishes Class E airspace at Huntsville Municipal Airport, Huntsville, Arkansas, published in the **Federal Register** February 15, 2008 (73 FR 8794) Docket No. FAA-2008-0004.

DATES: *Effective Dates:* 0901 UTC April 10, 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.

SUPPLEMENTARY INFORMATION: