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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2008-0171; Airspace Docket No. 08-AAL-5]

#### Revision of Class E Airspace; Deadhorse, AK

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

**ACTION:** Final rule.

**SUMMARY:** This action revises Class E airspace at Deadhorse, AK, to provide adequate controlled airspace to contain aircraft executing Standard Instrument Approach Procedures (SIAPs). Eight Standard Instrument Approach Procedures (SIAPs) and a textual Departure Procedure (DP) are being amended for the Deadhorse Airport. This action revises existing Class E airspace upward from the surface and from 700 feet (ft.) and 1,200 ft. above the surface at Deadhorse Airport, Deadhorse, AK.

**DATES:** *Effective Date:* 0901 UTC, July 31, 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](mailto:gary.ctr.rolf@faa.gov). Internet address: <http://www.alaska.faa.gov/at>.

**SUPPLEMENTARY INFORMATION:**

#### History

On Monday, March 31, 2008, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise Class E airspace upward from 700 ft. above the surface and from 1,200 ft. above the surface at Deadhorse, AK (73 FR 16792). The action was proposed in order to create Class E airspace sufficient in size to contain aircraft while executing SIAPs for the Deadhorse Airport. The Notice of Proposed Rulemaking contained an error in the airspace description. The 035° bearing should have been listed as 075°, and the 255° bearing in the Class E2 description was inadvertently left out. Additionally, the correct 4.1-mile radius in the Class E2 description as erroneously listed with a 2.4-mile value. These errors have been corrected in the rule. Class E controlled airspace extending upward from the surface and from 700 ft. and 1,200 ft. above the surface in the Deadhorse 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.

The area will be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as surface areas are published in paragraph 6002 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 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 E airspace at the Deadhorse Airport, Alaska. This Class 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 Deadhorse Airport, Deadhorse, 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 E airspace sufficient in size to contain aircraft executing instrument procedures for the Deadhorse 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:

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

**AAL AK E2 Deadhorse, AK [Revised]**

Deadhorse, Deadhorse Airport, AK  
(Lat. 70°11'41" N., long. 148°27'55" W.)

Within a 4.1-mile radius of the Deadhorse Airport, AK, and within 2.4 miles either side of the 075° bearing from the Deadhorse Airport, AK, extending from the 4.1-mile radius to 7 miles east of the Deadhorse Airport, AK, and within 2.4 miles either side of the 255° bearing from the Deadhorse Airport, AK, extending from the 4.1-mile radius to 7 miles west of the Deadhorse Airport, AK. 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.

\* \* \* \* \*

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

\* \* \* \* \*

**AAL AK E5 Deadhorse, AK [Revised]**

Deadhorse, Deadhorse Airport, AK  
(Lat. 70°11'41" N., long. 148°27'55" W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Deadhorse Airport, AK; and that airspace extending upward from 1,200 feet above the surface within a 72-mile radius of the Deadhorse Airport, AK.

\* \* \* \* \*

Issued in Anchorage, AK, on May 28, 2008.

**Michael A. Tarr,**

*Acting Manager, Alaska Flight Services Information Area Group.*

[FR Doc. E8–12585 Filed 6–5–08; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG–2008–0428]

**Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, Boca Raton, FL**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Seventh Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Spanish River Boulevard bridge across the Atlantic Intracoastal Waterway, mile 1044.9, at Boca Raton, FL. The deviation is necessary to perform rehabilitation work on the bridge. This deviation allows the bridge to operate with a five feet reduced vertical clearance, operate with single leaf openings, and/or operate with full double leaf opening pending a three hour advance notice.

**DATES:** This deviation is effective from 8 a.m., June 15, 2008 to 6 p.m., December 8, 2008.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG–2008–0428 and are available online at <http://www.regulations.gov>. They are also available for inspection or copying at two locations: The Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays, and the Commander (dpb), Seventh Coast Guard District, 909 SE., 1st Avenue, Room 432, Miami, Florida 33131–3028 between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Mr. Barry Dragon, Bridge Branch, Seventh Coast Guard District, at 305–415–6743. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:** This deviation was requested by Coastal Marine Construction representing Florida Department of Transportation, the bridge owner, in order to complete rehabilitation and painting of the bridge spans of the Spanish Boulevard Bridge, mile 1044.9, of the Atlantic Intracoastal

Waterway, Boca Raton, FL. The bridge has a vertical clearance of 25 feet in the closed position and a horizontal clearance of 90 feet. The work will require single leaf operation on the hour and half-hour with a 3 hour advance notice for a double leaf opening in order to remove personnel and equipment from the leaf areas. In addition, the vertical clearance will be reduced by five feet due to the placement of containment equipment which is required to protect the environment. The normal operating schedule for the bridge is in 33 CFR 117.261(z–3), and requires the bridge to open on the hour and half-hour. This deviation period begins on June 15, 2008 and ends on December 8, 2008. The operating schedule during this deviation period will be single leaf on the hour and half-hour with a 3 hour advance notice for a full double leaf opening. Contact the bridge tender at 561–395–5417 to request a full opening. In the case of emergencies the bridge will open as soon as practicable.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 29, 2008.

**Robert S. Branham,**

*Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.*

[FR Doc. E8–12804 Filed 6–5–08; 8:45 am]

**BILLING CODE 4910–15–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG–2008–0450]

**Drawbridge Operation Regulation; Sacramento River, Sacramento, CA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eleventh Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Tower Drawbridge across the Sacramento River, mile 59.0, at Sacramento, California. The deviation is necessary to allow the California Department of Transportation (Caltrans) to conduct major roadwork on Interstate 5 through downtown Sacramento. This deviation allows the drawspan to remain in the