

within 2 miles each side of the 000° bearing from the airport extending from the 6.3-mile radius to 9.2 miles north of the airport.

Issued in Fort Worth, Texas, on November 9, 2011.

**Gail L. Kasson,**

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

[FR Doc. 2011-30533 Filed 11-28-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2011-0498; Airspace  
Docket No. 11-ASW-5]

#### Amendment of Class E Airspace; Alice, TX

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E airspace for the Alice, TX, area. Cancellation of all standard instrument approach procedures at Old Hoppe Place Airport, Agua Dulce, TX, has made this action necessary to enhance the safety and management of Instrument Flight Rule (IFR) operations in the Alice, TX, area. Also, the geographic coordinates for the remaining airports and a navigation aid are updated.

**DATES:** *Effective date:* 0901 UTC, February 9, 2012. 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:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone (817) 321-7716.

#### SUPPLEMENTARY INFORMATION:

##### History

On August 26, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend Class E airspace for Alice, TX, reconfiguring controlled airspace at Old Hoppe Place Airport (76 FR 53352) Docket No. FAA-2011-0498. 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 E airspace designations are published in paragraph 6005 of FAA Order 7400.9V

dated August 9, 2011, and effective September 15, 2011, 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 action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by amending Class E airspace for the Alice, TX area. Controlled airspace extending upward from 700 feet above the surface is being removed at Old Hoppe Place Airport, Agua Dulce, TX, due to the cancellation of all standard instrument approach procedures at the airport. This action is necessary for the safety and management of IFR operations in the Alice, TX, area. Also, the geographic coordinates for Alice International Airport, Orange Grove NALF, and the Kleberg County non-directional radio beacon (NDB) are updated to coincide with the FAA's aeronautical database.

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 amends controlled airspace in the Alice, TX, area.

#### 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 71.1 of the Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011 is amended as follows:

\* \* \* \* \*

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

\* \* \* \* \*

#### ASW TX E5 Alice, TX [Amended]

Alice International Airport, TX  
(Lat. 27°44'27" N., long. 98°01'37" W.)  
Orange Grove NALF, TX  
(Lat. 27°53'49" N., long. 98°02'37" W.)  
Navy Orange Grove TACAN  
(Lat. 27°53'43" N., long. 98°02'33" W.)  
Kingsville, Kleberg County Airport, TX  
(Lat. 27°33'03" N., long. 98°01'51" W.)  
Kleberg County NDB  
(Lat. 27°36'23" N., long. 98°05'09" W.)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Alice International Airport, and within 2 miles each side of the 135° bearing from Alice International Airport extending from the 7.5-mile radius to 9.8 miles southeast of the airport, and within a 7.2-mile radius of Orange Grove NALF, and within 1.6 miles each side of the 129° radial of the Navy Orange Grove TACAN extending from the 7.2-mile radius of Orange Grove NALF to 11 miles southeast of Orange Grove NALF, and within 1.5 miles each side of the 320° radial of the Navy Orange Grove TACAN extending from the 7.2-mile radius of Orange Grove NALF to 9.7 miles northwest of Orange Grove NALF, and within a 6.5-mile radius of Kleberg County Airport, and within 4 miles east and 8 miles west of the 306° bearing extending from the Kleberg County NDB to 14.4 miles northwest of the airport, excluding that airspace within the Corpus Christi, TX, Class E airspace area.

Issued in Fort Worth, Texas, on November 9, 2011.

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

[FR Doc. 2011-30532 Filed 11-28-11; 8:45 am]

**BILLING CODE 4910-13-P**