

controlled airspace at Ontonagon County—Schuster Field Airport, Ontonagon, MI.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### 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 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, and effective September 15, 2012, is amended as follows:

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

\* \* \* \* \*

#### AGL MI E5 Ontonagon, MI [Amended]

Ontonagon County—Schuster Field Airport, MI

(Lat. 46°50′44″ N., long. 89°22′02″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Ontonagon County—Schuster Field Airport; and that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at lat. 46°38′04″ N, long. 89°52′32″ W; to lat. 46°43′44″ N, long. 89°53′15″ W; to lat. 46°48′35″ N, long. 89°50′26″ W; to lat. 47°02′15″ N, long. 89°14′40″ W; to lat. 47°05′33″ N, long. 89°10′19″ W; to lat. 47°04′11″ N, long. 89°08′23″ W; to lat. 47°03′51″ N, long. 89°03′48″ W; to lat. 47°01′42″ N, long. 88°58′43″ W; to lat. 46°55′42″ N, long. 88°55′25″ W; to lat. 46°51′04″ N, long. 89°00′15″ W; to lat.

46°45′14″ N, long. 89°12′25″ W; to lat. 46°35′09″ N, long. 89°37′28″ W; to lat. 46°34′26″ N, long. 89°44′19″ W; thence to the point of beginning.

Issued in Fort Worth, Texas, on January 4, 2013.

**David P. Medina,**

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

[FR Doc. 2013–02031 Filed 1–30–13; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2012–0764; Airspace Docket No. 12–ANE–12]

#### Amendment of Class E Airspace; Lincoln, ME

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E Airspace at Lincoln, ME, as the Lincoln Non-Directional Beacon (NDB) has been decommissioned and new Standard Instrument Approach Procedures have been developed at Lincoln Regional Airport. This action enhances the safety and management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective 0901 UTC, May 2, 2013. 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:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

#### SUPPLEMENTARY INFORMATION:

#### History

On August 2, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend Class E airspace at Lincoln, ME (77 FR 45985) Docket No. FAA–2012–0764. 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 7400.9W dated August 8, 2012, and effective September 15, 2012, 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 Title 14, Code of Federal Regulations (14 CFR) part 71 amends the Class E airspace extending upward from 700 feet above the surface at Lincoln, ME, to accommodate the new Standard Instrument Approach Procedures developed for Lincoln Regional Airport. The Lincoln NDB has been decommissioned, and the NDB approach cancelled. The existing Class E airspace extending upward from 700 feet above the surface is being modified for the safety and management of IFR operations. The Class E radius is increased due to terrain in the surrounding area.

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, is non-controversial and unlikely to result in adverse or negative comments. 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, 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 United States Code. Subtitle I, 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 at Lincoln Regional Airport, Lincoln, ME.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental

Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an Environmental Assessment.

#### **Lists 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 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 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, effective September 15, 2012, is amended as follows:

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

\* \* \* \* \*

##### **ANE ME E5 Lincoln, ME [Amended]**

Lincoln Regional Airport, ME  
(Lat. 45°21'44" N., long. 68°32'05" W.)

That airspace extending upward from 700 feet above the surface within an 11.8-mile radius of Lincoln Regional Airport.

Issued in College Park, Georgia, on December 12, 2012.

**Barry A. Knight,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2013–02036 Filed 1–30–13; 8:45 am]

**BILLING CODE 4910–13–P**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Part 117**

[Docket No. USCG–2012–1040]

RIN 1625–AA09

#### **Drawbridge Operation Regulation; Long Island, New York Inland Waterway From East Rockaway Inlet to Shinnecock Canal, NY**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is removing the existing drawbridge operation regulations that govern the Wantagh State Parkway Bridge, mile 16.1, across Goose Creek at Jones Beach, New York, and revising the regulations that govern the Captree State Parkway Bridge, mile 30.7, across the State Boat Channel at Captree Island, New York. The Wantagh State Parkway Bridge was replaced with a fixed bridge and the drawbridge operation regulations are no longer necessary. The method for contacting the bridge tender at the Captree State Parkway Bridge changed several years ago and this action will update the regulations to reflect the present contact protocol.

**DATES:** This rule is effective January 31, 2013.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket, are part of docket USCG–2012–1040 and are available by going to <http://www.regulations.gov>, inserting USCG–2012–1040 in the "keyword" box, and then clicking "search." This material is also available for inspection or copying at 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.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Ms. Judy Leung-Yee, Project Officer, First Coast Guard District Bridge Branch, 212–668–7165, [judy.k.leung-yee@uscg.mil](mailto:judy.k.leung-yee@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

#### **SUPPLEMENTARY INFORMATION:**

##### **Table of Acronyms**

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of Proposed Rulemaking

§ Section

U.S.C. United States Code

#### **A. Regulatory History and Information**

The Coast Guard is issuing this final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the Wantagh State Parkway Bridge that once required drawbridge operation regulations was replaced with a fixed span bridge; therefore, these regulations are no longer applicable and shall be removed. The protocol in the existing regulations to contact the bridge tender for bridge openings at the Captree State Parkway Bridge via a telephone located on the bridge pier is no longer accurate since the telephone was removed many years ago. This action will update the present protocol to contact the bridge for openings which is to call the number posed at the bridge. It is unnecessary to publish a notice of proposed rulemaking because this regulatory action does not purport to place any restrictions on mariners but rather removes a restriction that has no further use or value.

Under 5 U.S.C. 553(d)(1), a rule that relieves a restriction is not required to provide the 30 day notice period before its effective date. This rule removes the Wantagh State Parkway Bridge draw operation requirements under 33 CFR 117.799(i), thus removing a regulatory restriction on the public.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective in less than 30 days after publication in the **Federal Register**. The bridge has been replaced with a fixed span bridge and this rule merely requires an administrative change to the **Federal Register**, in order to omit a regulatory requirement that is no longer applicable or necessary and revise the contact method at the Captree State Parkway Bridge which has been obsolete for many years and will simply be updated to reflect the present protocol.

#### **B. Basis and Purpose**

The drawbridge operation regulations for the Wantagh State Parkway Bridge at mile 16.1, across Goose Creek, at Jones