

FOR FURTHER INFORMATION CONTACT: Dennis Ripley, ANM-520.6, Federal Aviation Administration, 1601 Lind Avenue S.W., Renton, Washington, 98055-4056; telephone number: (425) 227-2527.

SUPPLEMENTARY INFORMATION: The FAA published the direct final rule with a request for comments in the **Federal Register** on March 23, 1998 (63 FR 13779). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. The comment period ended May 4, 1998. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment or a written notice of intent to submit such an adverse comment were received within the comment period, the regulation would become effective on June 18, 1998. No adverse comments were received, and thus this document confirms that the final rule will become effective on that date.

Issued in Seattle, Washington, on May 28, 1998.

Joe E. Gingles,

Acting Assistant Manager, Air Traffic Division, Northwest Mountain Region.

[FR Doc. 98-15061 Filed 6-4-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-AGL-6]

Establishment of Class E Airspace; Fergus Falls, MN

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

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Fergus Falls, MN. Fergus Falls Municipal Airport-Einar Mickelson Field will be served by Federal Aviation Regulations Part 121 (14 CFR Part 121) air carrier operations. Controlled airspace extending upward from the surface is needed to allow the FAA to provide air traffic control services for aircraft executing instrument approach procedures. The airport meets the minimum communications and weather observation and reporting requirements for controlled airspace extending upward from the surface.

EFFECTIVE DATE: 0901 UTC, August 13, 1998.

FOR FURTHER INFORMATION CONTACT: Michelle M. Behm, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

SUPPLEMENTARY INFORMATION:

History

On Thursday, March 12, 1998, the FAA proposed to amend 14 CFR part 71 to establish Class E airspace at Fergus Falls, MN (63 FR 12047). The proposal was to add controlled airspace extending upward from the surface to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. After the close of the comment period, but prior to issuance of the Final Rule, one letter of objection, with several signatories, was received in response to this airspace proposal. The letter is addressed herein. The basis of the objection was the anticipated adverse effect the proposed action would have regarding instructional flights for hire when the existing or forecast weather conditions are below visual flight rule (VFR) minimums. The introduction of Part 121 air carrier operations, anticipated to be a low daily number, require the highest level of safety be afforded all users of the airport to accommodate the increased IFR operations. When the existing or forecast weather conditions are below visual flight rule (VFR) minimums, special VFR operations may be conducted under the weather minimums and requirements of 14 CFR 91.157 within the airspace contained by the upward extension of the lateral boundaries of the controlled airspace designated to the surface for an airport. Therefore, while the proposed action would result in added requirements for operation under special VFR, the increased level of safety afforded to all users of the airport by the creation of the Class E surface area, because of the introduction of Part 121 air carrier operations, far outweighs the minor inconvenience of meeting those requirements.

Class E airspace designations for airspace designated as a surface area are published in paragraph 6002 of FAA Order 7400.9E dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will

be published subsequently in this Order.

The Rule

This amendment to 14 CFR part 71 establishes Class E airspace at Fergus Falls, MN, to accommodate aircraft executing instrument approach procedures at Fergus Falls Municipal Airport-Einar Mickelson Field. The proposed introduction of FAR Part 121 (14 CFR Part 121) air carrier operations necessitates creation of this controlled airspace. The area would be depicted on appropriate aeronautical charts.

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 will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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 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 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

Paragraph 6002 Class E airspace designated as surface areas.

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AGL MN E2 Fergus Falls, MN [New]

Fergus Falls Municipal Airport-Einar Mickelson Field, MN
(Lat. 46°17'04"N., long. 96°09'24"W.)
Fergus Falls VOR/DME
(Lat. 46°17'21"N., long. 96°09'24"W.)

Within a 4.1-mile radius of the Fergus Falls Municipal Airport-Einar Mickelson Field and within 2.4 miles each side of the Fergus Falls VOR/DME 300° radial extending from the 4.1-mile radius of the Fergus Falls Municipal Airport-Einar Mickelson Field to 7.0 miles northwest of the Fergus Falls VOR/DME, and within 2.4 miles each side of the Fergus Falls VOR/DME 185° radial extending from the 4.1-mile radius of the Fergus Falls Municipal Airport-Einar Mickelson Field to 7.0 miles south of the Fergus Falls VOR/DME.

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Issued in Des Plaines, Illinois on May 22, 1998.

Maureen Woods,

Manager, Air Traffic Division.

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

[Airspace Docket No. 98-AGL-18]

Establishment of Class E Airspace; Rush City, MN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E Airspace at Rush City, MN. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (Rwy) 34, and a Nondirectional Beacon (NDB) SIAP to Rwy 34, have been developed for Rush City Municipal Airport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approaches. This action creates controlled airspace with a southwest extension for Rush City Municipal Airport.

EFFECTIVE DATE: 0901 UTC, August 13, 1998.

FOR FURTHER INFORMATION CONTACT: Michelle M. Behm, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

SUPPLEMENTARY INFORMATION:**History**

On Monday, March 23, 1998, the FAA proposed to amend 14 CFR part 71 to modify Class E airspace at Madison, SD

(63 FR 13803). The proposal was to add controlled airspace extending upward from 700 to 1200 feet AGL to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9E dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 establishes Class E airspace at Rush City, MN, to accommodate aircraft executing the proposed GPS Rwy 34 SIAP, and the NDB Rwy 34 SIAP, at Rush City, MN, by creating controlled airspace with a southwest extension for the airport. The area will be depicted on appropriate aeronautical charts.

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 will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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 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 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

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

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AGL MN E5 Rush City, MN [New]

Rush City Municipal Airport, MN
(Lat. 45°41'53"N, long. 92°57'11"W)
Rush City NDB
(Lat. 45°41'48"N, long. 92°57'20"W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Rush City Municipal Airport and within 2.5 miles each side of the 150° bearing from the Rush City NDB, extending from the 6.5-mile radius to 7.5 miles southeast of the airport.

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Issued in Des Plaines, Illinois on May 22, 1998.

Maureen Woods,

Manager, Air Traffic Division.

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

[Airspace Docket No. 98-AGL-17]

Modification of Class E Airspace; Madison, SD

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class E airspace at Madison, SD. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Runway (Rwy) 33, and a VHF Omnidirectional Range/Distance Measuring Equipment-A (VOR/DME-A) SIAP, have been developed for Madison Municipal Airport. Controlled airspace extending upward from 700 to 1200 feet