

Positioning System (GPS) COPTER 339° Point in Space, Standard Instrument Approach Procedure (SIAP) has been developed to serve Winneshiek County Memorial Hospital Heliport, Decorah, IA. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate aircraft executing the SIAP. This action revises existing controlled airspace for Decorah, IA, in order to include the Point in Space SIAP serving Winneshiek County Memorial Hospital Heliport.

**EFFECTIVE DATE:** 0901 UTC September 9, 1999.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106; telephone: (816) 426-3408.

**SUPPLEMENTARY INFORMATION:**

**History**

On April 20, 1999, the FAA proposed to amend 14 CFR part 71 of the Federal Regulations (14 CFR part 71) by amending the Class E airspace area at Decorah, IA (64 FR 19317). The proposed action would provide additional controlled airspace to accommodate aircraft executing the Point in Space SIAP.

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 areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, 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 of the Federal Regulations (14 CFR part 71) amends the Class E airspace area at Decorah, IA, by providing additional controlled airspace for aircraft executing the COPTER 339° Point in Space SIAP. 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**

Aviation, 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 Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

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

\* \* \* \* \*

**ACE IA E5 Decorah, IA [Revised]**

Decorah Municipal Airport, IA  
(Lat. 43°16'32"N., long. 91°44'22"W.)  
Waukon VORTAC  
(Lat. 43°16'48"N., long. 91°32'15"W.)  
Decorah NDB  
(Lat. 43°16'32"N., long. 91°44'11"W.)  
Winneshiek County Memorial Hospital, IA  
Point in Space Coordinates  
(Lat. 43°16'57"N., long. 91°45'56"W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Decorah Municipal Airport and within 2.0 miles each side of the 267° radial of the Waukon VORTAC extending from the 6.4-mile radius to the VORTAC and within 2.6 miles each side of the 122° bearing from the Decorah NDB extending from the 6.4-mile radius to 7.0 miles southeast of the airport, and within a 6.0-mile radius of the Point in Space serving Winneshiek County Memorial Hospital.

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Issued in Kansas City, MO on May 20, 1999.

**Herman J. Lyons, Jr.,**

*Manager, Air Traffic Division, Central Region.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 73**

[Airspace Docket No. 98-ASO-11]

RIN 2120-AA66

**Change Name of Using Agency for Restricted Areas R-2102A, R-2102B, and R-2102C; AL**

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

**ACTION:** Final rule.

**SUMMARY:** This action changes the name of the using agency for Restricted Areas R-2102A, R-2102B, and R-2102C, Fort McClellan, AL, from "Commanding Officer, Fort McClellan, AL," to "Alabama Army National Guard." This change is required due to the closure of Fort McClellan as an active duty Army installation. As a result of this change, the Army National Guard assumes "using agency" responsibilities for the restricted areas.

**EFFECTIVE DATE:** 0901 UTC, September 9, 1999.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Background**

Fort McClellan is being closed as an active duty Army installation as a result of the Defense Base Realignment and Closure process. As part of that effort, the Alabama Army National Guard will assume control of all of the existing restricted airspace associated with Fort McClellan and the Pelham Range (R-2102A, R-2102B, R-2102C). These restricted areas are used for training to maintain and increase the combat readiness of National Guard and Reserve forces. By this action, the Alabama Army National Guard is being designated as the using agency for the restricted areas.

**The Rule**

This action amends 14 CFR part 73 by changing the name of the using agency

for Restricted Areas R-2102A, R-2102B, and R-2102C, from "Commanding Officer, Fort McClellan, AL," to "Alabama Army National Guard." Although Fort McClellan is closing as an active duty Army installation, there is a continuing requirement for the existing restricted airspace to accommodate ongoing National Guard and Reserve forces readiness training.

Since this administrative change will not alter the boundaries, altitudes, time of designation for the restricted areas or the activities conducted therein; I find that notice and public procedure under 5 U.S.C 553(b) are unnecessary.

Section 73.21 of part 73 was republished in FAA Order 7400.8F, dated October 27, 1998.

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.

#### Environmental Review

This action involves a minor administrative change to amend the name of the using agency of existing restricted areas. There are no changes to the dimensions of the restricted areas, or to air traffic control procedures or routes as a result of this action. Therefore, this action is not subject to environmental assessments and procedures in accordance with FAA Order 1050.1D, "Policies and Procedures for Considering Environmental Impacts," and the National Environmental Policy Act of 1969.

#### List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

#### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73, as follows:

#### PART 73—SPECIAL USE AIRSPACE

1. The authority citation for part 73 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.

#### § 73.21 [Amended]

2. § 73.21 is amended as follows:

\* \* \* \* \*

#### R-2102A, R-2102B, R-2102C Fort McClellan, AL [Amended]

By removing "Using agency. Commanding Officer, Fort McClellan, AL," and adding "Using agency. Alabama Army National Guard."

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Issued in Washington, DC, on July 14, 1999.

**Reginald C. Matthews,**

*Manager, Airspace and Rules Division.*

[FR Doc. 99–18567 Filed 7–20–99; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 902

#### 50 CFR Part 600

[Docket No. 981228324–9168–02; I.D. 121697A]

RIN 0648–AJ70

### Magnuson-Stevens Fishery Conservation and Management Act; Amendment of Foreign Fishing Regulations; OMB Control Numbers

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to amend the foreign fishing regulations to provide for the issuance of certain transshipment permits under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act (SFA), and to update permit application and issuance procedures applicable to all types of foreign fishing permits issued under the Magnuson-Stevens Act.

**DATES:** Effective August 20, 1999.

**FOR FURTHER INFORMATION CONTACT:** Robert A. Dickinson, 301–713–2276.

**SUPPLEMENTARY INFORMATION:** Regulations at 50 CFR part 600, subpart F, govern foreign fishing under the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*). Among other things, the regulations establish procedures for

permit application and issuance under section 204(b) of the Magnuson-Stevens Act. Under these regulations, foreign fishing vessels may be permitted to fish in the U.S. Exclusive Economic Zone (EEZ). Until the SFA (Pub. L. 104–297) established section 204(d) of the Magnuson-Stevens Act, all foreign fishing applications were submitted under section 204(b) of the Magnuson-Stevens Act.

Section 204(d) of the Magnuson-Stevens Act authorizes the Assistant Administrator for Fisheries (AA) to issue transshipment permits authorizing foreign vessels to engage in fishing consisting solely of transporting fish or fish products at sea from a point within the EEZ or, with the concurrence of a state, within the boundaries of that state, to a point outside the United States. Issuance of a permit to a foreign vessel to receive fish or fish products at sea within the boundaries of a state is subject to certain conditions and restrictions and contingent upon the concurrence of the involved state.

Shortly after passage of the SFA, it was necessary for NMFS to issue permits within a short timeframe to certain Canadian vessels under section 204(d) of the Magnuson-Stevens Act. It was determined at the time that NMFS had the authority to issue the permits without first amending the existing foreign fishing regulations to specifically provide the procedures for permit application and issuance under section 204(d). After obtaining an initial "worksheet" adjustment for the collection of 204(d) application information from the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA), NMFS issued permits to the Canadian vessels and has subsequently issued several other permits under section 204(d) of the Magnuson-Stevens Act.

Although the determination was made that NMFS could issue 204(d) permits before amending the foreign fishing regulations to establish procedures for permit application and issuance, the SFA implementation plan anticipated the eventual amendment of the regulations to establish such procedures. To this end, NMFS published a proposed rule on April 5, 1999 (64 FR 16414). The proposed rule discussed a number of revisions to be made to the foreign fishing regulations at 50 CFR part 600, subpart F, to provide for permit application and issuance procedures under section 204(d) of the Magnuson-Stevens Act. Additionally, several revisions to the foreign fishing regulations were proposed to update provisions applicable to all types of foreign fishing permits issued under the