

**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 7400.9L, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

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

\* \* \* \* \*

**ACE IA E2 Cedar Rapids, IA**

Cedar Rapids, The Eastern Iowa Airport, IA  
(Lat. 41°53'05" N., long. 91°42'39" W.)

Within a 4.4-mile radius of The Eastern Iowa Airport. This Class E airspace area is effective during 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 areas  
extending upward from 700 feet or more  
above the surface of the earth.*

\* \* \* \* \*

**ACE IA E5 Cedar Rapids, IA**

Cedar Rapids, The Eastern Iowa Airport, IA  
(Lat. 41°53'05" N., long. 91°42'39" W.)

CINDY LOM

(Lat. 41°53'08" N., long. 91°48'09" W.)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of The Eastern Iowa Airport and within 4 miles north and 8 miles south of the 271° bearing from the CINDY LOM extending from the 6.9-mile radius of the airport to 16 miles west of the LOM.

\* \* \* \* \*

Issued in Kansas City, MO, on March 1, 2004.

**David W. Hope,**

*Acting Manager, Air Traffic Division, Central  
Region.*

[FR Doc. 04–5686 Filed 3–11–04; 8:45 am]

**BILLING CODE 4910–13–M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA–2003–16763; Airspace  
Docket No. 03–ACE–100]

**Modification of Class E Airspace;  
Springfield, MO**

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

**ACTION:** Direct final rule; confirmation of  
effective date.

**SUMMARY:** This document confirms the  
effective date of the direct final rule  
which revises Class E airspace at  
Springfield, MO.

**EFFECTIVE DATE:** 0901 UTC, April 15,  
2004.

**FOR FURTHER INFORMATION CONTACT:**

Brenda Mumper, Air Traffic Division,  
Airspace Branch, ACE–520A, DOT  
Regional Headquarters Building, Federal  
Aviation Administration, 901 Locust,  
Kansas City, MO 64106; telephone:  
(816) 329–2524.

**SUPPLEMENTARY INFORMATION:** The FAA  
published this direct final rule with a  
request for comments in the **FEDERAL  
REGISTER** on January 15, 2004 (69 FR  
22296) and subsequently published a  
correction to the direct final rule on  
February 5, 2004 (69 FR 5461). The FAA  
uses the direct final rule making  
procedure for a non-controversial rule  
where the FAA believes there will be no  
adverse public comment. 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 April 15, 2004. No adverse  
comments were received, and thus this  
notice confirms that this direct final rule  
will become effective on that date.

Issued in Kansas City, MO, on March 1,  
2004.

**David W. Hope,**

*Acting Manager, Air Traffic Division, Central  
Regional.*

[FR Doc. 04–5685 Filed 3–11–04; 8:45 am]

**BILLING CODE 4910–13–M**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA–2004–17150; Airspace  
Docket No. 04–ACE–16]

**Modification of Class E Airspace;  
Gideon, MO**

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

**ACTION:** Direct final rule; request for  
comments.

**SUMMARY:** This action amends Title 14  
Code of Federal Regulations, part 71 (14  
CFR 71) by revising Class E airspace at  
Gideon, MO. A review of controlled  
airspace for Gideon Memorial Airport  
revealed it does not comply with the  
criteria for 700 feet above ground level  
(AGL) airspace required for diverse  
departures. The review also identified a  
discrepancy in the legal description for  
the Gideon, MO Class E airspace area.  
The area is modified and enlarged to  
conform to the criteria in FAA Orders.

**DATES:** The direct final rule is effective  
on 0901 UTC, June 10, 2004. Comments  
for inclusion in the Rules Docket must  
be received on or before April 19, 2004.

**ADDRESSES:** Send comments on this  
proposal to the Docket Management  
System, U.S. Department of  
Transportation, Room Plaza 401, 400  
Seventh Street, SW., Washington, DC  
20590–0001. You must identify the  
docket number FAA–2004–17150/  
Airspace Docket No. 04–ACE–16, at the  
beginning of your comments. You may  
also submit comments on the Internet at  
<http://dms.dot.gov>. You may review the  
public docket containing the proposal,  
any comments received, and any final  
disposition in person in the Dockets  
Office between 9 a.m. and 5 p.m.,  
Monday through Friday, except Federal  
holidays. The Docket Office (telephone  
1–800–647–5527) is on the plaza level  
of the Department of Transportation  
NASSIF Building at the above address.

**FOR FURTHER INFORMATION CONTACT:**

Brenda Mumper, Air Traffic Division,  
Airspace Branch, ACE–520A, DOT  
Municipal Headquarters Building,  
Federal Aviation Administration, 901  
Locust, Kansas City, MO 64106;  
telephone: (816) 329–2524.

**SUPPLEMENTARY INFORMATION:** This  
amendment to 14 CFR 71 modifies the  
Class E airspace area extending upward  
from 700 feet above the surface at  
Gideon, MO. An examination of  
controlled airspace for Gideon Memorial  
Airport reveals it does not meet the  
criteria for 700 feet AGL airspace

required for diverse departures as specified in FAA Order 7400.2E, Procedures for Handling Airspace Matters. The criteria in FAA Order 7400.2E for an aircraft to reach 1200 feet AGL is based on a standard climb gradient of 200 feet per mile plus the distance from the airport reference point (APR) to the end of the outermost runway. Any fractional part of a mile is converted to the next higher tenth of a mile. The examination also revealed a discrepancy in the Gideon Memorial Airport ARP used in the legal description for this airspace area. This amendment expands the airspace area from a 6-mile radius to a 6.4-mile radius of Gideon Memorial Airport, incorporates the revised Gideon Memorial Airport ARP into the legal description, and brings the legal description of the Gideon, MO Class E airspace area into compliance with FAA Order 7400.2E. This area will be depicted on appropriate aeronautical charts. 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 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, 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 Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Interested parties are invited to participate in this rulemaking by

submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2004-17150/Airspace Docket No. 04-ACE-16." The postcard will be date/time stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, 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

■ Accordingly, 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 7400.9L, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

\* \* \* \* \*

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

\* \* \* \* \*

#### ACE MO E5 Gideon, MO

Gideon Memorial Airport, MO  
(Lat. 36°26'38" N., long. 89°54'14" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Gideon Memorial Airport.

\* \* \* \* \*

Issued in Kansas City, MO, on March 3, 2004.

**David W. Hope,**

*Acting Manager, Air Traffic Division, Central Region.*

[FR Doc. 04-5684 Filed 3-11-04; 8:45 am]

**BILLING CODE 4910-13-M**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2004-17152; Airspace Docket No. 04-ACE-18]

#### Modification of Class E Airspace; Cassville, MO

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends Title 14 Code of Federal Regulations, part 71 (14 CFR 71) by revising Class E airspace at Cassville, MO. A review of controlled airspace for Cassville Municipal Airport revealed it does not comply with the criteria for 700 feet above ground level (AGL) airspace required for diverse departures. The review also identified a discrepancy in the legal description for the Cassville, MO Class E airspace area.