

### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Area, Operations Support Group, 1601 Lind Avenue, SW., Renton, WA 98057.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

### The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 by establishing Class E airspace at Ronan, MT. Controlled airspace extending upward from 700 feet above the surface is necessary to accommodate aircraft using the new RNAV (GPS) SIAP at Ronan Airport, Ronan, MT. This action would enhance the safety and management of aircraft operations at the airport.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9S, signed October 3, 2008, and effective October 31, 2008, 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 FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed 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 proposed rule, when promulgated, would 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 for 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 the 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 establishes controlled airspace at Ronan, MT.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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 FAA Order 7400.9S, Airspace Designations and Reporting Points, signed October 3, 2008, and effective October 31, 2008, is amended as follows:

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

\* \* \* \* \*

#### ANM MT E5 Ronan, MT [New]

Ronan Airport, MT

(Lat. 47°34'02" N., long. 114°06'04" W.)

That airspace extending upward from 700 feet above the surface within an 8.4-mile radius of Ronan Airport, excluding that airspace within Federal airways.

\* \* \* \* \*

Issued in Seattle, Washington, on June 30, 2009.

**H. Steve Karnes,**

*Acting Manager, Operations Support Group, Western Service Center.*

[FR Doc. E9-16501 Filed 7-10-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 73

[Docket No. FAA-2009-0490; Airspace Docket No. 09-AWP-3]

**RIN 2120-AA66**

### Proposed Establishment of Restricted Area R-2502A; Fort Irwin, CA

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to establish a restricted area (R-2502A) at Fort Irwin, CA, as part of a Department of the Army initiative at the National Training Center (NTC). The NTC is being expanded to meet the critical need of the Army for additional training land and airspace suitable for maneuvering large numbers of military personnel and equipment. Additionally, this action would modify the Silver military operation area (MOA) in the vicinity of the NTC Complex. Unlike restricted areas, which are designated under 14 CFR part 73, MOAs are not rulemaking airspace actions. However, since the proposed R-2502A infringes on the Silver MOA, the FAA is including a description of the Silver MOA change in this rule. The MOA change described here will also be published in the National Flight Data Digest (NFDD). The Army requested these airspace changes to provide the additional special use airspace (SUA) above the expanded ground maneuver area to facilitate realistic combat training at the NTC.

**DATES:** Comments must be received on or before August 27, 2009.

**ADDRESSES:** Send comments on the proposal to the U.S. Department of Transportation, Dockets Operations, M-30, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; telephone: (202) 366-9826. You must identify docket No. FAA-2009-0490 and Airspace Docket No. 09-AWP-3, at the beginning of your comments. You may also submit comments on the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Group,

Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested parties are invited to participate in this proposed 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 (FAA Docket No. FAA-2009-0490 and Airspace Docket No. 09-AWP-3) and be submitted in triplicate to the Federal Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2009-0490 and Airspace Docket No. 09-AWP-3." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

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You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see

**ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Western Service Center, Operations Support Group, Federal Aviation Administration, 1601 Lind Avenue, SW., Renton, WA 98055.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

##### **Background**

The NTC at Fort Irwin, California, is the only instrumented training area in the world suitable for force-on-force and live fire training of heavy brigade-sized military forces. It provides the Army with essential training opportunities necessary to maintain and improve military readiness and promote national security.

The Congress in 2001, directed the Department of the Army and the Department of the Interior to draft a proposed plan that would expand the maneuver training lands at the NTC.

This airspace proposal aligns with that land expansion in order to provide overlying airspace to conduct realistic combat training. The expanded airspace enhances the training value of the land based on training goals, equipment capabilities, and Army requirements. Additionally, the employment of aviation assets, explosives, flares, smoke, and other pyrotechnics devices will be deployed in the new airspace.

The FAA supports this proposal. However, the FAA would have concerns for any additional expansion of the airspace in this area higher than 16,000 feet mean sea level (MSL) in the proposed R-2502A due to impacts to the National Airspace System (NAS). A review by the FAA Los Angeles Air Route Traffic Control Center personnel made the following observations: (1) The airspace adjacent to the south of proposed R-2502A is used for separation and sequencing of arriving and departing aircraft for the Los Angeles basin. Air traffic in this area regularly operates at system capacity. A reduction of usable airspace would significantly affect air traffic control services and cause delays to system users. (2) The airspace along the northeast boundary of proposed R-2502A is used for the separation and sequencing of air traffic into Las Vegas, McCarran Airport. A reduction of usable airspace would significantly affect air

traffic control services and cause delays to system users. (3) Because of R-2501, the usable airspace along the southern and eastern boundaries of R-2502 East is very constrained. This narrow corridor is heavily used for arrivals and departures at the Los Angeles, Burbank, Van Nuys, and Las Vegas airports. Keeping aircraft from deviating into the proposed R-2502A vertical addition during the months when extensive convective weather is common would be difficult.

##### **Military Operation Area (MOA)**

Restricted areas are regulatory airspace designations, under Title 14 Code of Federal Regulations (CFR) part 73, which are established to confine or segregate activities considered hazardous to non-participating aircraft. A MOA is a non-rulemaking type of SUA established to separate or segregate certain non-hazardous military flight activities from aircraft operating in accordance with instrument flight rules (IFR), and to identify for visual flight rules (VFR) pilots where those activities are conducted. IFR aircraft may be routed through an active MOA only when air traffic control can provide approved separation from the MOA activity. VFR pilots are not restricted from flying in an active MOA, but are advised to exercise caution while doing so.

Unlike restricted areas, which are designated through rulemaking procedures, MOAs are non-rulemaking airspace areas that are established administratively and published in the National Flight Data Digest. Normally MOA proposals are not published in a NPRM, but instead, are advertised for public comment through a non-rule circular that is distributed by an FAA Service Center office to aviation interests in the affected area. However, when a non-rulemaking action is connected to a rulemaking action, FAA procedures allow for the non-rulemaking proposal to be included in the NPRM. In such cases, the NPRM replaces the non-rule circularization requirement. Because the change to the Silver MOA North is necessary, due to the proposed establishment of the restricted area, the MOA is being modified to exclude the airspace contained in the proposed R-2502A.

##### **Proposed MOA Change**

###### **Silver MOA North, CA**

Boundaries. Beginning at lat. 35°39'00" N., long. 115°53'03" W.; to lat. 35°24'30" N., long. 115°53'03" W.; to lat. 35°06'50" N., long. 116°20'00" W.; to lat. 35°04'30" N., long. 116°29'00" W.; to lat.

35°07'00" N.; long. 116°34'03" W.; to point of beginning. Excluding the airspace below 3,000 feet AGL within a 3NM radius of the town of Baker, CA (lat. 35°16'00" N. long. 116°04'33" W.;) and R2502A.

### The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 73 to establish Restricted Areas R-2502A at Fort Irwin, CA. The U.S. Army has requested this restricted area because the existing special use airspace does not include the airspace above the expanded land maneuver area created to support the NTC. This proposed action is required to ensure a safe training environment, isolated from the public, for military air and ground maneuvers from the surface to the upper limits of restricted airspace.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed 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) 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 proposed 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 the 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 proposes to establish restricted area airspace at Fort Irwin, CA.

### Environmental Review

This proposal will be subjected to the appropriate environmental analysis in accordance with FAA Order 1050.1E,

Environmental Impacts: Policies and Procedures, prior to any FAA final regulatory action.

### List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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.

#### § 73.25 [Amended]

2. § 73.25 is amended as follows:

\* \* \* \* \*

#### R-2502A Fort Irwin, CA [New]

Boundaries. Beginning at lat. 35°25'48" N., long. 116°18'48" W.; to lat. 35°25'30" N., long. 116°09'46" W.; to lat. 35°23'15" N., long. 116°09'47" W.; to lat. 35°06'54" N., long. 116°30'17" W.; to lat. 35°07'00" N., long. 116°34'03" W.; to lat. 35°18'45" N., long. 116°18'48" W. to point of beginning.

Designated altitudes. Surface to 16,000 feet MSL.

Time of designation. Continuous.

Controlling agency. FAA, Hi-Desert TRACON, Edwards, CA.

Using agency. Commander, Fort Irwin, CA.

\* \* \* \* \*

Issued in Washington, DC, on July 6, 2009.

**Edith V. Parish,**

*Manager, Airspace and Rules Group.*

[FR Doc. E9–16480 Filed 7–10–09; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### 36 CFR Part 7

**RIN 1024–AD50**

#### Special Regulations; Areas of the National Park System

**AGENCY:** National Park Service, Interior.

**ACTION:** Proposed Rule.

**SUMMARY:** The National Park Service is proposing this rule to update its regulations for managing use of the Colorado River and adjoining federally owned lands administered by the National Park Service within Grand

Canyon National Park. Changes to the current rule are necessary to implement portions of the park's recently revised Colorado River Management Plan. Current regulations govern boat trips on the Colorado River within the park upstream from Diamond Creek (approximately River Mile 226). In accordance with the new Colorado River Management Plan, the proposed rule will apply to the entire Colorado River within the park, including the reach of the river downstream from Diamond Creek to the boundary between the park and Lake Mead National Recreation Area (approximately River Mile 277).

**DATES:** Comments must be received by September 11, 2009.

**ADDRESSES:** You may submit your comments, identified by Regulatory Information Number 1024–AD50 (RIN), by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* National Park Service, WASO, Mike Archer, Chief Ranger, Grand Canyon National Park, P.O. Box 129, Grand Canyon, Arizona.

All submissions received must include the agency name and RIN. For additional information see "Public Participation" under **SUPPLEMENTARY INFORMATION** below.

#### FOR FURTHER INFORMATION CONTACT:

Palma Wilson, Deputy Superintendent—Operations, Grand Canyon National Park, P.O. Box 129, Grand Canyon, Arizona 86023, [Palma\\_Wilson@nps.gov](mailto:Palma_Wilson@nps.gov), (fax) (928) 638–7815.

#### SUPPLEMENTARY INFORMATION:

##### Description of the Park

Grand Canyon National Park, Arizona, contains and protects what many people consider to be the most scenic and scientifically significant arid-land canyon in the world. Congress established the park in the Act of February 26, 1919, and enlarged its boundaries in subsequent legislation enacted in 1926, 1928, and 1975. As described in the latest such enactment, the Grand Canyon National Park Enlargement Act, the park consists of approximately one million, two hundred thousand acres of lands, waters, and interests therein, all as depicted on a boundary map referenced in the legislation.

The reach of the Colorado River in the park provides a unique combination of thrilling whitewater adventure and magnificent vistas of a remarkable geologic landscape, including remote and intimate side canyons. The 277-mile-long river corridor is home to