

Aviation Regulations (14 CFR part 71) to establish Class E airspace area at Forest Hill Airport, MD. The development of a SIAP to serve flights operating into the airport during IFR conditions makes this action necessary. Controlled airspace extending upward from 700 feet AGL is needed to accommodate the SIAP. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9N, dated September 1, 2005, and effective September 16, 2005, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the 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 would only affect air traffic procedures and air navigation, it is certified that this proposed rule would not have 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).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; EO 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 7400.9N dated September 1, 2005, and effective September 16, 2005, is proposed to be amended as follows:

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

#### AEA MD E5, FOREST HILL AIRPORT, [NEW]

Forest Hill, Maryland  
(Lat. 39°34'47" N., long. 76°22'40" W.)

That airspace extending upward from 700 feet above the surface within a 6.0 mile radius of the Forest Hill Airport, Forest Hill, MD.

Issued in Jamaica, New York on March 30, 2006.

**John G. McCartney,**

*Acting Area Director, Eastern Terminal Operations.*

[FR Doc. 06–4362 Filed 5–10–06; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2006–23926; Airspace Docket No. 06–AAL–10]

RIN 2120–AA66

#### Proposed Modification of the Norton Sound Low Offshore Airspace Area; AK

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend the Norton Sound Low Offshore Airspace Area in Alaska. Specifically, this action proposes to modify the Norton Sound Low Offshore Airspace Area in the vicinity of the Shishmaref Airport, AK, by lowering the offshore airspace floor to 1,200 feet mean sea level (MSL) within a 30-mile radius of the airport. Additionally, this action proposes to modify the airspace in the vicinity of Nome Airport, AK, by lowering the airspace floor to 700 feet MSL within a 25-mile radius of the airport, and 1,200 feet MSL within a 77.4-mile radius of the Nome VORTAC. The FAA is proposing this action to provide additional controlled airspace for aircraft instrument flight rules (IFR) operations at the Nome and Shishmaref Airports.

**DATES:** Comments must be received on or before June 26, 2006.

**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 FAA Docket No. FAA–2006–23926 and

Airspace Docket No. 06–AAL–10, at the beginning of your comments. You may also submit comments through the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules, 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–2006–23926 and Airspace Docket No. 06–AAL–10) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://dms.dot.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–2006–23926 and Airspace Docket No. 06–AAL–10." 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.

##### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov>, or the

Federal Register's Web page at <http://www.gpoaccess.gov/fr/index.html>.

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 Regional Air Traffic Division, Federal Aviation Administration, 222 West 7th Avenue 14, Anchorage, AK 99513.

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 to modify the Norton Sound Low Offshore Airspace Area, AK, by lowering the floor to 1,200 feet MSL within a 30-mile radius of two geographic points near the Shishmaref Airport, AK. Additionally, this action proposes lowering the controlled airspace floor to 700 feet MSL within a 25-mile radius of the Nome Airport and to 1,200 feet MSL within a 77.4-mile radius of the Nome VORTAC. The purpose of this proposal is to establish controlled airspace to support IFR operations at the Nome and Shishmaref Airports, Alaska. Additional controlled airspace extending upward from 700 feet and 1,200 feet MSL above the surface in international airspace would be created by this action.

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.

### ICAO Considerations

As part of this proposal relates to navigable airspace outside the United States, this notice is submitted in accordance with the International Civil Aviation Organization (ICAO) International Standards and Recommended Practices.

The application of International Standards and Recommended Practices by the FAA, Office of System Operations Airspace and AIM, Airspace & Rules, in areas outside the United States domestic airspace, is governed by the Convention on International Civil Aviation. Specifically, the FAA is governed by Article 12 and Annex 11, which pertain to the establishment of necessary air navigational facilities and services to promote the safe, orderly, and expeditious flow of civil air traffic. The purpose of Article 12 and Annex 11 is to ensure that civil aircraft operations on international air routes are performed under uniform conditions.

The International Standards and Recommended Practices in Annex 11 apply to airspace under the jurisdiction of a contracting state, derived from ICAO. Annex 11 provisions apply when air traffic services are provided and a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting this responsibility may apply the International Standards and Recommended Practices that are consistent with standards and practices utilized in its domestic jurisdiction.

In accordance with Article 3 of the Convention, state-owned aircraft are exempt from the Standards and Recommended Practices of Annex 11. The United States is a contracting state to the Convention. Article 3(d) of the Convention provides that participating state aircraft will be operated in international airspace with due regard for the safety of civil aircraft. Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator is consulting with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### The Proposed Amendment

In consideration of the foregoing, 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 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 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 15, 2005, is amended as follows:

*Paragraph 6007 Offshore Airspace Areas.*

\* \* \* \* \*

#### Norton Sound Low, AK [Amended]

That airspace extending upward from 700 feet MSL within a 25-mile radius of the Nome Airport; and that airspace extending upward from 1,200 feet MSL within a 45-mile radius of Deering Airport, AK, within a 35-mile radius of lat. 60°21'17" N., long. 165°04'01" W., within a 30-mile radius of lat. 66°09'58" N., long. 166°30'03" W., within a 30-mile radius of lat. 66°19'55" N., long. 165°40'32" W. and within a 77.4-mile radius of the Nome VORTAC; and airspace extending upward from 14,500 feet MSL within an area bounded by a line beginning at lat. 59°59'57" N., long. 168°00'08" W.; to lat. 62°35'00" N., long. 175°00'00" W.; to lat. 65°00'00" N., long. 168°58'23" W.; to lat. 68°00'00" N., long. 168°58'23" W.; to a point 12 miles offshore at lat. 68°00'00" N.; thence by a line 12 miles from and parallel to the shoreline to lat. 56°42'59" N., long. 160°00'00" W.; to lat. 58°06'57" N., long. 160°00'00" W.; to lat. 57°45'57" N., long. 161°46'08" W.; to the point of beginning.

\* \* \* \* \*

Issued in Washington, DC, on May 5, 2006.

**Edith V. Parish,**

*Manager, Airspace and Rules.*

[FR Doc. E6-7155 Filed 5-10-06; 8:45 am]

**BILLING CODE 4910-13-P**

### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[COTP Hampton Roads 06-046]

**RIN 1625-AA00**

**Safety Zone; Live-Fire Gun Exercise, Southeast of Ocean City, MD, Atlantic Ocean**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.