

at the Airspace Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Room 414, Fort Worth, TX.

**FOR FURTHER INFORMATION CONTACT:** Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0520, telephone 817-222-5593.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR part 71 revises the Class E airspace extending upward from the surface within a 4.1-mile radius of Scholes Field, Galveston, TX. Increased air traffic operations and instrument approaches have made this rule necessary. This action is intended to provide continuous controlled airspace for aircraft operating in the vicinity of Scholes Field, Galveston, TX.

Class E airspace designations are published in Paragraph 6002 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 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. A substantial number of previous opportunities provided to the public to comment on substantially identical actions have resulted in negligible 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 comments, 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

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting

such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions in extremely helpful in evaluating the effectiveness of this action and determination whether additional rulemaking action is needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 99-ASW-09." The postcard will be date stamped and return to the commenter.

#### Agency Findings

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various level of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federal Assessment.

Further, the FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments and only involves an established body of technical regulations that require frequent and routine amendments to keep them operationally current. Therefore, I certify that this regulation (1) is not a "significant rule" under 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. Since this rule involves routine matters that will only affect air

traffic procedures and air navigation, it does not warrant preparation of a Regulatory flexibility Analysis because the anticipated impact is so minimal.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, 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 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 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 6002 Class E airspace areas extending upward from the surface of the earth.*

\* \* \* \* \*

#### ASW TX E2 Galveston, TX [Revised]

Galveston, Scholes Field, TX  
(Lat. 29°15'55" N., long. 94°51'38" W.)

That airspace extending upward from the surface within a 4.1-mile radius of Scholes Field

\* \* \* \* \*

Issued in Fort Worth, TX, on July 12, 1999.

**Robert N. Stevens,**

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

[FR Doc. 99-18572 Filed 7-20-99; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-ACE-19]

#### Amendment to Class E Airspace; Decorah, IA

**AGENCY:** Federal Aviation Administration [FAA], DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends the Class E airspace area at Decorah, IA. A Global

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.

\* \* \* \* \*

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

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

*Manager, Air Traffic Division, Central Region.*

[FR Doc. 99-18568 Filed 7-20-99; 8:45 am]

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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