

**SUMMARY:** This action revises Class E airspace at Selawik Airport, AK. The development of a Global Positioning System (GPS) instrument approach to runway (RWY) 27 and recomputation of the Airport Reference Point (ARP) at Selawik, AK, have made this action necessary. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Selawik Airport, AK.

**EFFECTIVE DATE:** 0901 UTC, May 22, 1997.

**FOR FURTHER INFORMATION CONTACT:** Robert van Haastert, System Management Branch, AAL-538, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number: (907) 271-5863; email: Robert.van.Haastert@faa.dot.gov.

#### SUPPLEMENTARY INFORMATION:

##### History

On January 24, 1997, a proposal to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace at Selawik was published in the **Federal Register** (62 FR 3630). The development of the GPS instrument approach procedure to RWY 27 and recomputation of the Airport Reference Point (ARP) at Selawik Airport, AK, have made this action necessary.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received, thus the rule is adopted as written.

The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 of FAA Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996. Paragraph 6005 is incorporated by reference in 14 CFR 71.1 (61 FR 48403; September 13, 1996). The Class E airspace designations listed in this document will be published subsequently in the Order.

##### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) revises Class E airspace located at Selawik, AK, to provide controlled airspace extending upward from 700 feet AGL for aircraft executing instrument landing and departing procedures.

The Federal Aviation Administration has determined that these proposed

regulations only involve an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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

Airspace, 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—[AMENDED]

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

**Authority:** 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

\* \* \* \* \*

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

\* \* \* \* \*

#### AAL AK E5 Selawik, AK [Revised]

Selawik Airport, AK  
(Lat. 66°35'58" N, long. 159°59'49" W)  
Selawik VOR/DME, AK  
(Lat. 66°36'00" N, long. 159°59'30" W)

That airspace extending upward from 700 feet above the surface within a 8-mile radius of the Selawik Airport; and that airspace extending upward from 1,200 feet above the surface within 6 miles north and 4 miles south of the 231° radial of the Selawik VOR/DME extending from the 8-mile radius to 16 miles southwest, and 6 miles north of the 058° radial extending from the 8-mile radius to 16 miles northeast, and 10 miles either side of the Selawik VOR/DME 120° radial to 50 miles southeast.

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Issued in Anchorage, AK, on March 21, 1997.

**Willis C. Nelson,**

*Manager, Air Traffic Division, Alaskan Region.*

[FR Doc. 97-7920 Filed 3-27-97; 8:45 am]

BILLING CODE 4910-13-P

#### 14 CFR Part 71

[Airspace Docket No. 96-AAL-29]

#### Establishment of Class E Airspace; Atkasuk, AK

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Atkasuk Airport, AK. The development of Global Positioning System (GPS) instrument approaches to runway (RWY) 6 and RWY 24 at Atkasuk, AK, have made this action necessary. The airport status will change from Visual Flight Rules (VFR) to Instrument Flight Rules (IFR). The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Atkasuk Airport, AK.

**EFFECTIVE DATE:** 0901 UTC, May 22, 1997.

**FOR FURTHER INFORMATION CONTACT:** Robert van Haastert, System Management Branch, AAL-538, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number: (907) 271-5863; email: Robert.van.Haastert@faa.dot.gov.

#### SUPPLEMENTARY INFORMATION:

##### History

On January 24, 1997, a proposal to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Atkasuk was published in the **Federal Register** (62 FR 3629). The development of GPS instrument approach procedures to RWY 6 and RWY 24 at Atkasuk Airport, AK, have made this action necessary.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposals were received, thus the rule is adopted as written.

The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 of FAA Order 7400.9D, Airspace Designations and Reporting Points,

dated September 4, 1996, and effective September 16, 1996. Paragraph 6005 is incorporated by reference in 14 CFR 71.1 (61 FR 48403; September 13, 1996). The Class E airspace designations listed in this document will be published subsequently in the Order.

### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace located at Atkasuk, AK, to provide controlled airspace extending upward from 700 feet AGL for aircraft executing instrument landing and departing procedures. The status of Atkasuk Airport will change from VFR to IFR.

The Federal Aviation Administration 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. It, therefore —(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

Airspace, 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—[AMENDED]

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

**Authority:** 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, *Airspace Designations and Reporting Points*, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

\* \* \* \* \*

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

\* \* \* \* \*

### AAL AK E5 Atkasuk, AK [New]

Atkasuk Airport, AK  
(Lat. 70°28'02" N, long. 157°26' 08" W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Atkasuk Airport.

\* \* \* \* \*

Issued in Anchorage, AK, on March 21, 1997.

**Willis C. Nelson,**

*Manager, Air Traffic Division, Alaskan Region.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### 15 CFR Part 922

[Docket Number: 950427120-7006-02]

RIN 0648-AH99

### Hawaiian Islands Humpback Whale National Marine Sanctuary

**AGENCY:** Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Final rule; final rule and summary of final management plan implementing the Sanctuary designation.

**SUMMARY:** NOAA, as required by section 2306 of the Hawaiian Islands National Marine Sanctuary Act (the HINMSA or Act), has developed a comprehensive final management plan and implementing regulations for the Hawaiian Islands Humpback Whale National Marine Sanctuary (the HIHWNMS or Sanctuary). The Sanctuary was designated by Congress in 1992. This document publishes the final Designation Document and final regulations for the Sanctuary, and summarizes the final management plan. The management plan details the goals and objectives, management responsibilities, research and long-term monitoring activities, and interpretive, educational, and resource protection programs for the Sanctuary. The regulations implement the final management plan and govern the conduct of activities consistent with the HINMSA, the National Marine Sanctuaries Act (NMSA), and the

Designation Document for the Sanctuary.

The primary purposes of the Designation Document, final regulations and final management plan are to protect humpback whales and their Sanctuary habitat; to educate and interpret for the public the relationship of humpback whales to the Hawaiian Islands marine environment; to manage human uses of the Sanctuary consistent with the HINMSA and the NMSA; and to provide for the identification of marine resources and ecosystems of national significance for possible inclusion in the Sanctuary.

**EFFECTIVE DATES:** Congress and the Governor of the State of Hawaii have forty-five days of continuous session of Congress beginning on the day on which this notice is published to review the management plan and regulations before they take effect. After forty-five days, the management plan and regulations automatically become final and take effect, unless the Governor of the State of Hawaii certifies within the forty-five-day period to the Secretary of Commerce that the management plan, regulations, or term thereof is unacceptable. In such case, the management plan, regulation or term cannot take effect in the area of the Sanctuary lying within the seaward boundary of the State of Hawaii. If the Secretary considers that any certification of unacceptability by the Governor will affect the Sanctuary in such a manner that the policy or purposes of the HINMSA cannot be fulfilled, the Secretary may terminate the entire Sanctuary designation. At least 30 days before that termination, the Secretary must submit written notice of the termination to the House Committee on Resources and Senate Committee on Commerce, Science, and Transportation.

A document announcing the effective date of these regulations will be published in the **Federal Register**.

**ADDRESSES:** The Final Environmental Impact Statement/Management Plan (FEIS/MP) prepared to implement the Sanctuary designation was released on February 18, 1997. Copies of the FEIS/MP are available on request to the Hawaiian Islands Humpback Whale National Marine Sanctuary Office, 726 South Kihei Road, Kihei, Maui, Hawaii 96753; or the Sanctuaries and Reserves Division (SRD), Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, 1305 East-West Highway, SSMC-4, 12th Floor, Silver Spring, MD 20910.