

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-AAL-6]

#### Proposed Revision of Class D Airspace; Lake Hood, Elmendorf AFB, and Merrill Field, AK; Proposed Revision of Class E Airspace; Elmendorf AFB and Merrill Field, AK

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action would revise the Class D airspace at Lake Hood, Elmendorf Air Force Base (AFB), and Merrill Field, AK, as well as the Class E airspace (designated as surface areas) at Elmendorf AFB and Merrill Field, AK. The revision of the Anchorage, Alaska, Terminal Airspace Area segment boundaries affecting Lake Hood, Elmendorf AFB, and Merrill Field, AK, has made this action necessary. Adoption of this proposal would result in the alignment of Class D airspace to coincide with the revised Anchorage Terminal Airspace segment boundaries, eliminating chart clutter and confusion between segment, Class D boundaries, and Class E boundaries. The adoption of this proposal would also align the Elmendorf AFB and Merrill Field, AK, Class E airspace areas (designated as surface areas) with the Class D boundaries.

**DATES:** Comments must be received on or before June 4, 1999.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Operations Branch, AAL-530, Docket No. 99-AAL-6, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587.

The official docket may be examined in the Office of the Regional Counsel for the Alaskan Region at the same address.

An informal docket may also be examined during normal business hours in the Office of the Manager, Operations

Branch, Air Traffic Division, at the address shown above and on the Internet at Alaskan Region's homepage at <http://www.alaska.faa.gov/at> or at address <http://162.58.28.41/at>.

#### FOR FURTHER INFORMATION CONTACT:

Robert van Haastert, Operations Branch, AAL-538, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5863; fax: (907) 271-2850; email: [Robert.van.Haastert@faa.gov](mailto:Robert.van.Haastert@faa.gov). Internet address: <http://www.alaska.faa.gov/at> or at address <http://162.58.28.41/at>.

#### 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 the airspace docket number 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 Airspace Docket No. 99-AAL-6." 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 notice may be changed in light of comments received. All comments submitted will be available for examination in the Operations Branch, Air Traffic Division, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK, 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 NPRM's

An electronic copy of this document may be downloaded, using a modem and suitable communications software, from the FAA regulations section of the Fedworld electronic bulletin board service (telephone: 703-321-3339) or the **Federal Register's** electronic bulletin board service (telephone: 202-512-1661).

Internet users may reach the **Federal Register's** web page for access to recently published rulemaking documents at [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html).

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Operations Branch, AAL-530, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A which describes the application procedure.

#### Background

On October 1, 1997, the FAA published a Notice of Proposed Rulemaking (NPRM) in the **Federal Register** (62 FR 190) to revise the Anchorage, Alaska, Terminal Area (Docket No. 29029, Notice No. 97-14). In this rulemaking, the boundaries for the Merrill, Lake Hood, and Elmendorf AFB segments were revised. On March 29, 1999, the FAA published the final rule in the **Federal Register** (62 FR 14971) for the Anchorage, Alaska, Terminal Area, revising boundaries and descriptions for each segment and listed the effective date as June 17, 1999. The Anchorage, Alaska, Terminal Area revisions and a graphic can be viewed at Alaskan Region's Internet homepage site located at Uniform Resource Locator (URL) <http://www.alaska.faa.gov/at>.

#### The Proposal

The FAA proposes to amend 14 CFR part 71 by revising the Class D airspace at Lake Hood, Elmendorf AFB, and Merrill Field, AK, due to the revision of the Anchorage, Alaska, Terminal Airspace Area. The segment boundaries descriptions for Elmendorf AFB, Lake Hood, and Merrill, AK, have been revised in the Anchorage, Alaska,

Terminal Airspace update. Currently, the segment boundaries, the Class D airspace boundaries, and the Class E airspace (designated as surface area) boundaries do not coincide, which clutters the aeronautical charts and could cause confusion delineating between the segment, Class D, and Class E airspace boundaries. The intended effect of this proposal is to align the Class D airspace boundaries at Lake Hood, Elmendorf AFB, and Merrill Field, AK, to match the revised Anchorage, Alaska, Terminal Area segment boundaries and align the Class E airspace areas at Elmendorf AFB and Merrill Field, AK, to match the Class D boundaries.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class D airspace areas are published in paragraph 5000 and the Class E airspace designated as surface areas are published in paragraph 6002 in FAA Order 7400.9F, *Airspace Designations and Reporting Points*, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1 (1 (63 FR 50139; September 21, 1998)). The Class D and Class E airspace designations listed in this document would be revised and published subsequently in the Order.

The FAA 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, when promulgated, 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).

#### 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, 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 Federal Aviation Administration Order 7400.9F, *Airspace Designations and Reporting Points*, dated September 10, 1998, and effective September 16, 1998, is to be amended as follows:

#### Paragraph 5000 Class D Airspace

\* \* \* \* \*

#### AAL AK D Anchorage, Elmendorf AFB Airport, AK [Revised]

Anchorage, Elmendorf AFB Airport, AK  
(Lat. 61° 15' 11" N., long. 149° 47' 38" W.)  
Point Nona  
(Lat. 61° 15' 38" N., long. 149° 55' 38" W.)  
Ship Creek  
(Lat. 61° 13' 32" N., long. 149° 58' 44" W.)

That airspace extending upward from the surface to and including 3,000 feet MSL within a line beginning at Point Nona; thence via the north bank of the Knik Arm to the intersection of the 4.7-mile radius of Elmendorf AFB Airport; thence clockwise along the 4.7-mile arc of Elmendorf AFB to long. 149° 46' 44" W., thence south along long. 149° 46' 44" W. to lat. 61° 19' 10" N., thence to lat. 61° 17' 58" N. long. 149° 44' 08" W., thence to lat. 61° 17' 30" N. long. 149° 43' 08" W., thence south along long. 149° 43' 08" W. to the Glenn Highway, thence south and west along the Glenn Highway to Muldoon Road, thence direct to the mouth of Ship Creek, thence direct to the point of beginning; excluding that airspace within the Anchorage International Airport, AK, Class C airspace. This Class D airspace area is effective during the 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.

\* \* \* \* \*

#### AAL AK D Anchorage, Lake Hood, AK [Revised]

Anchorage, Lake Hood, AK  
(Lat. 61° 10' 48" N., long. 149° 58' 19" W.)  
Anchorage Air Traffic Control Tower  
(Lat. 61° 10' 36" N., long. 149° 58' 59" W.)  
Point MacKenzie  
(Lat. 61° 14' 14" N., long. 149° 59' 12" W.)  
West Anchorage High School  
(Lat. 61° 12' 13" N., long. 149° 55' 22" W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a line beginning at Point MacKenzie, thence direct to West Anchorage High School, thence direct to the intersection of Tudor Road and the New Seward Highway,

thence south along the New Seward Highway to the 090° bearing from the Anchorage Air Traffic Control Tower, thence west direct to the Anchorage Air Traffic Control Tower, thence north along the 350° bearing from the Anchorage Air Traffic Control Tower to the north bank of Knik Arm, thence via the north bank of Knik Arm to the point of beginning; excluding that airspace within the Anchorage International Airport, AK, Class C airspace.

\* \* \* \* \*

#### AAL AK D Anchorage, Merrill Field, AK [Revised]

Anchorage, Merrill Field, AK  
(Lat. 61° 12' 52" N., long. 149° 50' 46" W.)  
Point Nona  
(Lat. 61° 15' 38" N., long. 149° 55' 38" W.)  
Point MacKenzie  
(Lat. 61° 14' 14" N., long. 149° 59' 12" W.)  
Ship Creek  
(Lat. 61° 13' 32" N., long. 149° 5' 44" W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a line beginning at Point Nona, thence direct to the mouth of Ship Creek, thence direct to the intersection of the Glenn Highway and Muldoon Road, thence south along Muldoon Road to Tudor Road, thence west along Tudor Road to the New Seward Highway, thence direct to West Anchorage High School, thence direct to Point MacKenzie, thence via the north bank of Knik Arm to the point of beginning; excluding that airspace within the Anchorage International Airport, AK, Class C airspace. This Class D airspace area is effective during the 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 6002 Class E airspace designated as surface areas

\* \* \* \* \*

#### AAL AK E2 Anchorage, Elmendorf AFB Airport, AK [Revised]

Anchorage, Elmendorf AFB Airport, AK  
(Lat. 61° 15' 11" N., long. 149° 47' 38" W.)  
Point Nona  
(Lat. 61° 15' 38" N., long. 149° 55' 38" W.)  
Ship Creek  
(Lat. 61° 13' 32" N., long. 149° 58' 44" W.)

That airspace extending upward from the surface to and including 3,000 feet MSL within a line beginning at Point Nona; thence via the north bank of the Knik Arm to the intersection of the 4.7-mile radius of Elmendorf AFB Airport; thence clockwise along the 4.7-mile arc of Elmendorf AFB to long. 149° 46' 44" W., thence south along long. 149° 46' 44" W. to lat. 61° 19' 10" N., thence to lat. 61° 17' 58" N. long. 149° 44' 08" W., thence to lat. 61° 17' 30" N. long. 149° 43' 08" W., thence south along long. 149° 43' 08" W. to the Glenn Highway, thence south and west along the Glenn Highway to Muldoon Road, thence direct to the mouth of Ship Creek, thence direct to the point of beginning; excluding that airspace within the Anchorage International Airport, AK, Class C airspace. This Class E airspace area is effective during the 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.

\* \* \* \* \*

#### **AAL AK E2 Anchorage, Merrill Field, AK [Revised]**

Anchorage, Merrill Field, AK

(Lat. 61° 12' 52" N., long. 149° 50' 46" W.)

Point Noname

(Lat. 61° 15' 38" N., long. 149° 55' 38" W.)

Point MacKenzie

(Lat. 61° 14' 14" N., long. 149° 59' 12" W.)

Ship Creek

(Lat. 61° 13' 32" N., long. 149° 58' 44" W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a line beginning at Point Noname, thence direct to the mouth of Ship Creek, thence direct to the intersection of the Glenn Highway and Muldoon Road, thence south along Muldoon Road to Tudor Road, thence west along Tudor Road to the New Seward Highway, thence direct to West Anchorage High School, thence direct to Point MacKenzie, thence via the north bank of Knik Arm to the point of beginning; excluding that airspace within the Anchorage International Airport, AK, Class C airspace. This Class E airspace area is effective during the 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.

Issued in Anchorage, AK, on April 9, 1999.

**Willis C. Nelson,**

*Manager, Air Traffic Division, Alaskan Region.*

[FR Doc. 99-9781 Filed 4-19-99; 8:45 am]

BILLING CODE 4910-13-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

[Airspace Docket No. 99-AAL-2]

#### **Proposed Revision of Class E Airspace; Yakutat, AK**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to revise Class E airspace at Yakutat, AK. The establishment of three Standard Instrument Approach Procedures (SIAP) to runway (RWY) 02, RWY 11, and RWY 29 at Yakutat, AK, have made this action necessary. Adoption of this proposal would result in the provision of adequate controlled airspace for Instrument Flight Rules (IFR) operations at Yakutat, AK.

**DATES:** Comments must be received on or before June 4, 1999.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager,

Operations Branch, AAL-530, Docket No. 99-AAL-2, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587.

The official docket may be examined in the Office of the Regional Counsel for the Alaskan Region at the same address.

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Robert van Haastert, Operations Branch, AAL-538, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5863; fax: (907) 271-2850; email:

[Robert.van.Haastert@faa.dot.gov](mailto:Robert.van.Haastert@faa.dot.gov).

Internet address: <http://www.alaska.faa.gov/at> or at address <http://162.58.28.41/at>.

#### **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 the airspace docket number 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 Airspace Docket No. 99-AAL-2." 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 notice may be changed in light of comments received. All comments submitted will be available for examination in the Operations Branch, Air Traffic Division, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK, 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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#### **The Proposal**

The FAA proposes to amend 14 CFR part 71 by revising the Class E airspace at Yakutat, AK, through the establishment of three very high frequency (VHF) omni-directional radio range (VOR) instrument approaches to RWY 02, RWY 11, and RWY 29. The area would be depicted on aeronautical charts for pilot reference. The intended effect of this proposal is to provide adequate controlled airspace for IFR operations at Yakutat, AK.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as airport surface areas are published in paragraph 6002 and the Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 of FAA Order 7400.9F, *Airspace Designations and Reporting Points*, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1 (63 FR 50139; September 21, 1998). The Class E airspace designations listed in this document would be revised and published subsequently in the Order.

The FAA has determined that these proposed regulations only involve an established body of technical regulations for which frequent and