

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).

#### 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 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 amended as follows:

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

\* \* \* \* \*

##### Mountain Village Airport [New]

(Lat. 62°05'43" N., long. 163°40'55" W.)

That airspace extending upward from 700 feet above the surface within 6.3-mile radius of the Mountain Village Airport and that airspace extending upward from 1,200 feet above the surface within 35 miles southeast of the airport extending clockwise from the 139° radial to the 310° radial, excluding that airspace within the St. Marys, AK, Class E airspace area.

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Issued in Anchorage, AK, on September 28, 1999.

**Willis C. Nelson,**

*Manager, Air Traffic Division, Alaskan Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99–AAL–7]

#### Establishment of Class E Airspace; Aniak, AK; Establishment of Class E Airspace; St. Mary's, AK

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E (surface area) airspace at Aniak, AK, and St. Mary's, AK. This action is at the request of air taxi operators with flight operations at these airports. This rule provides additional Class E airspace for aircraft flying Instrument Flight Rules (IFR) procedures at Aniak, AK, and St. Mary's, AK.

**EFFECTIVE DATE:** 0901 UTC, November 4, 1999.

**FOR FURTHER INFORMATION CONTACT:** Bob Durand, Operations Branch, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587; telephone number (907) 271–5898; fax: (907) 271–2850; email: Bob.Durand@faa.gov. Internet address: <http://www.alaska.faa.gov/at> or at address <http://162.58.28.41/at>.

#### SUPPLEMENTARY INFORMATION:

##### History

On March 16, 1999, the FAA initiated Airspace Study 99–AAL–022–NR, Proposal to Establish Surface Areas at Aniak and St. Mary's Airports, at the request from Pen Air, Northern Air Cargo, and Arctic Transportation Services to consider the establishment of additional controlled Class E Airspace. These additional controlled Class E airspaces would provide surface areas for aircraft flying IFR at the Aniak and St. Mary's airports.

Concerns expressed included: (1) It is disconcerting to be on an IFR approach knowing that Visual Flight Rule (VFR) aircraft may be in close proximity when the transition is made from IFR to VFR for landing; (2) aircraft are not required to talk on the Common Traffic Advisory Frequency (CTAF); (3) aircraft on instrument approach must mix with VFR aircraft in weather conditions as low as 'clear of clouds' and 'one-mile flight visibility'; and (4) an aircraft on an IFR approach could descend through the clouds and find themselves on a collision course with uncontrolled VFR traffic.

Changes that will result for VFR pilots with the establishment of these surface areas include: (1) A requirement to

maintain basic VFR weather minimums as detailed in 14 CFR part 91 section 155 (§ 91.155) established for Class E airspace to the surface consisting of three (3) statute miles visibility and cloud clearance of 500 feet below, 1,000 feet above, and 2,000 feet horizontal distance from clouds; and if the basic VFR weather minimums (§ 91.155) can not be maintained, then a pilot will be required to fly in accordance with the Special VFR weather minimums contained in § 91.157, i.e., have an Air Traffic Control (ATC) clearance.

Comments were received from Tatonduk Outfitters Limited, Tanana Air Service, and one pilot. Based on the supportive comments received during the airspace study, the FAA decided to proceed with the rulemaking process to establish surface areas at Aniak, AK, and St. Mary's, AK.

On July 30, 1999, a proposal to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace areas at Aniak, AK, and St. Mary's, AK, was published in the **Federal Register** (64 FR 41363). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No public comments to the proposal were received; thus, the rule is adopted as written.

The areas will 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 surface areas are published in paragraph 6002 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 will be revised and published subsequently in the Order.

##### The Rule

This amendment to 14 CFR part 71 establishes the Class E (surface area) airspace at Aniak, AK, and St. Mary's, AK, at the request of air taxi operators with flight operations at these airports. The area will be depicted on aeronautical charts for pilot reference. The intended effect of this proposal is to provide additional controlled airspace for IFR operations at Aniak, AK, and St. Mary's, AK.

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).

#### 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 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 amended as follows:

*Paragraph 6002 Class E airspace designated as surface areas*

\* \* \* \* \*

#### AAL AK E2 Aniak, AK [New]

Aniak Airport

(Lat. 61°34'54" N., long. 159°32'35" W.)

Aniak NDB

(Lat. 61°35'25" N., long. 159°35'53" W.)

Within a 4-mile radius of the Aniak Airport and within 1.5 miles each side of the 300° bearing and the 112° bearing from the Aniak NDB, extending from the 4-mile radius to 6.5 miles and within 2.8 miles each side of the Aniak NDB 229° bearing, extending from the 4-mile radius to 6.5 miles southwest of the airport. 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.

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#### AAL E2 St. Mary's, AK [New]

St. Mary's Airport, AK

(Lat. 62°03'38" N., long. 163°18'08" W.)

St. Mary's NDB

(Lat. 62°03'30" N., long. 163°17'30" W.)

Within a 4.1-mile radius of the St. Mary's Airport and within 1.5 miles west of the 339° bearing and 1.5 miles east of the 001° bearing from the St. Mary's NDB, extending from the 4.1 mile radius to 6.7 miles north of the airport and within 1.5 miles west of the 197° bearing and 1.5 miles east of the 185° bearing from the St. Mary's NDB, extending from the 4.1-mile radius to 6.7 miles south of the airport. 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.

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Issued in Anchorage, AK, on September 28, 1999.

**Willis C. Nelson,**

*Manager, Air Traffic Division, Alaskan Region.*

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#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99–AAL–14]

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

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Kalskag, AK. The establishment of Global Positioning System (GPS) instrument approach procedures at Kalskag Airport made this action necessary. The Kalskag Airport status changes from Visual Flight Rules (VFR) to Instrument Flight Rules (IFR). This rule provides adequate controlled airspace for aircraft flying IFR procedures at Kalskag, AK.

**EFFECTIVE DATE:** 0901 UTC, November 4, 1999.

**FOR FURTHER INFORMATION CONTACT:** Bob Durand, Operations Branch, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587; telephone number (907) 271–5898; fax: (907) 271–2850; email: Bob.Durand@faa.gov. Internet address: <http://www.alaska.faa.gov/at> or at address <http://162.58.28.41/at>.

#### SUPPLEMENTARY INFORMATION:

#### History

On July 30, 1999, a proposal to amend part 71 of the Federal Aviation

Regulations (14 CFR part 71) to establish the Class E airspace at Kalskag, AK, was published in the **Federal Register** (64 FR 41357). The proposal was necessary due to the establishment of GPS instrument approaches at Kalskag, AK. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No public comments to the proposal were received. The airspace description, however, should read “excluding that airspace within the Aniak, AK, Class E area” not the St. Mary's Class E area.” The Federal Aviation Administration has determined that this change is editorial in nature and will not increase the scope of this rule. Except for the non-substantive change just discussed, the rule is adopted as written.

The area will 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 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 will be revised and published subsequently in the Order.

#### The Rule

This amendment to 14 CFR part 71 establishes the Class E airspace at Kalskag, AK, through the establishment of GPS instrument approaches. The area will be depicted on aeronautical charts for pilot reference. The intended effect of this proposal is to provide adequate controlled airspace for IFR operations at Kalskag, AK.

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