

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2003-14461; Airspace
Docket No. 03-ACE-14]

**Modification of Class E Airspace;
Davenport, IA**

AGENCY: Federal Aviation
Administration, DOT.

ACTION: Direct final rule; confirmation of
effective date.

SUMMARY: This document coinforms the
effective date of the direct final rule
which revises Class E airspace at
Davenport, IA.

EFFECTIVE DATE: 0901 UTC, July 10,
2003.

FOR FURTHER INFORMATION CONTACT:

Kathy Randolph, Air Traffic Division,
Airspace Branch, ACE-520C, DOT
Regional Headquarters Building, Federal
Aviation Administration, 901 Locust,
Kansas City, MO 64106; telephone:
(816) 329-2525.

SUPPLEMENTARY INFORMATION: The FAA
published this direct final rule with a
request for comments in the **Federal
Register** on February 27, 2003 (68 FR
8998). The FAA uses the direct final
rulemaking procedure for a non-
controversial rule where the FAA
believes that there will be no adverse
public comment. This direct final rule
advised the public that no adverse
comments were anticipated, and that
unless a written adverse comment, or a
written notice of intent to submit such
an adverse comment, were received
within the comment period, the
regulation would become effective on
July 10, 2003. No adverse comments
were received, and thus this notice
confirms that this direct final rule will
become effective on that date.

Issued in Kansas City, MO on May 2, 2003.

Herman J. Lyons, Jr.,

Manager, Air Traffic Division, Central Region.
[FR Doc. 03-11783 Filed 5-12-03; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA-2003-14184; Airspace
Docket No. 02-AWP-12]

RIN 2120-AA66

**Amendment of Restricted Area R-
2303A and R-2303B, Fort Huachuca,
AZ**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the
designated time of use for Restricted
area 2303A (R-2303A) and 2303B (R-
2303B), Fort Huachuca, AZ.
Specifically, this action amends the
designated time of use from "Monday-
Friday, 0700-1600 local time; other
times by NOTAM at least 24 hours in
advance," to "Monday-Friday, 0700-
1700 local time; other times by NOTAM
at least 24 hours in advance." Increased
training requirements at Fort Huachuca
have resulted in a continued need for
restricted airspace usage up to 1700
hours, Monday through Friday. This
action will not change the current
boundaries or activities conducted in
the airspace area.

EFFECTIVE DATE: 0901 UTC, September 4,
2003.

FOR FURTHER INFORMATION CONTACT: Ken
McElroy, 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:

History

On January 23, 2003, the FAA
published in the **Federal Register** a
notice proposing to amend R-2303A
and R-2303B (68 FR 3198). Interested
parties were invited to participate in
this rulemaking effort by submitting
written comments on the proposal. No
comments were received regarding this
rulemaking. Except for editorial
changes, this amendment is the same as
that proposed in the notice. These
rulemaking actions "are necessary in the
interest of national defense," as required
under 49 U.S.C. 40103(b)(3)(A).

The Rule

Based on the U.S. Army's request, this
action amends Title 14 Code of Federal
Regulations (14 CFR) part 73 (part 73) to
change the designated time of use for R-
2303A and R-2303B. Specifically, this

action modifies the designated time of
use from "Monday-Friday, 0700-1600
local time; other times by NOTAM at
least 24 hours in advance," to
"Monday-Friday, 0700-1700 local time;
other times by NOTAM at least 24 hours
in advance." Increased training
requirements at Fort Huachuca have
resulted in a need for restricted airspace
usage up to 1700 hours, Monday
through Friday. This action will not
change the current boundaries or
activities conducted in the airspace
area.

Section 73.48 of part 73 of the Federal
Aviation Regulations was republished
in FAA Order 7400.8K, dated September
26, 2002.

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, when
promulgated, will not have a significant
economic impact on a substantial
number of small entities under the
criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this
action qualifies for categorical exclusion
under the National Environmental
Policy Act in accordance with FAA
Order 1050.1D, Policies and Procedures
for Considering Environmental Impacts.
This airspace action is not expected to
cause any potentially significant
environmental impacts, and no
extraordinary circumstances exist that
warrant preparation of an
environmental assessment.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

■ In consideration of the foregoing, the
Federal Aviation Administration
amends 14 CFR part 73, as follows:

PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73
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.

§ 73.23 [Amended]

■ 2. § 73.23 is amended as follows:

* * * * *

R-2303A, AZ [Amended]

By removing "Time of designation. Monday–Friday, 0700–1600 local time; other times by NOTAM at least 24 hours in advance," and substituting "Time of designation. Monday–Friday, 0700–1700 local time; other times by NOTAM at least 24 hours in advance."

R-2303B, AZ [Amended]

By removing "Time of designation. Monday–Friday, 0700–1600 local time; other times by NOTAM at least 24 hours in advance," and substituting "Time of designation. Monday–Friday, 0700–1700 local time; other times by NOTAM at least 24 hours in advance."

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Issued in Washington, DC, May 6, 2003.

Reginald C. Matthews,

Manager, Airspace and Rules Division.

[FR Doc. 03–11781 Filed 5–12–03; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 110

[CGD08–02–018]

RIN 1625–AA01 [Formerly RIN 2115–AA98]

Anchorage Regulation; Bolivar Roads, Galveston, TX

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is creating a new anchorage area in Bolivar Roads near Galveston, Texas. The establishment of this new anchorage area will enhance navigational safety, support regional maritime security needs, and contribute to the free flow of commerce in the Houston/Galveston area.

DATES: This rule is effective June 12, 2003.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket [CGD08–02–018] and are available for inspection or copying at Commander, Eighth Coast Guard District (m), Hale Boggs Federal Bldg., 501 Magazine Street, New Orleans, LA 70130, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Lieutenant (LT) Karrie Trebbe, Project Manager for Eighth Coast Guard District Commander, telephone (504) 589–6271.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On January 28, 2003, the Coast Guard published a notice of proposed rule making (NPRM) entitled "Anchorage Regulation; Bolivar Roads, Galveston, TX", in the **Federal Register** (68 FR 4130). We received no comments on the proposed rule. No public hearing was requested, and none was held.

Background and Purpose

At its February 2002 meeting, the Houston/Galveston Navigation Safety Advisory Committee (HOGANSAC) recommended establishment of a third anchorage area in the Galveston Bay area. HOGANSAC, a Congressionally-chartered Federal advisory committee, is responsible for advising, consulting with, and making recommendations to the Secretary of Transportation on matters relating to the transit of vessels to and from the ports of Galveston, Houston and Texas City and the safety of maritime navigation in the Galveston Bay area. Participants at the February 2002 HOGANSAC meeting noted that a third anchorage in the Bolivar Roads area was necessary to address port security and navigation safety concerns. After extensive discussion, including the observations of and comments from members of the public in attendance, HOGANSAC recommended that the Coast Guard establish a third anchorage area in Bolivar Roads.

Based on the recommendation of HOGANSAC the Coast Guard proposed a third anchorage area, anchorage area (C), in Bolivar Roads. This new anchorage area, located inside the Galveston Bay Entrance Jetties, will provide a sheltered location for vessels to anchor during heavy weather or reduced visibility conditions. The existing anchorages, anchorage area (A) and anchorage area (B), are generally full during these same periods and there is no alternative sheltered anchorage in Bolivar Roads. The location of anchorage area (C), abuts the western edge of anchorage area (B), is in a naturally deep portion of Bolivar Roads, and is outside any heavily traveled section of the waterway.

This third anchorage area is also necessary because port security-related initiatives adopted by various terminals and facilities in the Galveston Bay area have restricted pier side operations critical to the efficient flow of maritime commerce. For example, bunkering, provisions deliveries, and personnel

transfer operations are restricted or prohibited by numerous facilities in the ports of Galveston, Houston and Texas City. The nature of those activities requires that they be accomplished in calm water conditions and relatively close to shore. As a result, vessel operators and ship owners rely upon the existing anchorage areas (anchorage areas (A) and (B)) in Galveston Bay to conduct these operations. Increasingly, anchorage space in those areas is in high demand. A third designated anchorage area would relieve congestion and provide anchorage space to accommodate the ever-increasing volumes of traffic in the Galveston Bay area.

Discussion of Comments and Changes

We received no comments on the proposed rule. Therefore, we have made no substantial changes to the provisions of the proposed rule.

Minor changes were made to the Regulatory Evaluation and authority sections due to the Coast Guard's transfer from the Department of Transportation to the Department of Homeland Security on March 1, 2003.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory and Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security.

The anchorage area will not unnecessarily restrict traffic as it is located outside the established navigable channel. Vessels will be able to maneuver in, around and through the anchorage. Operators who choose to maneuver their vessels around the limits of the anchorage area will not be significantly impacted because the total route deviation to cross from one side of the anchorage to the other following the perimeter of the anchorage is only 1.4 nautical miles.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and