

Issued in Renton, Washington, on February 15, 2000.

**Donald L. Riggin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM-100.*

[FR Doc. 00-4484 Filed 2-24-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 00-ACE-3]

#### Amendment to Class E Airspace; Cuba, MO

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends the Class E airspace area at Cuba Municipal Airport, Cuba, MO. The FAA has developed a Nondirectional Radio Beacon (NDB)-A Standard Instrument Approach Procedure (SIAP) to serve Cuba Municipal Airport, MO. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate this SIAP and for Instrument Flight Rules (IFR) operations at this airport. The enlarged area will contain the new NDB-A SIAP in controlled airspace.

The intended effect of this rule is to provide controlled Class E airspace for aircraft executing the NDB-A SIAP, and to segregate aircraft using instrument approach procedures in instrument conditions from aircraft operating in visual conditions.

**DATES:** This direct final rule is effective on 0901 UTC, June 15, 2000.

Comments for inclusion in the Rules Docket must be received on or before April 3, 2000.

**ADDRESSES:** Send comments regarding the rule in triplicate to: Manager, Airspace Branch, Air Traffic Division, ACE-520, DOT Regional Headquarters Building, Federal Aviation Administration, Docket Number 00-ACE-3, 901 Locust, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2524.

**SUPPLEMENTARY INFORMATION:** The FAA has developed an NDB-A SIAP to serve the Cuba Municipal Airport, MO. The amendment to Class E airspace at Cuba, MO, will provide additional controlled airspace at and above 700 feet AGL in order to contain the new SIAP within controlled airspace, and thereby facilitate separation of aircraft operating under Instrument Flight Rules. The amendment at Cuba Municipal Airport, MO, will provide additional controlled airspace for aircraft operating under IFR. The area will be depicted on appropriate aeronautical charts. 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 7400.9G, dated September 10, 1999, and effective September 16, 1999, 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. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. 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 comment, 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 is extremely helpful in evaluating the effectiveness of this action and determination whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related 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. 00-ACE-3." The postcard will be date stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12877; (2) is not a "significant rule" Department of Transportation (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.

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

Airspace, Incorporation by reference, Navigation(air).

#### Adoption of the Amendment

Accordingly, 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 7400.9G, Airspace Designations and Reporting Points, dated September 10, 1999, and effective September 16, 1999, is amended as follows:

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

\* \* \* \* \*

##### **ACE MO E5 Cuba, MO [Revised]**

Cuba Municipal Airport, MO  
(Lat. 38°04'08"N., long. 91°25'44"W.)  
Cuba NDB  
(Lat. 38°03'55"N., long. 91°25'38"W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Cuba Municipal Airport and within 2.6 miles each side of the 002° bearing from the Cuba NDB extending from the 6.3-mile radius to 7.4 miles north of the NDB and within 2.6 miles each side of the 197° bearing from the Cuba NDB extending from the 6.3-mile radius to 7.4 miles south of the NDB and within 2.5 miles each side of the 211° bearing from the Cuba NDB extending from the 6.3-mile radius to 7 miles southwest of the NDB.

\* \* \* \* \*

Issued in Kansas City, MO, on February 11, 2000.

**Herman J. Lyons, Jr.,**  
Manager, Air Traffic Division, Central Region.  
[FR Doc. 00–4486 Filed 2–24–00; 8:45 am]

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 73**

[Airspace Docket No. 00–AGL–5]

RIN 2120–AA66

#### **Change Controlling Agency for Restricted Areas R–6901A and R–6901B; Fort McCoy, WI**

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

**ACTION:** Final rule.

**SUMMARY:** This action changes the controlling agency for Restricted Areas R–6901A and R–6901B from “Minneapolis Air Route Traffic Control Center (ARTCC)” to “Chicago ARTCC.” This action is being taken due to a realignment of airspace areas under the control jurisdiction of Chicago ARTCC. **EFFECTIVE DATE:** 0901 UTC, April 20, 2000.

**FOR FURTHER INFORMATION CONTACT:** Sheri Edgett Baron, 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**

Due to the realignment of airspace in the vicinity of R–6901A and R–6901–B, Chicago ARTCC has assumed responsibility for performing the function of controlling agency for these areas.

##### **The Rule**

This action amends 14 CFR part 73 by changing the designated controlling agency for R–6901A and R–6901B from “FAA, Minneapolis ARTCC,” to “FAA, Chicago ARTCC.” There are no changes to the boundaries, altitudes, time of designation, or activities conducted within the restricted areas.

Since this action simply changes the controlling agency for the existing restricted areas, and does not involve a change in the dimensions or operating requirements of that airspace, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Section 73.69 of part 73 was republished in FAA Order 7400.8G, dated September 1, 1999.

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**

This action is a minor administrative change amending the published designation of the controlling agency for existing R–6901A and R–901B. There are no changes to air traffic control procedures or routes as a result of this action. Therefore, this action is not subject to environmental assessments and procedures under FAA Order 1050.1D, “Policies and Procedures for Considering Environmental Impacts,” and the National Environmental Policy Act of 1969.

#### **List of Subjects in 14 CFR Part 73**

Airspace, Incorporation by reference, 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 14 CFR 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.

##### **§ 73.69 [Amended]**

2. § 73.69 is amended as follows:

##### **R–6901A Fort McCoy, WI**

By removing the words “Controlling agency. FAA, Minneapolis ARTCC,” and substituting the words “Controlling agency. FAA Chicago ARTCC.”

##### **R–6901B Fort McCoy, WI**

By removing the words “Controlling agency. FAA, Minneapolis ARTCC,” and substituting the words “Controlling agency. FAA Chicago ARTCC.”

Issued in Washington, DC, on February 17, 2000.

**Terry K. Brown,**  
Acting Manager, Airspace and Rules Division.  
[FR Doc. 00–4485 Filed 2–24–00; 8:45 am]

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