

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Docket No. FAA-2004-17426; Airspace  
Docket No. 04-ACE-26]

**Modification of Class E Airspace;  
Minden, NE**

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

**ACTION:** Direct final rule; confirmation of  
effective date.

**SUMMARY:** This document confirms the  
effective date of the direct final rule  
which revises Class E airspace at  
Minden, NE.

**DATES:** *Effective Date:* 0901 UTC, August  
5, 2004.

**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  
published this direct final rule with a  
request for comments in the **Federal  
Register** on May 11, 2004 (69 FR 26034),  
and subsequently published a correction  
to the direct final rule on May 27, 2004  
(69 FR 30360). 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  
August 5, 2004. 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 June 7,  
2004.

**Elizabeth S. Wallis,**

*Acting Manager, Air Traffic Division, Central  
Region.*

[FR Doc. 04-13829 Filed 6-17-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Docket No. FAA-2004-17597; Airspace  
Docket No. 04-AEA-07]

**Amendment of Class E Airspace;  
Richmond, VA**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E  
airspace at Richmond, VA. The  
development of multiple area navigation  
(RNAV) Standard Instrument Approach  
Procedures (SIAP) for numerous airports  
within the Richmond, VA metropolitan  
area with approved Instrument Flight  
Rules (IFR) operations and the resulting  
overlap of designated Class E-5 airspace  
have made this action necessary. This  
action consolidates the Class E-5  
descriptions through separate  
rulemaking action. The area will be  
depicted on aeronautical charts for pilot  
reference.

**DATES:** *Effective Date:* 0901 UTC August  
5, 2004.

**FOR FURTHER INFORMATION CONTACT:** Mr.  
Francis Jordan, Airspace Specialist,  
Airspace Branch, AEA-520, Air Traffic  
Division, Eastern Region, Federal  
Aviation Administration, 1 Aviation  
Plaza, Jamaica, New York 11434-4809,  
telephone: (718) 553-4521.

**SUPPLEMENTARY INFORMATION:**

**History**

On May 11, 2004, a notice proposing  
to amend part 71 of the Federal Aviation  
Regulations (14 CFR part 71) by  
consolidating existing Class E-5  
airspace designations in the Richmond,  
VA metropolitan area and incorporating  
those areas into the Richmond, VA  
description was published in the  
**Federal Register** (69 FR 26056-26057).  
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. The rule is adopted as  
proposed.

The coordinates for this airspace  
docket are based on North American  
Datum 83. Class E airspace area  
designations for airspace extending  
upward from the surface are published  
in paragraph 6005 of FAA Order  
7400.9L, dated September 2, 2003, and  
effective September 16, 2003, which is  
incorporated by reference in 14 CFR  
71.1. The Class E airspace designation

listed in this document will be amended  
in the order.

**The Rule**

This amendment to part 71 of the  
Federal Aviation Regulations (14 CFR  
part 71) provides controlled Class E  
airspace extending upward from 700 ft  
above the surface for aircraft conducting  
IFR operations within the Richmond,  
VA Class E-5 airspace description.

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 will not have  
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. 106(g), 40103, 40113,  
40120; EO 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 7400.9L, Airspace  
Designations and Reporting Points,  
dated September 2, 2003, and effective  
September 16, 2003, is amended as  
follows:

*Paragraph 6005 Class E airspace areas  
extending upward from 700 ft above the  
surface of the earth.*

\* \* \* \* \*

**AEA VA E5 Richmond, VA (Revised)**

That airspace extending upward from 700  
feet above the surface within an area  
bounded by a line beginning at lat. 37°03'52"  
N., long. 77°47'45" W., to lat. 37°11'51" N.,  
long. 77°41'25" W., to lat. 37°27'45" N., long.  
77°41'44" W., to lat. 37°49'25" N., long.

77°32'39" W., to lat. 37°49'28" N., long.  
77°19'42" W., to lat. 37°34'38" N., long.  
76°56'19" W., to lat. 37°26'41" N., long.  
76°55'56" W., to lat. 36°55'48" N., long  
77°37'56" W., to the point of beginning.

\* \* \* \* \*

Issued in Jamaica, New York, on June 12, 2004.

**John G. McCartney,**

*Assistant Manager, Air Traffic Division,  
Eastern Region.*

[FR Doc. 04-13830 Filed 6-17-04; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2004-17900; Airspace  
Docket No. 04-AEA-08]

#### Amendment of Class E Airspace; Norfolk, VA

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

**ACTION:** Final rule; request for  
comments.

**SUMMARY:** This action removes the description of the Class E airspace designated for Norfolk NAS (Chambers Field), VA; Langley AFB, Hampton, VA; Oceana NAS (Apollo Soucek Field), VA; Fentress NALF, VA; Felker AAF, Ft. Eustis, VA; Newport News/Williamsburg International Airport, Newport News, VA; Chesapeake Regional Airport, VA; Hampton Roads Executive Airport, Portsmouth, VA; Aberdeen Field Airport, VA; Hummel Field Airport, VA; Suffolk Municipal Airport, VA; Middle Peninsula Regional Airport, West Point, VA; and Williamsburg-Jamestown Airport, VA. The affected Class E-5 airspace for the airports included in these descriptions will be consolidated into the amended Norfolk, VA airspace description contained in Docket No. FAA-2004-17596, Airspace Docket No. 04-AEA-06, effective August 5, 2004.

**DATES:** *Effective Date:* August 5, 2004.

*Comment Date:* Comments must be received on or before July 15, 2004.

**ADDRESSES:** Send comments on the rule to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2004-17900; Airspace Docket No. 04-AEA-08 at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the rule, any comments received, and any

final disposition in person in the Docket Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, Eastern Region, 1 Aviation Plaza, Jamaica, NY 11434-4890.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA-520, Aviation Plaza, Jamaica, NY 11434-4809, telephone: (718) 553-4521.

**SUPPLEMENTARY INFORMATION:** Although this action is a final rule, which involves the amendment of Class E airspace within Virginia, by consolidating that airspace into one description, and was not preceded by notice and public procedure, comments are invited on the rule. This rule will become effective on the date specified in the **DATES** section. However, after the review of any comments, if the FAA finds that further changes are appropriate, it will initiate rulemaking proceedings to extend the effective date or to amend the regulation.

Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule, and in determining whether additional rulemaking is required. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the rule which might suggest the need to modify the rule.

#### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) amends the description of Class E airspace in the Norfolk, VA area by removing the airspace designations for Norfolk NAS (Chambers Field), VA; Langley AFB, Hampton, VA; Oceana NAS (Apollo Soucek Field), VA; Fentress NALF, VA; Felker AAF, Ft. Eustis, VA; Newport News/Williamsburg International Airport, Newport News, VA; Chesapeake Regional Airport, Portsmouth, VA; Aberdeen Field Airport, VA; Hummel Field Airport, VA; Suffolk Municipal Airport, VA; Middle Peninsula Regional Airport, VA; and Williamsburg-Jamestown Airport, VA. It consolidates those airspace areas into the amended Norfolk, VA description.

The proliferation of airports with Instrument Flight Rule (IFR) operations within the Norfolk, VA metropolitan area has resulted in the overlap of numerous Class E airspace areas that complicate the chart depictions. This action clarifies the airspace and diminishes the scope and complexity of charting. The IFR airports within those areas will be incorporated into the Norfolk, VA Class E airspace area. Accordingly, since this action merely consolidates these airspace areas into one airspace designation and his inconsequential impact on aircraft operations in the area, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Class E airspace designations for airspace extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9L, dated September 2, 2003, and effective September 16, 2003, 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 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 will not have 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, Incorporated 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 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.