

## History

On August 11, 2004, a notice proposing to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by establishing a Class E airspace area at Jonesville, VA, was published in the **Federal Register** (69 FR 48826–48827). The proposed action would provide controlled airspace to accommodate Standard Instrument Approach Procedures (SIAP), based on area navigation (RNAV), to Lee County Airport. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA on or before September 10, 2004. 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 of the earth are published in paragraph 6005 of FAA Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published 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 feet above the surface for aircraft conducting IFR operations within an 8-mile radius of Lee County Airport, Jonesville, VA.

The FAA has determined that this regulation only involves an establish 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 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. 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]

The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 6005 Class E Airspace Areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AEA VA E5 Jonesville, VA (New)

Lee County Airport, Jonesville, VA  
(Lat. 36°39'15" N., long. 83°13'04" W.)

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Lee County Airport.

\* \* \* \* \*

Issued in Jamaica, New York, on October 5, 2004.

**John G. McCartney,**

*Staff Manager, Eastern Terminal Service Unit.*  
[FR Doc. 04–23070 Filed 10–13–04; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Part 170

**RIN 1076–AE17**

#### Indian Reservation Roads Program

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Final rule; delay of implementation.

**SUMMARY:** On July 19, 2004, the Bureau of Indian Affairs published a Final Rule in the **Federal Register** (69 FR 43090) which established policies and procedures governing the Indian Reservation Roads (IRR) Program. The IRR Program is a part of the Federal Lands Highway Program established to address transportation needs of tribes. The program is jointly administered by the Bureau of Indian Affairs and the Federal Highway Administration's Federal Lands Highway Office. The

Final Rule has an announced effective date of October 1, 2004. The Congressional Review Act requires a 60-day delay in the effective date of a major rule from the date of publication in the **Federal Register** or receipt of the rule by Congress, whichever is later. 5 U.S.C. 801(a)(3)(A). Because of an inadvertent clerical error, the Final Rule was not received by Congress until September 13, 2004. Therefore, implementation of the Final Rule by the Bureau of Indian Affairs is delayed until November 13, 2004.

**DATES:** Implementation of the Final Rule published at 69 FR 43090 will be delayed until November 13, 2004.

#### FOR FURTHER INFORMATION CONTACT:

LeRoy Gishi, Chief, Division of Transportation, Bureau of Indian Affairs, 1951 Constitution Avenue, NW., MS 320 SIB, Washington, DC 20240, Telephone 202–513–7711 or Fax 202–208–4696.

Dated: October 7, 2004.

**Duncan L. Brown,**

*Regulatory Specialist, Office of the Executive Secretariat, Department of the Interior.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### 36 CFR Part 242

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 100

**RIN 1018–AT58**

#### Subsistence Management Regulations for Public Lands in Alaska

**AGENCIES:** Forest Service, Agriculture; Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** This final rule clarifies the membership qualifications for Federal Subsistence Regional Advisory Councils established under Subsistence Management Regulations. The rulemaking is necessary because of an order entered by the U.S. District Court for Alaska. The final rule also removes the definition of “regulatory year” from Subpart A and places it in Subpart D of the regulations.

**DATES:** This final rule is effective November 15, 2004.

#### FOR FURTHER INFORMATION CONTACT:

Chair, Federal Subsistence Board, c/o