

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. 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**

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2005-21707/Airspace Docket No. 05-ACE-22." The postcard will be date/time 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 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 "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.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Lincoln Airport.

**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 7400.9M, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 4000 Class C airspace.*

\* \* \* \* \*

**ACE NE C Lincoln Airport, NE**

Lincoln Airport, NE  
(Lat. 40°51'03" N., long. 96°45'33" W.)

That airspace extending upward from the surface to and including 5,200 feet MSL within a 5-mile radius of the Lincoln Airport and that airspace extending upward from 2,700 feet MSL to 5,200 feet MSL within a 10-mile radius of the airport.

\* \* \* \* \*

*Paragraph 6002 Class E Airspace Designated as a Surface Area.*

\* \* \* \* \*

**ACE NE E2 Lincoln Airport, NE**

Lincoln Airport, NE  
(Lat. 40°51'03" N., long. 96°45'33" W.)

Within a 5-mile radius of the Lincoln Airport

\* \* \* \* \*

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

\* \* \* \* \*

**ACE NE E5 Lincoln, NE**

Lincoln Airport, NE  
(Lat. 40°51'03" N., long. 96°45'33" W.)

Lincoln VORTAC  
(Lat. 40°55'26" N., long. 96°44'31" W.)

Lincoln Airport ILS  
(Lat. 40°52'02" N., long. 96°45'42" W.)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of the Lincoln Airport and within 3.9 miles each side of the 014° radial of the Lincoln VORTAC extending from the 7.4-mile radius to 10 miles north of the VORTAC and within 6 miles east and 4 miles west of the Lincoln ILS localizer course extending from the 7.4-mile radius to 18 miles south of the airport and within 4 miles east and 6 miles west of the Lincoln ILS localizer course extending from the 7.4-mile radius to 14.7 miles north of the airport, excluding that airspace within the Lincoln Airport, NE, Class C airspace area.

\* \* \* \* \*

Issued in Kansas City, MO, on July 19, 2005.

Elizabeth S. Wallis,

Acting Area Director, Western Flight Services Operations

[FR Doc. 05-14977 Filed 7-28-05; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2005-21873; Airspace Docket No. 05-ACE-27]

**Modification of Legal Description of the Class D and Class E Airspace; Salina Municipal Airport, KS**

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

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

**SUMMARY:** An examination of controlled airspace for Salina Municipal Airport, KS has revealed discrepancies in the coordinates used in the legal description for the Class D and Class E airspace areas. This action corrects that discrepancy by incorporating the

current coordinates for the Airport Reference Point, the Salina VORTAC and the FLORY LOM. This action also removes references to effective dates and times established in advance by a Notice to Airmen from the legal descriptions for Class D airspace. The effective dates and times are now continuously published in the Airport/Facility Directory.

**DATES:** This direct final rule is effective on 0901 UTC, October 27, 2005. Comments for inclusion in the rules Docket must be received on or before August 31, 2005.

**ADDRESSES:** Send comments on this proposal 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-2005-21873/Airspace Docket No. 05-ACE-27, 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 proposal, any comments received, and any final disposition in person in the Dockets 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.

**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:** This amendment to 14 CFR 71 modifies the legal description for Class D airspace and Class E airspace at Salina Municipal Airport, KS to contain Instrument Flight Rule (IFR) operations in controlled airspace. The areas are depicted on appropriate aeronautical charts. Class D airspace areas are published in paragraph 5000 of FAA Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. Class E airspace areas designated as surface areas are published in Paragraph 6002 and 6004 of the same FAA Order. Class E airspace areas beginning at 700 feet above the surface are published in Paragraph 6005 of the same FAA Order. The Class D and Class E airspace designations 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. 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

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2005-21873/Airspace Docket No. 05-ACE-27." The postcard will be date/time 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 only involves an established body of technical regulations for which frequency 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.

This rulemaking is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103. Under the section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Salina Municipal Airport.

### 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—DESIGNATIONS 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.

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

*Paragraph 5000 Class D airspace.*

\* \* \* \* \*

#### ACE KS D Salina, KS

Salina Municipal Airport, KS  
(Lat. 38°47'27" N., long. 97°39'08" W.)

That airspace extending upward from the surface to and including 3,800 feet MSL

within a 4.9-mile radius of Salina Municipal Airport.

\* \* \* \* \*

*Paragraph 6002 Class E airspace designated as surface areas.*

\* \* \* \* \*

#### ACE KS E2 Salina, KS

Salina Municipal Airport, KS

(Lat. 38°47'27" N., long. 97°39'08" W.)

Within a 4.9-mile radius of Salina Municipal Airport.

\* \* \* \* \*

*Paragraph 6004 Class E airspace areas designated as an extension to a class D or class E surface area.*

\* \* \* \* \*

#### ACE KS E4 Salina, KS

Salina Municipal Airport, KS

(Lat. 38°47'27" N., long. 97°39'08" W.)

Salina VORTAC

(Lat. 38°55'31" N., long. 97°37'17" W.)

That airspace extending upward from the surface within 2 miles each side of the Salina VORTAC 190° radial extending from 4.9-mile radius of Salina Municipal Airport to the VORTAC.

\* \* \* \* \*

*Paragraph 6005 Class E airspace areas beginning at 700 feet above the surface.*

#### ACE KS E5 Salina, KS

Salina Municipal Airport, KS

(Lat. 38°47'27" N., long. 97°39'08" W.)

Salina VORTAC

(Lat. 38°55'31" N., long. 97°37'17" W.).

FLORY LOM

(Lat. 38°40'53" N., long. 97°38'42" W.)

Salina Municipal Airport ILS

(Lat. 38°48'53" N., long. 97°38'46" W.)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Salina Municipal Airport and within 4.4 miles each side of the 010° radial of the Salina VORTAC extending from the 7.4-mile radius of 12 miles north of the VORTAC and within 4 miles west and 8 miles east of the Salina Municipal ILS localizer south course extending from the airport to 16 miles south of the FLORY LOM.

\* \* \* \* \*

Issued in Kansas City, MO, on July 18, 2005.

**Elizabeth S. Wallis,**

*Acting Area Director, Western Flight Service Operations.*

[FR Doc. 05-14984 Filed 7-28-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2005-21874; Airspace Docket No. 05-ACE-28]

#### Modification of Class E Airspace; Dodge City Regional Airport, KS

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

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

**SUMMARY:** This action amends Title 14 Code of Federal Regulations, part 71 (14 CFR 71) by revising Class E airspace areas at Dodge City Regional Airport, KS. A review of the Class E airspace surface area and the Class E airspace area extending upward from 700 feet above ground level (AGL) at Dodge City Regional Airport, KS reveals neither area complies with criteria in FAA Orders. These airspace areas and their legal descriptions are modified to conform to the criteria in FAA Orders.

**DATES:** This direct final rule is effective on 0901 UTC, October 27, 2005.

Comments for inclusion in the Rules Docket must be received on or before August 31, 2005.

**ADDRESSES:** Send comments on this proposal 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-2005-21874/Airspace Docket No. 05-ACE-28, 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 proposal, any comments received, and any final disposition in person in the Dockets 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.

**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:** This amendment to 14 CFR 71 modifies the Class E surface area and the Class E airspace area extending upward from 700 feet AGL at Dodge City Regional Airport, KS. An examination of controlled airspace for Dodge City

Regional Airport, KS revealed that neither airspace area is in compliance with FAA Orders 7400.2E, Procedures for Handling Airspace Matters, and 8260.19C, Flight Procedures and Airspace. The Class E airspace area is extending upward from 700 feet AGL is expanded from within a 6.5-mile radius to within a 6.8-mile radius of the Dodge City, KS Regional Airport. The coordinates of the Airport Reference Point are corrected in the legal description of both airspace areas. These modifications bring the legal descriptions of the Dodge City Regional Airport, KS Class E airspace areas into compliance with FAA Orders 7400.2E and 8260.19C. Class E airspace areas designated as surface areas are published in Paragraph 6002 of FAA Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of the same Order. The Class E airspace designations listed in this document would 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. 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

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions