

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-2009-0062/Airspace Docket No. 09-AGL-1." The postcard will be date/time stamped and returned to the commenter.

#### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration (FAA), Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

#### The Proposal

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), Part 71 by adding additional controlled Class E airspace for SIAPs operations at Anoka County-Blaine Airport (Janes Field), Minneapolis, MN, and adjusting the geographic coordinates for Minneapolis-St. Paul International Airport to coincide with the FAA's National Aeronautical Charting Office. The area would be depicted on appropriate aeronautical charts.

Class E airspace areas are published in Paragraph 6005 of FAA Order 7400.9S, dated October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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. The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. 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 airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would add additional controlled airspace to the Minneapolis, MN, airspace area.

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

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, B, C, D, AND 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 7400.9S, Airspace Designations and Reporting Points, dated October 3, 2008, and effective October 31, 2008, is amended as follows:

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

\* \* \* \* \*

**AGL MN E5 Minneapolis, MN [Amended]**  
Minneapolis-St. Paul International Airport  
(Wold-Chamberlain) Airport DME  
(Lat. 44°52'28" N., long. 93°12'24" W.)

Minneapolis, Anoka County-Blaine Airport  
(Janes Field), MN  
(Lat. 45°08'42" N., long. 93°12'41" W.)  
St. Paul, Lake Elmo Airport, MN  
(Lat. 44°59'51" N., long. 92°51'20" W.)  
Minneapolis, Airlake Airport, MN  
(Lat. 44°37'40" N., long. 93°13'41" W.)  
Farmington VORTAC  
(Lat. 44°37'51" N., long. 93°10'55" W.)

That airspace extending upward from 700 feet above the surface within a 20-mile radius of the Minneapolis-St. Paul International Airport (Wold-Chamberlain) Airport DME antenna, and within a 6.5-mile radius of the Anoka County-Blaine Airport (Janes Field), and within 4 miles each side of the 001° bearing from the Anoka County-Blaine Airport (Janes Field) extending from the 6.5-mile radius to 9.9 miles, and within a 6.3-mile radius of the Lake Elmo Airport, and within a 6.4-mile radius of the Airlake Airport, and within 3.3 miles each side of the 084° bearing from the Farmington VORTAC extending from the 6.4-mile radius to 14.8 miles east of the Airlake Airport.

\* \* \* \* \*

Issued in Fort Worth, TX, on April 6, 2009.

**Anthony D. Roetzel,**

*Manager, Operations Support Group, ATO  
Central Service Center.*

[FR Doc. E9-9053 Filed 4-20-09; 8:45 am]

**BILLING CODE 4901-13-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 922

#### Office of National Marine Sanctuaries Interim Policy and Permit Guidance for Submarine Cable Projects

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice; Request for public comments.

**SUMMARY:** NOAA is proposing interim policy and permit guidance for submarine cable projects proposed in national marine sanctuaries. This action identifies the criteria the ONMS will use to ensure that applications to install and maintain submarine cables in sanctuaries are reviewed consistently and in a manner that adheres to the National Marine Sanctuaries Act and ONMS regulations (15 CFR part 922).

**DATES:** Comments on the interim policy and permit guidance for submarine cable projects will be accepted if received on or before May 21, 2009.

**ADDRESSES:** Comments may be submitted by any of the following methods:

• *Federal e Rulemaking Portal:* <http://www.regulations.gov>. Submit electronic comments via the Federal e Rulemaking Portal rather than by e-mail;

• *Mail:* Debra Malek, NOAA, Office of National Marine Sanctuaries, 1305 East-West Highway, (N/NMS2), 11th Floor, Silver Spring, Maryland 20910.

Copies of the interim policy and permit guidance for submarine cable projects may be viewed and downloaded at <http://sanctuaries.noaa.gov/>.

*Paperwork burden:* Submit written comments regarding the burden-hour estimates or other aspects of the information collection requirements contained in this proposed rule by e-mail to Diana Hynek at [dHynek@doc.gov](mailto:dHynek@doc.gov).

**FOR FURTHER INFORMATION CONTACT:** Debra Malek, (301) 713-3125, ext. 262.

**SUPPLEMENTARY INFORMATION:**

**Background**

The NOAA Office of National Marine Sanctuaries (ONMS) manages a system of thirteen national marine sanctuaries (NMSs or sanctuaries) that protect special, nationally significant areas of the marine environment under the authority of the National Marine Sanctuaries Act (NMSA; 16 U.S.C. 1431 *et seq.*). The ONMS, along with the U.S. Fish and Wildlife Service and the State of Hawaii, also manages the Papahānaumokuākea Marine National Monument under the Antiquities Act. Sanctuaries and the monument protect a variety of marine habitats and cultural resources including coral reefs, mangrove forests, seagrass beds, deep-sea canyons, kelp beds, marine mammal feeding and breeding grounds, and historic shipwrecks and other submerged cultural resources.

In the late 1990s, the ONMS received applications to install and maintain telecommunication submarine cables through the Olympic Coast National Marine Sanctuary and the Stellwagen Bank National Marine Sanctuary. Experience gained through the consideration and issuance of permits for those projects highlighted the need for more clarity on how such projects would be handled in the future.

The Department of Commerce convened a workshop in February 2000 with representatives from the telecommunications and fishing industries, environmental and conservation organizations, and state agencies. A white paper with key issues and guiding principles was distributed prior to, and discussed at, the workshop. The proposed guiding principles included: Analysis of habitat

types appropriate or inappropriate for cable laying, analysis of individual sanctuary regulations, and parameters for evaluating proposals for cable installations.

In August 2000, NOAA published an advance notice of proposed rulemaking (ANPR) on Installing and Maintaining Commercial Submarine Cables in National Marine Sanctuaries in the **Federal Register** (65 FR 51264, Aug. 23, 2000). A second ANPR was published in November 2000 at the request of the industry for additional time to comment (65 FR 70537, Nov. 24, 2000). The ANPR requested comments on both the guiding principles contained in the white paper and on the issues raised at the workshop.

Specifically, the ANPR requested comments on:

- Whether changes to existing ONMS regulations or some form of policy guidance was necessary to clarify NOAA's decision-making process regarding the installation and maintenance of commercial submarine cables within NMSs;

- If changes or additional guidance were appropriate, what those changes or guidance should contain; and

- Whether there were comments on the proposed principles on the installation of commercial submarine cables with the marine and coastal environment.

The ONMS received 36 comments from the telecommunications industry, the Department of Defense, the environmental community, State government, and various interested individuals.

General comments on the ANPR included the following:

- The telecommunications industry believed that existing regulations are adequate in NMSs.

- The environmental community urged NOAA to prohibit cables within NMSs, and to develop stringent permit application criteria, including removal of out-of-service cables.

- The industry and the environmental community did not support a Programmatic Environmental Impact Statement (PETS) or the concept of approving projects in the planning stage.

- The environmental community supported the idea of cable corridors while the industry opposed it.

- The industry wanted improved consultation between NOAA and other cable permitting authorities, such as the U.S. Army Corps of Engineers, the Federal Communications Commission, *etc.*, and more specific, user-friendly criteria for permit applications.

These comments, in addition to direct experience related to cables installed in sanctuaries, were factors that led to NOAA's decision not to pursue rulemaking at this time, but, rather to develop and issue interim permit guidelines. The ONMS believes that cable permit guidelines will ensure that applications to install and maintain submarine cables in sanctuaries are reviewed consistently and in a manner that adheres to the NMSA and ONMS regulations (15 CFR part 922).

**John Dunnigan,**

*Assistant Administrator for Ocean Services and Coastal Zone Management.*

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**BILLING CODE 3510-NK-M**

**FEDERAL TRADE COMMISSION**

**16 CFR Part 429**

**Trade Regulation Rule Concerning Cooling-Off Period for Sales Made at Homes or at Certain Other Locations**

**AGENCY:** Federal Trade Commission ("FTC" or "Commission").

**ACTION:** Request for public comment.

**SUMMARY:** The Commission requests public comment on its Trade Regulation Rule Concerning Cooling-Off Period for Sales Made at Homes or at Certain Other Locations ("Cooling-Off Rule" or "Rule"). The Commission is soliciting public comment as part of the FTC's systematic review of all current Commission regulations and guides.

**DATES:** Written comments concerning the Cooling-Off Rule must be received no later than June 22, 2009.

**ADDRESSES:** Interested parties are invited to submit written comments electronically or in paper form. Comments should refer to "Cooling-Off Rule Regulatory Review, 16 CFR 429, Comment, Project No. P087109" to facilitate the organization of comments. Please note that your comment—including your name and your state—will be placed on the public record of this proceeding, including on the publicly accessible FTC website, at (<http://ftc.gov/os/publiccomments.shtm>.)

Because comments will be made public, they should not include any sensitive personal information, such as an individual's Social Security Number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. Comments also should not include any sensitive