

Paragraph 6002 Class E airspace designated as surface areas.

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ANM ID E2 Hailey, ID [New]

Friedman Memorial Airport, ID
(Lat. 43°30'14" N., long. 114°17'44" W.)

Within a 4.1-mile radius of the Friedman Memorial Airport, and within 1.8 miles each side of the 159° bearing from the airport, extending from the 4.1-mile radius to 6 miles southeast of the airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

Issued in Seattle, Washington, on March 3, 2010.

Clark Desing,

Manager, Operations Support Group, Western Service Center.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2009-1057; Airspace Docket No. 09-AWP-9]

Establishment of Class E Airspace; Battle Mountain, NV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action will establish Class E airspace at Battle Mountain, NV, to accommodate aircraft using the VHF Omni-Directional Radio Range (VOR)/ Distant Measuring Equipment (DME) Standard Instrument Approach Procedures (SIAPs) at Battle Mountain Airport. This will improve the safety and management of Instrument Flight Rules (IFR) operation at the airport.

DATES: *Effective Date:* 0901 UTC, June 3, 2010. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4537.

SUPPLEMENTARY INFORMATION:

History

On December 18, 2009, the FAA published in the **Federal Register** a notice of proposed rulemaking to

establish additional controlled airspace at Battle Mountain, NV (74 FR 67143). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6002 of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by establishing Class E airspace for the Battle Mountain, NV, area adding additional controlled airspace extending upward from the surface to accommodate IFR aircraft executing a VOR/DME approach procedure at Battle Mountain Airport. This action is necessary for the safety and management of IFR operations at the airport.

The FAA has determined 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. The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 discusses 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 establishes

additional controlled airspace at Battle Mountain Airport, Battle Mountain, NV.

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—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR 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 the Federal Aviation Administration Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009 is amended as follows:

Paragraph 6002 Class E airspace Designated as Surface Areas.

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AWP NV E2 Battle Mountain, NV [New]

Battle Mountain Airport, NV
(Lat. 40°35'57" N., long. 116°52'28" W.)

Within a 4.2-mile radius of Battle Mountain Airport, and within 1.4 miles each side of the 218° bearing extending from the 4.2-mile radius to 7.4 miles southwest of the Battle Mountain Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in Seattle, Washington, on March 3, 2010.

Clark Desing,

Manager, Operations Support Group, Western Service Center.

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