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Michael Kaszycki,

Acting Manager, Transport Airplane  
Directorate, Aircraft Certification Service.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2012-0384; Airspace  
Docket No. 12-ANM-9]

#### Proposed Amendment of Class D and E Airspace; Lewiston, ID

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

**ACTION:** Notice of proposed rulemaking  
(NPRM).

**SUMMARY:** This action proposes to modify Class E airspace at Lewiston-Nez Perce County Airport, Lewiston, ID. Controlled airspace is necessary to accommodate aircraft using Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures at Lewiston-Nez Perce County Airport, Lewiston, ID. The geographic coordinates of the airport and navigation aids also would be adjusted in the respective Class D and Class E airspace areas. The FAA is proposing this action to enhance the safety and management of aircraft operations at Lewiston-Nez Perce County Airport, Lewiston, ID.

**DATES:** Comments must be received on or before July 19, 2012.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366-9826. You must identify FAA Docket No. FAA-2012-0384; Airspace Docket No. 12-ANM-9, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**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:

##### Comments Invited

Interested parties are invited to participate in this proposed 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 (FAA Docket No. FAA-2012-0384 and Airspace Docket No. 12-ANM-9) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2012-0384 and Airspace Docket No. 12-ANM-9". The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### 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/).

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 1601 Lind Avenue SW., Renton, WA 98057.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

##### The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) Part 71 by modifying Class E airspace extending upward from 700 feet above the surface at Lewiston-Nez Perce County Airport, Lewiston, ID, to accommodate aircraft using RNAV (GPS) standard instrument approach procedures at the airport. Also, the geographic coordinates of the airport, the Nez Perce VOR/DME, and the Lewiston-Nez Perce ILS Localizer navigation aids, would be updated to coincide with the FAA's aeronautical database for the respective Class D airspace and Class E airspace areas. This action would enhance the safety and management of aircraft operations at Lewiston-Nez Perce County Airport, Lewiston, ID.

Class D and E airspace designations are published in paragraphs 5000, 6002, 6004, and 6005, respectively, of FAA Order 7400.9V, dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR Part 71.1. The Class D and E airspace designations listed in this document will be published subsequently in this Order.

The FAA has determined this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed 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 this proposed rule, when promulgated, would 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 for 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 the 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 modify controlled airspace at Lewiston-Nez Perce County Airport, Lewiston, ID.

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

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

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, 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; 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 Part 71.1 of the Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011 is amended as follows:

*Paragraph 5000 Class D airspace.*

\* \* \* \* \*

##### ANM ID D Lewiston, ID [Modified]

Lewiston-Nez Perce County Airport, ID  
(Lat. 46°22'28" N., long. 117°00'55" W.)

That airspace extending upward from the surface to and including 3,900 feet MSL within a 4.1-mile radius of the Lewiston-Nez Perce County Airport. This Class D 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.

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

\* \* \* \* \*

##### ANM ID E2 Lewiston, ID [Modified]

Lewiston-Nez Perce County Airport, ID  
(Lat. 46°22'28" N., long. 117°00'55" W.)

Within a 4.1-mile radius of the Lewiston-Nez Perce County 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.

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

\* \* \* \* \*

##### ANM ID E4 Lewiston, ID [Modified]

Lewiston-Nez Perce County Airport, ID  
(Lat. 46°22'28" N., long. 117°00'55" W.)  
Nez Perce VOR/DME

(Lat. 46°22'54" N., long. 116°52'10" W.)  
Lewiston-Nez Perce ILS Localizer  
(Lat. 46°22'27" N., long. 117°01'54" W.)

That airspace extending upward from the surface within 2.7 miles each side of the Lewiston-Nez Perce ILS localizer course extending from the 4.1-mile radius of the airport to 14 miles east of the airport and within 3.5 miles each side of the Nez Perce VOR/DME 266° radial extending from the 4.1-mile radius of the airport to 13.1 miles west 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 date and time will thereafter be continuously published in the Airport/Facility Directory.

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

\* \* \* \* \*

##### ANM ID E5 Lewiston, ID [Modified]

Lewiston-Nez Perce County Airport, ID  
(Lat. 46°22'28" N., long. 117°00'55" W.)  
Walla Walla VOR/DME  
(Lat. 46°05'13" N., long. 118°17'33" W.)

That airspace extending upward from 700 feet above the surface bounded by a line beginning at lat. 46°33'00" N., long. 117°38'00" W.; to lat. 46°31'30" N., long. 117°14'00" W.; to lat. 46°40'00" N., long. 116°48'00" W.; to lat. 46°26'00" N., long. 116°26'00" W.; to lat. 46°13'00" N., long. 116°30'00" W.; to lat. 46°14'00" N., long. 116°35'00" W.; to lat. 46°06'00" N., long. 116°47'00" W.; to lat. 46°17'00" N., long. 116°49'00" W.; to lat. 46°18'00" N., long. 117°00'00" W.; to lat. 46°17'30" N., long. 117°22'00" W.; to lat. 46°10'30" N., long. 117°26'30" W.; to lat. 46°12'00" N., long. 117°36'00" W.; thence to point of beginning; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at lat. 46°00'00" N., long. 116°00'04" W.; to lat. 46°00'00" N., long. 116°19'00" W.; to lat. 45°39'00" N., long. 116°10'03" W.; to lat. 45°30'00" N., long. 116°14'03" W.; to lat. 45°23'00" N., long. 116°21'03" W.; to lat. 45°25'00" N., long. 116°34'04" W.; to lat. 45°30'00" N., long. 116°46'04" W.; to lat. 46°00'00" N., long. 116°56'04" W.; thence west along lat. 46°00'00" N., to the Walla Walla VOR/DME 16.6-mile radius, thence counter clockwise along the Walla Walla VOR/DME 16.6-mile radius until intercepting V-536, thence northeast along V-536 and southeast along V-2 until intercepting long. 115°15'04" W.;

thence south along long. 115°15'04" W., until intercepting V-187; thence southeast along V-187 until intercepting long. 116°00'00" W.; thence south along long. 116°00'00" W.; to lat. 46°15'00" N.; to lat. 46°00'00" N., long. 115°50'00" W.; thence to the point of beginning.

Issued in Seattle, Washington, on May 23, 2012.

**John Warner**

Manager, Operations Support Group, Western Service Center.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[FWS–R8–ES–2012–0026; 92220–1113–0000–C5]

#### Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To Delist or Reclassify From Endangered to Threatened Six California Species

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of 90-day petition findings and initiation of status reviews.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce a 90-day finding on a petition to delist the Inyo California towhee (*Pipilo crissalis eremophilus*), and to reclassify from endangered to threatened the arroyo toad (*Anaxyrus californicus*), Indian Knob mountainbalm (*Eriodictyon altissimum*), Lane Mountain milk-vetch (*Astragalus jaegerianus*), Modoc sucker (*Catostomus microps*), and Santa Cruz cypress (*Cupressus abramsiana*) under the Endangered Species Act of 1973, as amended (Act). Based on our review, we find that the petition presents substantial scientific or commercial information indicating that the petitioned actions may be warranted. Therefore, with the publication of this notice, we are initiating status reviews of these taxa to determine if the respective actions of delisting and reclassifying are warranted. Section 4(c)(2)(A) of the Act also requires a status review of listed species at least once every 5 years. The status reviews we are initiating will also fulfill the requirements of section 4(c)(2) of the Act. To ensure that these status reviews are comprehensive, we are requesting scientific and commercial data and other information regarding these species and subspecies. Based on these status reviews, we will issue 12-month