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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2018–0127; Airspace Docket No. 18–AAL–7]

RIN 2120–AA66

Amendment of Class E Airspace, Gustavus, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace extending upward from 700 feet above the surface at Gustavus Airport, Gustavus, AK. Airspace redesign is necessary as the FAA transitions from ground-based to satellite-based navigation for the safety and management of instrument flight rules (IFR) operations at this airport.

DATES: Effective 0901 UTC, February 28, 2019. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11C, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Tom Clark, Federal Aviation Administration, Operations Support Group, Western Service Center, 2200 S. 216th Street, Des

Moines, WA 98198; telephone (206) 231–2253.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, 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 amends Class E airspace extending upward from 700 feet above the surface at Gustavus Airport, Gustavus, AK, to support IFR operations at this airport.

History

The FAA published a notice of proposed rulemaking in the **Federal Register** (83 FR 19469; May 03, 2018) for Docket No. FAA–2018–0127 to amend Class E airspace extending upward from 700 feet above the surface at Gustavus Airport, Gustavus, AK. 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 6005 of FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018. FAA Order 7400.11C is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11C lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 71 by amending Class E airspace extending upward from 700 feet above the surface at Gustavus Airport, Gustavus, AK. The

airspace has been redesigned to approximately 12 miles wide extending to approximately 7 miles northwest and 31 miles southeast of the airport (currently from 4 miles each side of the 229° bearing of the airport extending from the 6.8-mile radius to 16.7 miles southwest of the airport, and within 3 miles northeast and 7 miles southwest of the airport 135° bearing extending from the 6.8-mile radius to 24 miles southeast of the airport).

Regulatory Notices and Analyses

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, is non-controversial and unlikely to result in adverse or negative comments. 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 only affects 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.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5–6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists 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 part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 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 FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

AAL AK E5 Gustavus, AK [Amended]

Gustavus Airport, AK

(Lat. 58°25'31" N, long. 135°42'27" W)

That airspace extending upward from 700 feet above the surface within the area bounded by a line beginning at lat. 58°32'19" N, long. 135°44'54" W, to lat. 58°11'58" N, long. 135°02'11" W, to lat. 58°10'08" N, long. 135°05'18" W, to lat. 58°03'38" N, long. 134°57'10" W, to lat. 57°59'34" N, long. 135°10'49" W, to lat. 57°59'40" N, long. 135°25'05" W, to lat. 58°08'36" N, long. 135°26'55" W, to lat. 58°25'37" N, long. 136°00'20" W, thence to the point of beginning.

Issued in Seattle, Washington, on October 12, 2018.

Shawn M. Kozica,

Group Manager, Operations Support Group, Western Service Center.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2016–0963]

RIN 1625–AA09

Drawbridge Operation Regulations; Tchefuncta River, Madisonville, LA

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the operating schedule that governs the State Route 22 Bridge (Madisonville (SR 22) swing span bridge) across the Tchefuncta River, mile 2.5, at Madisonville, St. Tammany Parish, Louisiana. This action is necessary to relieve vehicular traffic congestion along SR 22 near Madisonville, LA during peak, afternoon traffic periods on weekdays.

DATES: This rule is effective November 26, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>. Type USCG–2016–0963 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email Mr. Doug Blakemore, Eighth Coast Guard District Bridge Administrator; telephone (504) 671–2128, email Douglas.A.Blakemore@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
LA–DOTD Louisiana Department of Transportation and Development
NPRM Notice of proposed rulemaking
§ Section
SNPRM Supplemental notice of proposed rulemaking

II. Background Information and Regulatory History

This final rule changes the operating schedule that governs the State Route 22 Bridge (Madisonville (SR 22) swing span bridge) across the Tchefuncta River, mile 2.5, at Madisonville.

The Madisonville (SR 22) swing span bridge has a vertical clearance of 6.2 feet above Mean High Water in the closed-to-navigation position and unlimited clearance in the open-to-navigation position. The bridge cycle time for an opening is approximately six minutes. Because the largest commercial facility upstream of the bridge is no longer in service, navigation on the Tchefuncta River consists primarily of recreational traffic. The drawbridge is regulated under 33 CFR 117.500. Currently, on both weekdays and weekends during daytime hours from 6 a.m. through 7 p.m., the draw opens on signal every half hour, and during nighttime hours from 7 p.m. through 6 a.m., it opens on signal. However, the current regulation provides that on weekdays Monday through Friday except federal holidays, the draw only opens once an hour during peak vehicular traffic periods in the morning and afternoon, between 6 a.m. and 9 a.m. and between 4 p.m. and 7 p.m.

In 2016, the bridge owner, Louisiana Department of Transportation and Development (LA–DOTD), requested a change to the bridge’s operating schedule to relieve vehicular traffic congestion along SR 22 near Madisonville, LA. LA–DOTD’s regulation change request had three

components. First, it requested that the Coast Guard extend the daytime openings from half-hour intervals to hourly intervals on both weekdays and on weekends. Second, it requested that the bridge stay closed at 8 a.m. on weekdays. Third, it requested that the bridge stay closed at 5 p.m. and 6 p.m. on weekdays. In other words, generally speaking, LA–DOTD requested that during daytime hours on both weekdays and weekends, the bridge would open hourly, except that during weekday morning and afternoon vehicular commuting times, the bridge would be closed for a two-hour period in the morning and three-hour period in the afternoon.

In November of 2016, the Coast Guard issued a 180-day test deviation allowing the LA–DOTD to adopt the proposed schedule for the purpose of facilitating a study of vehicular traffic flow over the bridge as it related to a four way stop sign and traffic light at the intersection of SR 22 and SR 21 and its proposed schedule.¹ At the same time, the Coast Guard published a notice of proposed rulemaking (NPRM) requesting public comments on adopting the proposed change.² We did not receive any comments on the temporary deviation or the NPRM. In 2017, LA–DOTD conducted a traffic study and replaced the four-way stop sign at the intersection of SR 22 and SR 21/SR 1077 with a traffic light. The test deviation expired on May 18, 2017.

On June 14, 2018, the Coast Guard published a supplemental notice of proposed rulemaking (SNPRM) titled Drawbridge Operation Regulation; Tchefuncta River, Madisonville, LA (83 FR 27732). The SNPRM contained a detailed regulatory history of this rule and explained our review of LA–DOTD’s request in light of the study. The Coast Guard determined that the study did not support all of LA–DOTD’s requested changes, but that there was a potential correlation between traffic congestion and bridge openings on weekday afternoons and that a regulation change may alleviate vehicular traffic while also providing for the reasonable needs of navigation. The SNPRM proposed to change the bridge operating schedule and allow the bridge to remain closed to marine traffic at the scheduled weekday openings at 4 p.m., 4:30 p.m., 5 p.m. and 5:30 p.m. Monday through Friday except federal holidays. The proposed change would allow vehicles to travel along SR 22

¹ Drawbridge Operation Regulations; Tchefuncta River, Madisonville, LA (81 FR 76866).

² Drawbridge Operation Regulations; Tchefuncta River, Madisonville, LA (81 FR 76889).