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[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2011-0431; Airspace Docket No. 11-AGL-11]

Amendment of Class E Airspace; Spearfish, SD

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace at Spearfish, SD, to accommodate new Area Navigation (RNAV) Standard Instrument Approach Procedures at Black Hills Airport – Clyde Ice Field, and updates the geographic coordinates of the airport. There also is a minor correction to the coordinates of controlled airspace 1,200 feet above the surface, and a minor change in the airport name. The FAA is taking this action to enhance the safety and management of Instrument Flight Rule (IFR) operations at the airport.

DATES: Effective date: 0901 UTC, February 9, 2012. 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: Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone (817) 321-7716.

SUPPLEMENTARY INFORMATION:

History

On July 21, 2011, the FAA published in the FEDERAL REGISTER a notice of proposed rulemaking (NPRM) to amend Class E airspace for Spearfish, SD, creating

additional controlled airspace at Black Hills Airport – Clyde Ice Field (76 FR 43610) Docket No. FAA-2011-0431. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Subsequent to publication, errors were found in the boundaries of the controlled airspace extending upward from 1,200 feet above the surface. This rule makes the corrections to be in concert with the FAA's aeronautical database. Also, there is a minor correction to the airport name.

Class E airspace designations are published in paragraph 6005 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 E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by amending Class E airspace extending upward from 700 feet above the surface to accommodate new standard instrument approach procedures at Black Hills Airport – Clyde Ice Field, Spearfish, SD. This action is necessary for the safety and management of IFR operations at the airport. This action also corrects the geographic coordinates of the airport, as well as the first boundary coordinates listed in the regulatory text of the airspace extending upward from 1,200 feet above the surface. Also, the airport name is changed from Black Hills-Clyde Ice Field, to Black Hills Airport-Clyde Ice Field. With the exception of editorial changes and the changes described above, this action is the same as that proposed in the NPRM.

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 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 amends controlled airspace at Black Hills Airport – Clyde Ice Field, Spearfish, SD.

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 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 6005: Class E airspace areas extending upward from 700 feet or more above the surface.

* * * * *

AGL SD E5 Spearfish, SD [Amended]

Black Hills Airport – Clyde Ice Field, SD
(lat. 44°28'52"N., long. 103°47'09"W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Black Hills Airport – Clyde Ice Field, and within 2.1 miles each side of the 305° bearing from the airport extending from the 7-mile radius to 8.3 miles northwest of the airport, and within 2 miles each side of the 135° bearing from the airport extending from the 7-mile radius to 18.3 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at lat. 44°29'16"N., long. 103°56'55"W.; to lat. 44°13'37"N., long. 104°14'00"W.; to lat. 44°18'41"N., long. 104°23'24"W.; to lat. 44°44'11"N., long. 103°57'49"W.; to lat. 44°50'13"N., long. 103°28'11"W.; to lat. 44°47'27"N., long. 102°57'40"W.; to lat. 44°39'31"N., long.

102°56'34"W.; to lat. 44°38'27"N., long. 103°12'26"W.; to lat. 44°25'51"N., long. 103°37'45"W.; to lat. 44°25'58"N., long. 103°38'15"W.; thence clockwise via the 7-mile radius of the airport to the point of beginning.

Issued in Fort Worth, Texas, on October 11, 2011.

David P. Medina, Manager
Operations Support Group
ATO Central Service Center

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