



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2015-1834; Airspace Docket No. 15-AGL-8]

Revocation and Establishment of Class E Airspace; Bowman, ND

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace extending upward from 700 feet above the surface at Bowman Regional Airport, Bowman, ND, to accommodate new standard instrument approach procedures for the safety and management of Instrument Flight Rules (IFR) operations at the airport. Class E airspace extending upward from 700 feet above the surface would be removed at Bowman Municipal Airport, Bowman, ND, due to closure of the air traffic control tower. The FAA found it necessary to establish airspace at Bowman Regional Airport to accommodate standard instrument approach procedures (SIAPs) at the airport. The FAA is taking this action to enhance the safety and management of Instrument Flight Rules (IFR) operations at the Bowman Regional Airport.

DATES: Effective 0901 UTC, March 31, 2016. 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 7400.9 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.9Z, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at http://www.faa.gov/air_traffic/publications. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C., 29591; 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 FAA Order 7400.9Z at NARA, call 202-741-6030, or go to http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Rebecca Shelby, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone: 817-222-5857.

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 establishes controlled airspace at Bowman Regional Airport, Bowman, ND and removes Class E airspace at Bowman Municipal Airport, Bowman, ND.

History

On September 15, 2015, The FAA published in the FEDERAL REGISTER a notice of proposed rulemaking (NPRM) to establish Class E airspace extending upward from 700 feet above the surface at Bowman Regional Airport, Bowman, ND (80 FR 55275) and remove Class E airspace extending upward from 700 feet above the surface at Bowman Municipal Airport, Bowman, ND (80 FR 55275, September 15, 2015). 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 7400.9Z, dated August 6, 2015, and effective September 15, 2015, 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.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.9Z, airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as listed in the ADDRESSES section of this final document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) Part 71 establishes Class E airspace extending upward from 700 feet above the surface within a

6-mile radius, at Bowman Regional Airport, Bowman, ND. New standard instrument approach procedures were developed for the safety of IFR operations at the airport.

Additionally, this action removes Class E airspace extending upward from 700 feet above the surface at Bowman Municipal Airport, Bowman, ND, due to closure of the airport.

This action accommodates new standard instrument approach procedures at Bowman Regional Airport and enhances the safety and management of IFR operations at 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, does 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 issued a Federal Finding of No Significant Impact/Record of Decision (FONSI/ROD) for the proposed relocation of the Bowman County Airport and associated actions at Bowman County, North Dakota on August 2, 2010. This action to establish Class E airspace extending upward from 700 feet above the surface at Bowman Regional

Airport, Bowman, ND, and to remove Class E airspace extending upward from 700 feet above the surface at Bowman Municipal Airport, Bowman, ND, due to closure of the airport is a part of the associated actions covered in the FONSI/ROD and evaluated in the Environmental Assessment dated June 2010.

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 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 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015, is amended as follows:

Paragraph 6005: Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

* * * * *

AGL ND E5 Bowman, ND [New]

Bowman Regional Airport, ND

(lat. 46°09'56"N., long. 103°18'03"W.)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Bowman Regional Airport.

AGL ND E5 Bowman, ND [Removed]

Bowman Municipal Airport, ND

Issued in Fort Worth, TX, on January 6, 2016

Robert W. Beck

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ATO Central Service Center

[FR Doc. 2016-00627 Filed: 1/19/2016 8:45 am; Publication Date: 1/20/2016]