



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2017-0210; Airspace Docket No. 17-AGL-10]

Proposed Amendment of Class D and E Airspace; Kenosha, WI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to modify Class D airspace, Class E airspace designated as a surface area, and Class E airspace extending upward from 700 feet above the surface, and remove Class E airspace designated as an extension of Class D airspace at Kenosha Regional Airport, Kenosha, WI. The FAA is proposing this action due to the decommissioning of the Kenosha VHF omnidirectional range (VOR) facilities, which provided navigation guidance for portions of the affected routes. This action would enhance the safety and management of instrument flight rules (IFR) operations at this airport. Additionally, the airport name and geographic coordinates would be adjusted in the Class E airspace extending upward from 700 feet above the surface to coincide with the FAA's aeronautical database.

DATES: Comments must be received on or before **[INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590; telephone 202-366-9826, or 1-800-647-5527. You must identify FAA Docket No. FAA-2017-0210; Airspace Docket No. 17-AGL-10 at the beginning of your

comments. You may also submit comments through the Internet at <http://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

FAA Order 7400.11A, 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, S.W., 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 FAA Order 7400.11A at NARA, call 202-741-6030, or go to http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.

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

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX, 76177; telephone 817-222-5711.

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 would amend Class D airspace, Class E airspace designated as a surface area, and Class E airspace extending upward from 700 feet above the surface, as well as remove Class E airspace designated as an extension to Class D airspace at Kenosha Regional Airport, Kenosha, WI, to enhance the safety and management of IFR operations at this airport..

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 and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2017-0210/Airspace Docket No. 17-AGL-10." The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. 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/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 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX, 76177.

Availability and Summary of Documents Proposed for Incorporation by Reference

This document proposes to amend FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) Part 71 by:

Modifying the Class D airspace to within a 4.2-mile radius (increased from a 4.1-mile radius) of Kenosha Regional Airport, Kenosha, WI;

Modifying the Class E airspace designated as a surface area to within a 4.2-mile radius (increased from a 4.1-mile radius) of Kenosha Regional Airport, and removing the Kenosha VOR and the 7-mile extension northeast of the airport;

Removing the Class E airspace designated as an extension to Class D airspace at Kenosha Regional Airport; and

Modifying the Class E airspace extending upward from 700 feet above the surface to within a 6.7-mile radius (reduced from a 7-mile radius) of Kenosha Regional Airport (formerly Kenosha Municipal Airport), with an extension from the Kenosha Localizer to 10 miles west of the localizer, and updating the name and geographic coordinates of the airport to coincide with the FAA's aeronautical database.

Airspace reconfiguration is necessary due to the decommissioning of the Kenosha VOR and to bring the airspace in compliance with FAA Order JO 7400.2K, Procedures for Handling Airspace Matters, at this airport. Controlled airspace is necessary for the safety and management of standard instrument approach procedures for IFR operations at the airport.

Additionally, this action would replace the outdated term Airport/Facility Directory with the term Chart Supplement in the Class D and Class E surface area airspace legal descriptions.

Class D and E airspace designations are published in paragraph 5000, 6002, 6004, and 6005, respectively, of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

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 will only affect air traffic procedures and air navigation, it is certified that this 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.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, “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(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 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

Paragraph 5000. Class D Airspace.

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AGL WI D Kenosha, WI [Amended]

Kenosha Regional Airport, WI

(lat. 42°35'45"N., long. 87°55'40"W.)

That airspace extending upward from the surface to and including 3,200 feet within a 4.2-mile radius of Kenosha Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

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Paragraph 6002. Class E Airspace Designated as Surface Areas.

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AGL WI E2 Kenosha, WI [Amended]

Kenosha Regional Airport, WI

(lat. 42°35'45"N., long. 87°55'40"W.)

That airspace extending upward from the surface to and including 3,200 feet within a 4.2-mile radius of Kenosha Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

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Paragraph 6004. Class E Airspace Area Designated as an Extension of Class D Airspace.

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AGL WI E4 Kenosha, WI [Removed]

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

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AGL WI E5 Kenosha, WI [Amended]

Kenosha Regional Airport, WI

(lat. 42°35'44"N., long. 87°55'40"W.)

Kenosha Localizer

(lat. 42°36'04"N., long. 87°55'11"W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Kenosha Regional Airport, and within 9.9 miles north and 5.9 miles south of a 246° bearing from the Kenosha Localizer to 10 miles west of the Kenosha Localizer, excluding that airspace within the Chicago, IL, and Milwaukee, WI, Class E airspace areas.

Issued in Fort Worth, Texas, on May 10, 2017.

Walter Tweedy,
Acting Manager, Operations Support Group,
ATO Central Service Center.

[FR Doc. 2017-10081 Filed: 5/18/2017 8:45 am; Publication Date: 5/19/2017]