



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2019-0887; Airspace Docket No. 19-ANM-32]

RIN 2120-AA66

Amendment of Class E Airspace; Bend, OR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule.

SUMMARY: This action amends the Class E airspace by adding a designated surface area at Bend Municipal Airport, Bend, OR. This airspace area is designed to enhance safety at the airport by providing controlled airspace to the surface.

This action also establishes an airspace area designated as an extension to a Class D or Class E surface area. This area is designed to contain aircraft on instrument approaches when they descend below 1,000 feet above the surface.

Additionally, this action amends the airspace area extending upward from 700 feet or more above the surface. Amendments to this airspace area are designed to properly contain arriving and departing IFR aircraft.

DATES: Effective 0901 UTC, July 16, 2020. 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 7400.11D, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at

https://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 FAA Order 7400.11D at NARA, email fedreg.legal@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT: Matthew Van Der Wal, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S. 216th Street, Des Moines, WA 98198; telephone (206) 231-3695.

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 E airspace at Bend Municipal Airport, Bend, OR, to ensure the safety and management of Instrument Flight Rules (IFR) operations at the airport.

History

The FAA published a notice of proposed rulemaking in the Federal Register (85 FR 2327; January 15, 2020) for Docket No. FAA-2019-0887 to amend Class E airspace at Bend Municipal Airport, Bend, OR. Interested parties were invited to participate in this

rulemaking effort by submitting written comments on the proposal to the FAA. Three comments were received.

One comment discussed the requirement for ATC to have a communications capability, to the runway, with aircraft that normally operate within the surface area. Seattle Air Route Traffic Control Center confirmed this capability in August of 2019.

Two comments in favor of the airspace amendments we submitted.

Class E2, E4, and E5 airspace designations are published in paragraph 6002, 6004 and 6005, respectively, of FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019, 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 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019. FAA Order 7400.11D is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11D 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 amends Class E airspace by adding an area, designated as a surface area, at Bend Municipal Airport, Bend, OR. The area is described as follows: That airspace extending upward from the surface within a 3.9-mile radius of the airport excluding that airspace within 1 mile of a point in space located at latitude 44°02'51" N. longitude 121°16'30" W.

This action also amends the Class E airspace by adding an area designated as an extension to a Class D or Class E surface area. The area properly contains IFR arrivals

descending below 1,000 feet above the surface of the earth and is described as follow: That airspace extending upward from the surface within 1 mile each side of the 167° bearing from the airport, extending from the 3.9-mile radius to 6.8 miles south of the Bend Municipal Airport.

Additionally, the action amends Class E airspace extending upward from 700 feet above the surface, to properly contain IFR aircraft on instrument approach when descending below 1,500 feet above the surface. The area also properly contains IFR departures until reaching 1,200 feet above the surface. The area is described as follows: That airspace extending upward from 700 feet above the surface to within a 6.4-mile radius of the airport and within 1.1 miles each side of the 167° bearing from the airport, extending from the 6.4-mile radius to 8.8 miles south of the airport, and within 3.8 miles each side of the 338° bearing from the airport, extending from the 6.8-mile radius to 8.4 miles north of the Bend Municipal Airport.

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

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

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.

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(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 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, is amended as follows:

Paragraph 6002. Class E Airspace Areas Designated as Surface Areas.

* * * * *

ANM OR E2 Bend, OR (NEW)
Bend Municipal Airport, OR
(lat. 44°05'40" N., long. 121°12'01" W.)

That airspace extending upward from the surface within a 3.9-mile radius of the Bend Municipal Airport, excluding that airspace within 1 mile of a point in space at lat. 44°02'51" N., Long. 121°16'30" W.

Paragraph 6004. Class E Airspace Areas Designated as an Extension to a Class D or Class

E Surface Area.

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ANM OR E4 Bend, OR (NEW)
Bend Municipal Airport, OR
(lat. 44°05'40" N., long. 121°12'01" W.)

That airspace extending upward from the surface within 1 mile each side of the 167° bearing from the airport, extending from the 3.9-mile radius to 6.8 miles south of the Bend Municipal Airport.

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

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ANM OR E5 Bend, OR (AMENDED)

Bend Municipal Airport, OR

(lat. 44°05'40" N., long. 121°12'01" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the airport, and within 1.1 miles each side of the 167° bearing from the airport, extending from 6.4-mile radius to 8.8 miles south of the airport, and within 3.8 miles each side of the 338° bearing from the airport, extending from the 6.4-mile radius to 8.4 miles north of the Bend Municipal Airport.

Issued in Seattle, Washington, on March 25, 2020.

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[FR Doc. 2020-06664 Filed: 3/30/2020 8:45 am; Publication Date: 3/31/2020]