



**[4910-13]**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2019-0874; Airspace Docket No. 18-ANM-6]**

**RIN 2120-AA66**

**Amendment of Class E Airspace; Dillon, MT**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final Rule.

**SUMMARY:** This action amends Class E airspace, designated as a surface area, at Dillon Airport, Dillon, MT. This action reduces the radius of the airspace and adds an extension to the northeast of the airport. This action also amends the Class E airspace extending upward from 700 feet above the surface, the action reduces the circular radius around the airport and adds an extension to the southwest of the airport and an extension to the north of the airport. Additionally, this action amends the Class E airspace extending upward from 1,200 feet above the surface. The action significantly reduces the dimensions of the area to properly size it to contain IFR aircraft transitioning to/from the terminal or en route environments. Lastly, this action implements an administrative correction to the Class E airspace designated as a surface area.

**DATES:** Effective 0901 UTC, September 10, 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/](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](mailto: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. 216<sup>th</sup> 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 amends Class E airspace at Dillon Airport, Dillon, MT, 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 13080; March 6, 2020) for Docket No. FAA-2019-0874 to amend Class E airspace at Dillon Airport, Dillon, MT. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

After the NPRM comment period closed, the FAA identified an error in the proposed Class E airspace extending upward from 1,200 feet above the surface. The proposal stated the area should be reduced from a 45-mile radius to an 8-mile radius of the airport. However, to properly contain IFR aircraft transitioning to/from the terminal or en route environment, this area should be reduced to a 25-mile radius of the airport. The Final Rule includes a correction to the airspace area.

Class E2 and E5 airspace designations are published in paragraphs 6002 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 the Class E airspace, designated as a surface area, at Dillon Airport, Dillon, MT. The action reduces the area from a 6.1-mile radius to a 5.2-mile radius of the airport and adds an

extension northeast of the airport. This area is described as follows: That airspace extending upward from the surface within a 5.2-mile radius of the airport, and with 2.4 miles each side of the 026° bearing from the airport, extending from the 5.2-mile radius to 6.8 miles northeast of Dillon Airport.

Also, this action amends Class E airspace extending upward from 700 feet above the surface. This area is reconfigured a 9.2-mile radius of the airport to a 5.2-mile radius of the airport, with extensions southwest and north of the airport. This area is described as follows: That airspace extending upward from 700 feet above the surface within a 5.2-mile radius of the airport, and within 3 miles each side of the 205° bearing from the airport, extending from the 5.2-mile radius to 9.9 miles southwest of the airport, and within eight miles west and four miles east of the 005° bearing from the airport, extending from the 5.2-mile radius to 16 miles north of Dillon Airport.

Additionally, this action amends the Class E airspace extending upward from 1,200 feet above the surface from a 45-mile radius to a 25-mile radius of the airport.

Lastly, this action implements an administrative correction to the Class E airspace designated as a surface area. This area is full time and the following two sentences do not accurately represent the time of use and are removed: “This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.”

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 MT E2 Dillon, MT [Amended]**

Dillon Airport, MT

(lat. 45°15'19"N., long. 112°33'09"W.)

That airspace extending upward from the surface within a 5.2-mile radius of the airport, and within 2.4 miles each side of the 026° bearing from the airport, extending from the 5.2-mile radius to 6.8 miles northeast of Dillon Airport.

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

\* \* \* \* \*

**ANM MT E5 Dillon, MT [Amended]**

Dillon Airport, MT

(lat. 45°15'19" N., long. 112°33'09" W.)

That airspace extending upward from 700 feet above the surface within a 5.2-mile radius of the airport, and within 3 miles each side of the 205° bearing from the airport, extending from the 5.2-mile radius to 9.9 miles southwest of the airport, and that airspace within 8 miles west and 4 miles east of the 005° bearing from the airport, extending from the 5.2-mile radius to 16 miles north of the airport; and that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of Dillon Airport.

Issued in Seattle, Washington, on May 20, 2020.

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