



[4910-13]

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2020-0384; Airspace Docket No. 19-AAL-15]

**RIN 2120-AA66**

**Proposed Amendment of Class D and Class E Airspace; Bethel, AK**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to modify the Class D and Class E surface area at Bethel Airport, Bethel AK, by redefining the Hangar Lake exclusion area and eliminating the use of the VORTAC in the descriptions. This action also proposes to remove Class E airspace as an extension to the Class D and Class E surface area and modify the Class E airspace extending upward from 700 feet above the surface at the Airport. After a biennial review of the airspace, the FAA found it necessary to amend the existing airspace for the safety and management of Instrument Flight Rules (IFR) operations at this airport. This action would also update the geographical coordinates and make a minor editorial change replacing the outdated term Airport/Facility Directory with the term Chart Supplement.

**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: 1-800-647-5527, or (202) 366-9826. You must identify

FAA Docket No. FAA-2020-0384; Airspace Docket No. 19-AAL-15, at the beginning of your comments. You may also submit comments through the Internet at <https://www.regulations.gov>.

FAA Order 7400.11D, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://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:** Richard Roberts, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S. 216<sup>th</sup> Street, Des Moines, WA 98198; telephone (206) 231-2245.

**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 and Class E airspace at Bethel Airport, Bethel, AK, to support IFR operations at the 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. Persons 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-2020-0384; Airspace Docket No. 19-AAL-15”. 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 <https://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA’s web page at [https://www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](https://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

Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 2200 S. 216<sup>th</sup> Street, Des Moines, WA 98198.

### **Availability and Summary of Documents for Incorporation by Reference**

This document proposes to amend 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 Proposal**

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to modify the description of the Class D and Class E surface area, remove the Class E as an extension to the Class D and Class E and modify the Class E airspace extending upward from 700 feet AGL at Bethel Airport, Bethel AK.

The Class D and Class E surface area would be modified so that the Hangar Lake exclusion area would be described as that area within .7 miles of the Hangar Lake ARP and eliminate the use of the VORTAC in the definition. This would ensure that a change in the status of the nav-aid, in the future, would have no effect on the description and not require additional rulemaking.

The FAA proposes eliminating the Class E airspace extensions to the Class D and Class E surface area, as these are no longer required for approaches.

In addition, the FAA proposes to modify the Class E airspace extending upward from 700 feet above the surface to within 6.6 miles of the Airport versus 16.8 miles and removing the

procedure turn maneuvering area from the Bethel Airport to 22.8 miles north, as it is no longer required for the approaches. The use of the term Airport Facility/Directory would be replaced with Chart Supplement and the geographical coordinates updated to match the FAA database.

Class E airspace designations are published in paragraph 5000, 6002, 6004, 6005 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 designations listed in this document will be published subsequently in the Order. 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**

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

Paragraph 5000. Class D Airspace

\* \* \* \* \*

**AAL AK D Bethel, AK [Amended]**

Bethel Airport, AK  
(lat. 60°46'43" N., long. 161°50'14"W.)  
Hangar Lake  
(lat. 60°48'17" N., long. 161°43'15"W.)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.1-mile radius of the Bethel Airport, AK, excluding that portion below 1,100 feet MSL within .7-mile radius of Hangar Lake SPB. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6002. Class E Airspace Designated as Surface Areas.

\* \* \* \* \*

**AAL AK E2 Bethel, AK [Amended]**

Bethel Airport, AK

(lat. 60°46'43" N., long. 161°50'14"W.)

Hangar Lake

(lat. 60°48'17" N., long. 161°43'15"W.)

That airspace extending upward from the surface within a 4.1-mile radius of the Bethel Airport, AK, excluding that portion below 1,100 feet MSL within .7-mile radius of Hangar Lake SPB. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

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

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**AAL AK E4 Bethel, AK [Removed]**

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above

the Surface of the Earth.

\* \* \* \* \*

**AAL AK E5 Bethel, AK [Amended]**

Bethel Airport, AK

(lat. 60°46'43" N., long. 161°50'14"W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Bethel Airport, AK, and that airspace 8 miles east and 4 miles west of the 211° radial from the airport extending from the 6.6-mile radius to 22 miles south of the Airport.

Issued in Seattle, Washington, on June 1, 2020.

Shawn M. Kozica,

Manager,

Operations Support Group,

Western Service Center

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