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[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2020-0296; Airspace Docket No. 18-ANM-1]

RIN 2120-AA66

Amendment of Class E Airspace; Durango, CO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule.

SUMMARY: This action modifies Class E airspace, designated as a surface area, at Durango-La Plata County Airport, CO. This action also modifies the Class E airspace extending upward from 700 feet above the surface. Additionally, this action revokes the Class E airspace extending upward from 1,200 feet above the surface. Further, this action removes the Durango VOR/DME from the airspace legal descriptions. Lastly, this action makes several administrative amendments to the airspace legal descriptions.

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/. 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 amends Class E airspace at Durango-La Plata County Airport, CO, 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 20450; April 13, 2020) for Docket No. FAA-2020-0296 to amend Class E airspace at Durango-La Plata County Airport, CO. Interested parties were invited to participate in this

rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received, the comment was not germane to the proposed airspace modification.

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 modifies the Class E airspace, designated as a surface area, at Durango-La Plata County Airport, CO. To properly contain arriving IFR aircraft descending below 1,000 feet above the surface, an extension has been added northeast of the airport. The extension southwest of the airport has been reduced. The airspace is described as follows: That airspace extending upward from the surface within a 4.3-mile radius of the airport, and within 1 mile each side of the 040° bearing from the airport, extending from the 4.3-mile radius to 6.3 miles northeast of the airport, and within 1 mile each side of the 217° bearing from the airport, extending from the 4.3-mile radius to 4.7 miles southwest of the Durango-La Plata County Airport. 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.

This action also modifies Class E airspace, extending upward from 700 feet above the surface, to properly contain arriving IFR aircraft descending below 1,500 feet above the surface and departing IFR aircraft until reaching 1,200 feet above the surface. The area is described as follows: That airspace extending upward from 700 feet above the surface within a 6.1-mile radius of the airport, and within 1.6 miles each side of the 044° bearing from the airport, extending from the 6.1-mile radius to 12.4 miles northeast of the airport, and within 1 mile each side of the 217° bearing from the airport, extending from the 6.1-mile radius to 6.7 miles southwest of Durango-La Plata County Airport.

Additionally, this action revokes the Class E airspace extending upward from 1,200 feet above the surface, this airspace is wholly contained within the Denver en route airspace and duplication is not necessary.

Further, this action removed the Durango VOR/DME and associated extensions from the airspace legal descriptions. The Navigational Aid is not required to define the airspace.

Lastly, this action makes several administrative amendments to the airspace legal descriptions. The geographic coordinates are updated to lat. 37°09'06"N., long. 107°45'14"W. The term "Airport/Facility Directory" in the Class E airspace, designated as a surface area, is outdated and has been replaced with "Chart Supplement".

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 CO E2 Durango, CO [Amended]

Durango-La Plata County Airport, CO
(lat. 37°09'06"N., long. 107°45'14"W.)

Within a 4.3-mile radius of the airport, and within 1 mile each side of the 040° bearing from the airport, extending from the 4.3-mile radius to 6.3 miles northeast of the airport, and within 1 mile each side of the 217° bearing from the airport, extending from the 4.3-mile radius to 4.7 miles southwest of the Durango-La Plata County Airport. 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 6005. Class E Airspace Areas Extending Upward from 700 feet or more above the Surface of the Earth.

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ANM CO E5 Durango, CO [Amended]

Durango-La Plata County Airport, CO

(lat. 37°09'06"N., long. 107°45'14"W.)

That airspace extending upward from 700 feet above the surface within a 6.1-mile radius of the airport, and within 1.6 miles each side of the 044° bearing from the airport, extending from the 6.1-mile radius to 12.4 miles northeast of the airport, and within 1 mile each side of the 217° bearing from the airport, extending from the 6.1-mile radius to 6.7 miles southwest of the Durango-La Plata County Airport.

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

Shawn M. Kozica

Group Manager,

Western Service Center

Operations Support Group

<FRDOC> [FR Doc. 2020-14089 Filed 6-30-20; 8:45 am]

<BILCOD> BILLING CODE 4910-13-P

[FR Doc. 2020-14089 Filed: 6/30/2020 8:45 am; Publication Date: 7/1/2020]