



## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA-2021-0295; Airspace Docket No. 21-ANE-2]**

**RIN 2120-AA66**

### **Amendment and Establishment of Class E Airspace; Bar Harbor, ME**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E surface area and Class E airspace extending upward from 700 feet above the surface at Hancock County-Bar Harbor Airport, Bar Harbor, ME. This action would also update the geographic coordinates of the airport to coincide with the FAA's database. In addition, this action also establishes Class E airspace extending upward from 700 feet above the surface for Bar Harbor Heliport, Bar Harbor, ME. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

**DATES:** Effective 0901 UTC, October 7, 2021. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11E, 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 7400.11E 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:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Ave., College Park, GA 30337; Telephone (404) 305-6364.

**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 and establishes Class E airspace in Bar Harbor, ME, to support IFR operations in the area.

## **History**

The FAA published a notice of proposed rulemaking in the *Federal Register* (86 FR 24562, May 7, 2021) for Docket No. FAA-2021-0295 to amend Class E surface airspace and Class E airspace extending up from 700 feet above the surface for Hancock County-Bar Harbor Airport, Bar Harbor, ME. In addition, the geographical coordinates of Hancock County-Bar Harbor Airport would be updated. This action also proposed to establish Class E airspace extending upward from 700 feet above the surface for Bar Harbor Heliport.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in Paragraphs 6002 and 6005, respectively, of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, 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.

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

### **Reference**

This document amends FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic routes, and reporting points.

### **The Rule**

The FAA is amending 14 CFR part 71 by amending Class E surface airspace for Hancock County-Bar Harbor Airport, Bar Harbor, ME, by increasing the radius from 4.2 miles to 5.5 miles and eliminating the extensions off the 204° and 024° bearings, respectively. The Class E airspace extending up from 700 feet above the surface for Hancock County-Bar Harbor is amended by increasing the radius from 7.4 miles to 8.0 miles and adding an extension 3.7 miles each side of the Hancock County-Bar Harbor Airport 025° bearing extending from the 8.0-mile radius to 11.4 miles northeast of the airport. In addition, the geographical coordinates of Hancock County-Bar Harbor Airport are updated to coincide with the FAA's database. This action also establishes Class E airspace extending upward from 700 feet above the surface for Bar Harbor Heliport. These changes are necessary for continued safety and management of IFR operations in the area.

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. 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 minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does 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.

## **Lists 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 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

7400.11E, Airspace Designations and Reporting Points, dated July 21,

2020, and effective September 15, 2020, is amended as follows:

Paragraph 6002. Class E Surface Airspace.

\* \* \* \* \*

#### **ANE ME E2 Bar Harbor, ME [Amend]**

Hancock County-Bar Harbor Airport, ME  
(lat. 44°26'59"N., long. 68°21'41"W.)

That airspace extending upward from the surface within a 5.5-mile radius of Hancock County-Bar Harbor Airport.

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

\* \* \* \* \*

**ANE ME E5 Bar Harbor, ME [Amend]**

Hancock County-Bar Harbor Airport, ME

(lat. 44°26'59"N., long. 68°21'41"W.)

Bar Harbor Heliport

(lat. 44°22'54"N., long. 68°12'14"W.)

That airspace extending upward from 700 feet above the surface within an 8.0-mile radius of Hancock County-Bar Harbor Airport and 3.7 miles each side of the 025° bearing extending from the 8.0-mile radius to 11.4 miles northeast from the airport, and that airspace within a 6.0-mile radius of the Bar Harbor Heliport.

Issued in College Park, Georgia, on **July 22, 2021**.

**ANDREESE C. DAVIS,**  
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**Eastern Service Center, Air Traffic Organization**

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