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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2003-15457; Airspace Docket No. 03-ACE-55]

#### Modification of Class E Airspace; Waterloo, IA

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** An examination of controlled airspace for Waterloo, IA revealed discrepancies in Waterloo, IA Class E airspace areas and their legal descriptions. This action corrects the discrepancies, modifies Class E airspace areas at Waterloo, IA to the appropriate dimensions for protecting aircraft executing instrument approach procedures at Waterloo Municipal Airport and incorporates the changes into the legal descriptions of Waterloo, IA Class E airspace areas.

**DATES:** This direct final rule is effective on 0901 UTC, October 30, 2003. Comments for inclusion in the Rules Docket must be received on or before August 28, 2003.

**ADDRESSES:** Send comments on this rule to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2003-15457/Airspace Docket No. 03-ACE-55, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the rule, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the

plaza level of the Department of Transportation NASSIF Building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2525.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR 71 modifies the Class E airspace area designated as an extension to a Class D or Class E Surface Area at Waterloo, IA. It also modifies the Class E airspace area extending upward from 700 feet above the surface at Waterloo, IA and the legal descriptions of both airspace areas. An examination of controlled airspace for Waterloo, IA revealed discrepancies in the dimensions of Class E airspace areas and their legal descriptions. A discrepancy in the location of the collocated very high frequency omnidirectional radio range and tactical air navigational aid (VORTAC) serving Waterloo Municipal Airport and used to describe these airspace areas was also noted. This action corrects the discrepancies, modifies Class E airspace areas at Waterloo, IA to the appropriate dimensions for protecting aircraft executing instrument approach procedures at Waterloo Municipal Airport and incorporates the changes into the legal descriptions of Waterloo, IA Class E airspace areas. This action brings the legal descriptions of Waterloo, IA controlled airspace areas into compliance with FAA Order 7400.2E, Procedures for Handling Airspace Matters. The areas will be depicted on appropriate aeronautical charts. Class E airspace areas designated as extensions to a Class D or Class E Surface Area are published in paragraph 6004 of FAA Order 7400.9K, dated August 30, 2002, and effective September 16, 2002, which is incorporated by reference in 14 CFR 71.1. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of the same FAA Order. The Class E airspace designations listed in this document will be published subsequently in the Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or

negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Interested parties are invited to participate in this 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. Commenters 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-2003-15457/Airspace Docket No. 03-ACE-55." The postcard will be date/time stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various

levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 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 Federal Aviation Administration Order 7400.9K, dated August 30, 2002, and effective September 16, 2002, is amended as follows:

Paragraph 6004 Class E airspace areas designated as an extension to Class D or Class E surface area.

\* \* \* \* \*

ACE IA E4 Waterloo, IA

Waterloo Municipal Airport, IA (Lat. 42°33'25" N., long. 92°24'01" W.) Waterloo VORTAC (Lat. 42°33'23" N., long. 92°23'56" W.)

That airspace extending upward from the surface within 2.4 miles each side of the Waterloo VORTAC 079° radial extending from the 4.3-mile radius of Waterloo Municipal Airport to 7 miles east of the VORTAC and within 2.4 miles each side of the VORTAC 202° radial extending from the 4.3-mile radius of the airport to 7 miles south of the VORTAC, and within 2.4 miles each side of the VORTAC 238° radial extending

from the 4.3-mile radius of the airport to 7 miles southwest of the VORTAC and within 2.4 miles each side of the VORTAC 313° radial extending from the 4.3-mile radius of the airport to 7 miles northwest of the VORTAC and within 2.4 miles each side of the VORTAC 351° radial extending from the 4.3-mile radius of the airport to 7 miles north of the VORTAC.

\* \* \* \* \*

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

\* \* \* \* \*

ACE IA E5 Waterloo, IA

Waterloo Municipal Airport, IA (Lat. 42°33'25" N., long. 92°24'01" W.) Waterloo VORTAC (Lat. 42°33'23" N., long. 92°23'56" W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Waterloo Municipal Airport and within 2.6 miles each side of the Waterloo VORTAC 120° radial extending from the 6.8-mile radius of the airport to 8 miles southeast of the VORTAC.

\* \* \* \* \*

Issued in Kansas City, MO, on July 15, 2003.

Paul J. Sheridan,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 03-19157 Filed 7-28-03; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2003-15458; Airspace Docket No. 03-ACE-56]

Modification of Class E Airspace; Webster City, IA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: An examination of controlled airspace for Webster City, IA revealed discrepancies in the Webster City Municipal Airport airport reference point and in the location of the Webster City nondirectional radio beacon (NDB), both used in the legal description for the Webster City, IA Class E airspace. A discrepancy in the Webster City NDB bearing of the Class E airspace extension was also discovered. This action corrects the discrepancies by modifying the Webster City, IA Class E airspace and by incorporating the current Webster City Municipal Airport airport reference point and the current location

of the Webster City NDB in the Class E airspace legal description.

EFFECTIVE DATE: This direct final rule is effective on 0901 UTC, October 30, 2003. Comments for inclusion in the Rules Docket must be received on or before August 28, 2003.

ADDRESSES: Send comments on this rule to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2003-15458/Airspace Docket No. 03-ACE-56, at the beginning of your comments. You may also submit comments on the Internet at http://dms.dot.gov. You may review the public docket containing the rule, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, DOT Municipal Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2525.

SUPPLEMENTARY INFORMATION: This amendment to 14 CFR 71 modifies the Class E airspace area extending upward from 700 feet above the surface at Webster City, IA. It incorporates the current airport reference point for Webster City Municipal Airport and the current location of the Webster City NDB. It corrects the bearing from the Webster City NDB of the Class E airspace extension and brings the legal description of this airspace area into compliance with FAA Order 7400.2E, Procedures for Handling Airspace Matters. The area will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9K, dated August 30, 2002, and effective September 16, 2002, 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.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless