

## 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 only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation—(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, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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 the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Wellington Municipal Airport.

### 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, 29 FR 9565, 3 CFR, 2959–2963 Comp., p. 389.

#### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation

Administration Order 7400.9N, dated September 1, 2005, and effective September 16, 2005, is amended as follows:

*Paragraph 6005—Class E Airspace Areas Extending Upward From 70 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### ACE KS E5 Wellington, KS

Wellington Municipal Airport, KS  
(Lat. 37°19'25" N., long. 97°23'18" W.)

Wellington NDB  
(Lat. 37°19'26" N., long. 97°23'22" W.)

Wichita VORTAC  
(Lat. 37°44'43" N., long. 97°35'02" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Wellington Municipal Airport and within 2.6 miles each side of the 007° bearing from Wellington NDB extending from the 6.4-mile radius of the airport to 7.4 miles north of the airport and within 4.4 miles each side of the 159° radial of the Wichita VORTAC extending from the 6.4-mile radius to 10.5 miles northwest of the airport.

\* \* \* \* \*

Issued in Kansas City, MO, on September 20, 2005.

**Elizabeth S. Wallis,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 05–19742 Filed 9–30–05; 8:45am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 95

[Docket No. 30459; Amdt. No. 457]

#### IFR Altitudes; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

**EFFECTIVE DATES:** 0901 UTC, October 27, 2005.

**FOR FURTHER INFORMATION CONTACT:** Donald P. Pate, Flight Procedure Standards Branch (AMCAFS–420),

Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK. 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK. 73125) telephone: (405) 954–4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

### The Rule

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user, and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

### Conclusion

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 so minimal. For the same reason, the FAA certifies that this amendment will not have a significant

economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 95**

Airspace, Navigation (air).

Issued in Washington, DC, on September 28, 2005.

**James J. Ballough,**  
*Director, Flight Standards Service.*

**Adoption of the Amendment**

■ Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 0901 UTC, October 27, 2005.

**PART 95—[AMENDED]**

■ 1. The authority citation for part 95 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44719, 44721.

■ 2. Part 95 is amended to read as follows:

**REVISIONS TO IFR ALTITUDES & CHANGEOVER POINTS**

[Amendment 457 effective date, October 27, 2005]

From	To	MEA
<b>§ 95.1001 Direct Routes—U.S. Color Routes</b>		
<b>§ 95.60 Blue Federal Airway B2 is amended to read in part</b>		
Tin City, AK NDB/DME ..... *5900—MOCA *6000—GNSS MEA	Fort Davis, AK NDB .....	*7000
<b>§ 95.6 Blue Federal Airway B37 is amended to read in part</b>		
Elephant, AK NDB ..... *5000—MOCA *5000—GNSS MEA	Sparl, AK FIX .....	*6000
<b>§ 95.1001 Direct Routes—U.S. Atlantic Routes—A761 is amended to delete</b>		
Hanri, OA FIX .....	Torry, FL FIX .....	31000
<b>Atlantic Routes—AR1 is amended to delete</b>		
Virginia Key, FL VOR/DME .....	Blufi, FL FIX .....	5000
Blufi, FL FIX .....	Tarpo, FL FIX .....	14000
Hobee, FL FIX .....	Wilmington, NC VORTAC .....	25000
	MAA—45000	
<b>Atlantic Routes—AR7 is amended to delete</b>		
Vally, FL FIX .....	Zappa, BS FIX .....	2000
Zappa, BS FIX .....	Benzi, BS FIX .....	3000
Benzi, BS FIX .....	Permt, FL FIX .....	6000
Permt, FL FIX .....	Adoor, FL FIX .....	25000
Adoor, FL FIX .....	*Miloe, OA FIX .....	25000
*18000—MRA	MAA—45000	
*Miloe, OA FIX .....	**Panal, OA FIX .....	2500
*18000—MRA.		
**18000—MRA .....	MAA—45000	
*Panal, OA FIX .....	Dixon, NC NDB/DME .....	2500
*18000—MRA	MAA—45000	
<b>Atlantic Routes—AR12 is amended to delete</b>		
Satellite, FL NDB .....	Lotus, FL FIX .....	18000
	MAA—45000	
<b>Atlantic Routes—AR14 is amended to delete</b>		
*Metta, SC FIX .....	Dixon, NC NDB/DME .....	18000
*18000—MRA	MAA—45000	
<b>§ 95.6001 Victor Routes—U.S.</b>		
<b>§ 95.6009 VOR Federal Airway V9 is amended to read in part</b>		
St Louis, MO VORTAC ..... *2100—MOCA	Spinner, IL VORTAC .....	*2700
Spinner, IL VORTAC .....	Pontiac, IL VOR/DME .....	*3000

## REVISIONS TO IFR ALTITUDES &amp; CHANGEOVER POINTS—Continued

[Amendment 457 effective date, October 27, 2005]

From	To	MEA
*2300—MOCA		
<b>§ 95.6050 VOR Federal Airway V50 is amended to read in part</b>		
Quincy, IL VORTAC .....	Spinner, IL VORTAC .....	*3000
*2100—MOCA		
Spinner, IL VORTAC .....	Decatur, IL VORTAC .....	3000
<b>§ 95.6067 VOR Federal Airway V67 is amended to read in part</b>		
Vandalia, IL VORTAC .....	Spinner, IL VORTAC .....	2500
Spinner, IL VORTAC .....	Burlington, IA VORTAC .....	2500
<b>§ 95.6069 VOR Federal Airway V69 is amended to read in part</b>		
Troy, IL VORTAC .....	Spinner, IL VORTAC .....	2500
Spinner, IL VORTAC .....	Pontiac, IL VOR/DME .....	*3000
*2300—MOCA		
<b>§ 95.6129 VOR Federal Airway V129 is amended to read in part</b>		
Spinner, IL VORTAC .....	Peoria, IL VORTAC .....	2500
*2000—MOCA		
<b>§ 95.6173 VOR Federal Airway V173 is amended to read in part</b>		
Spinner, IL VORTAC .....	Peotone, IL VORTAC .....	4500
*2300—MOCA		
<b>§ 95.6233 VOR Federal Airway V233 is amended to read in part</b>		
Spinner, IL VORTAC .....	Roberts, IL VOR/DME .....	2600
<b>§ 95.6263 VOR Federal Airway V263 is amended by adding</b>		
Encia, NM FIX .....	Albuquerque, NM VORTAC .....	8000
<b>§ 95.6492 VOR Federal Airway V492 is amended to read in part</b>		
Palm Beach, FL VORTAC .....	Stoop, FL FIX .....	*3000
*2000—MOCA		
Stoop, FL FIX .....	Melbourne, FL VOR/DME .....	3000
<b>§ 95.6536 VOR Federal Airway V536 is amended by adding</b>		
Great Falls, MT VORTAC .....	Swedd, MT FIX .....	*12000
*9700—MOCA		
Swedd, MT FIX .....	Menar, MT FIX .....	*9700
*9100—MOCA		
Menar, MT FIX .....	Bozeman, MT VOR/DME .....	8500
<b>§ 95.6537 VOR Federal Airway V537 is amended by adding</b>		
Palm Beach, FL VORTAC .....	Stoop, FL FIX .....	*3000
*2000—MOCA		
Stoop, FL FIX .....	Vero Beach, FL VORTAC .....	*2000
*1500—MOCA		
<b>§ 95.6328 Alaska VOR Federal Airway V328 is amended to read in part</b>		
Brous, AK FIX .....	Acate, AK FIX .....	*9000
*5500—MOCA		
*6000—GNSS MEA		
<b>§ 95.6334 Alaska VOR Federal Airway V334 is amended to read in part</b>		
Augey, AK FIX .....	Clams, AK FIX .....	*7000

REVISIONS TO IFR ALTITUDES & CHANGEOVER POINTS—Continued

[Amendment 457 effective date, October 27, 2005]

From	To	MEA
*2000—MOCA *2000—GNSS MEA		
<b>§ 95.6357 Alaska VOR Federal Airway V357 is amended to read in part</b>		
Mocho, AK FIX ..... *2300—MOCA *7000—GNSS MEA	Gerks, AK FIX .....	*7500
Gerks, AK FIX ..... *3700—MOCA *7000—GNSS MEA	Saner, AK FIX .....	*9000
<b>§ 95.6385 Alaska VOR Federal Airway V385 is amended to read in part</b>		
Emmonak, AK VOR/DME ..... *2800—MOCA *3000—GNSS MEA	Unalakleet, AK VOR/DME .....	*3500
<b>§ 95.6427 Alaska VOR Federal Airway V427 is amended to read in part</b>		
Ringo, AK FIX ..... *9000—MOCA *9000—GNSS MEA	Nonda, AK FIX .....	*14000
Tommy, AK FIX ..... *5300—MOCA *6000—GNSS MEA	Ringo, AK FIX .....	*7000
<b>§ 95.6436 Alaska VOR Federal Airway V436 is amended to read in part</b>		
Pipet, AK FIX ..... *3700—MOCA *4000—GNSS MEA	Bixer, AK FIX .....	*5000
Artic, AK FIX ..... *4500—MOCA *5000—GNSS MEA	Pipet, AK FIX .....	*6000
<b>§ 95.6440 Alaska VOR Federal Airway V440 is amended to read in part</b>		
Ganes, AK FIX ..... *5600—MOCA *7000—GNSS MEA	Yucon, AK FIX .....	*8000
Migan, AK FIX ..... *8600—MCA WINOR, AK FIX, E BND **8900—MOCA **9000—GNSS MEA	*Winor, AK FIX .....	**10000
<b>§ 95.6441 Alaska VOR Federal Airway V441 is amended to read in part</b>		
Broil, AK FIX ..... *6800—MOCA *9000—GNSS MEA	Chick, AK FIX .....	*9000
<b>§ 95.6456 Alaska VOR Federal Airway V456 is amended to read in part</b>		
Bitop, AK FIX ..... *12000—MCA NOSKY, AK FIX, NE BND **5400—MOCA **7000—GNSS MEA, NE BND **6000—Opposite GNSS MEA, SW BND	*Nosky, AK FIX .....	**9000
Tanie, AK FIX ..... *1300—MOCA *2000—GNSS MEA #14000 SW When DLG FSS Shut Down	King Salmon, AK VORTAC .....	#*3000
Nosky, AK FIX ..... *12000—MOCA *12000—GNSS MEA	Tucks, AK FIX .....	*13000
Binal, AK FIX .....	Tanie, AK FIX .....	#*14000

REVISIONS TO IFR ALTITUDES & CHANGEOVER POINTS—Continued  
 [Amendment 457 effective date, October 27, 2005]

From	To	MEA
*3400—MOCA *8000—GNSS MEA #MEA is established with a gap in navigation signal coverage		

§ 95.6506 Alaska VOR Federal Airway V506 is amended to read in part

*Johni, AK FIX ..... *9500—MRA **3200—MOCA **4000—GNSS MEA	Dacia, AK FIX .....	**8000
Marsi, AK FIX ..... *9500—MRA **3200—MOCA **4000—GNSS MEA #MEA is established with a gap in navigation signal coverage	*Johni, AK FIX .....	**8000
Baily, AK FIX ..... *7000—MCA BREMI, AK FIX, E BND *9700—MOCA **10000—GNSS MEA	*Bremi, AK FIX .....	**12000
Baime, AK FIX ..... *5700—MOCA *6000—GNSS MEA	Setup, AK FIX .....	*7000
Shokk, AK FIX ..... *7000—MOCA *8000—GNSS MEA	Meade, AK FIX .....	*10000
Kowok, AK FIX ..... *7000—MOCA *7000—GNSS MEA	Cayon, AK FIX .....	*8000
Hotham, AK NDB ..... *5000—MOCA *5000—GNSS MEA	Shokk, AK FIX .....	*6000

§ 95.6507 Alaska VOR Federal Airway V507 is amended to read in part

Photo, AK FIX ..... *6000—MOCA *6000—GNSS MEA	Eskar, AK FIX .....	*13000
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§ 95.6508 Alaska VOR Federal Airway V508 is amended to read in part

*Sewar, AK FIX ..... *9500—MRA **5800—MCA SKILA, AK FIX, E BND **7500—MOCA **8000—GNSS MEA	**Skila, AK FIX .....	***9000
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§ 95.6510 Alaska VOR Federal Airway V510 is amended to read in part

Migan, AK FIX ..... *8800—MOCA *9000—GNSS MEA	Klart, AK FIX .....	*10000
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From	To	MEA	MAA
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§ 95.7001 Jet Routes  
 § 95.7035 Jet Route J35 is amended to read in part

St Louis, MO VORTAC .....	Spinner, IL VORTAC .....	18000	45000
Spinner, IL VORTAC .....	Pontiac, IL VOR/DME .....	18000	31000

§ 95.7080 Jet Route J80 is amended to read in part

Kansas City, MO VORTAC .....	Spinner, IL VORTAC .....	18000	45000
Spinner, IL VORTAC .....	Brickyard, IN VORTAC .....	18000	45000

§ 95.7101 Jet Route J101 is amended to read in part

St Louis, MO VORTAC .....	Spinner, IL VORTAC .....	18000	45000
Spinner, IL VORTAC .....	Pontiac, IL VOR/DME .....	18000	31000

From	To	MEA	MAA
<b>§ 95.7137 Jet Route J137 is amended to read in part</b>			
Spinner, IL VORTAC .....	Farmington, MO VORTAC .....	18000	45000

[FR Doc. 05-19744 Filed 9-30-05; 8:45 am]  
 BILLING CODE 4910-13-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 97**

[Docket No. 30457; Amdt. No. 3134]

**Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) and/or Weather Takeoff Minimums for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective October 3, 2005. The compliance date for each SIAP and/or Weather Takeoff Minimums is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 3, 2005.

**ADDRESSES:** Availability of matters incorporated by reference in the amendment is as follows:

*For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;
2. The FAA Regional Office of the region in which the affected airport is located;
3. The National Flight Procedures Office, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

*For Purchase—*Individual SIAP and Weather Takeoff Minimums copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or
2. The FAA Regional Office of the region in which the affected airport is located.

*By Subscription—*Copies of all SIAPs and Weather Takeoff Minimums mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

**FOR FURTHER INFORMATION CONTACT:**

Donald P. Pate, Flight Procedure Standards Branch (AFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK. 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to Title 14 of the Code of Federal Regulations, Part 97 (14 CFR part 97), establishes, amends, suspends, or revokes SIAPs and/or Weather Takeoff Minimums. The complete regulatory description of each SIAP and/or Weather Takeoff Minimums is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4, 8260-5 and 8260-15A. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs and/or Weather Takeoff Minimums, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs and/or Weather Takeoff

Minimums but refer to their depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP and/or Weather Takeoff Minimums contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR sections, with the types and effective dates of the SIAPs and/or Weather Takeoff Minimums. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

**The Rule**

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP and/or Weather Takeoff Minimums as contained in the transmittal. Some SIAP and/or Weather Takeoff Minimums amendments may have been previously issued by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP, and/or Weather Takeoff Minimums amendments may require making them effective in less than 30 days. For the remaining SIAPs and/or Weather Takeoff Minimums, an effective date at least 30 days after publication is provided.

Further, the SIAPs and/or Weather Takeoff Minimums contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and/or Weather Takeoff Minimums, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and/or Weather Takeoff Minimums and safety in air commerce, I find that notice and public procedure before adopting these SIAPs and/or Weather Takeoff Minimums are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs and/or Weather Takeoff Minimums effective in less than 30 days.