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

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AGL WI E5 Milwaukee, WI [Amended]

Milwaukee, General Mitchell International Airport, WI
(Lat. 42°56′50″ N., long. 87°53′48″ W.)
Racine, John H. Batten Airport, WI
(Lat. 42°45′40″ N., long. 87°48′50″ W.)
Waukesha, Waukesha County Airport, WI
(Lat. 43°02′28″ N., long. 88°14′13″ W.)
Milwaukee, Lawrence J. Timmerman Airport, WI
(Lat. 43°06′37″ N., long. 88°02′04″ W.)

That airspace extending upward from 700 feet above the surface within a 8.4-mile radius of General Mitchell International Airport, and within an 8.1-mile radius of John H. Batten Airport, and within a 7.5-mile radius of the Waukesha County Airport, and within 2 miles each side of the 282° bearing from the Waukesha County Airport extending from the 7.5-mile radius to 10.5 miles west of the Waukesha County Airport, and within an 8.9-mile radius of Lawrence J. Timmerman Airport.

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Issued in Fort Worth, TX, on February 12, 2009.

Roger M. Trevino,

Acting Manager, Operations Support Group, Central Service Center.

[FR Doc. E9–3818 Filed 2–23–09; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2008–1186; Airspace Docket No. 08–AGL–12]

Establishment of Class E Airspace; Tower, MN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Tower, MN. Controlled airspace is necessary to accommodate new Area Navigation (RNAV) Standard Instrument Approach Procedures (SIAPs) at Tower Municipal Airport, Tower, MN. This rule also updates the geographic coordinates for the airport. The FAA is taking this action to enhance the safety and management of Instrument Flight Rule (IFR) operations at Tower Municipal Airport.

DATES: *Effective Date:* 0901 UTC, May 7, 2009. 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 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd, Fort Worth, TX 76193–0530; telephone (817) 321–7716.

SUPPLEMENTARY INFORMATION:

History

On November 25, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking to establish Class E airspace at Tower, MN (73 FR 71569, Docket No. FAA–2008–1186). 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 paragraph 6005 of FAA Order 7400.9S signed October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order. With the exception of editorial changes, and the changes described above, this rule is the same as that proposed in the NPRM.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by establishing Class E airspace at Tower Municipal Airport, Tower, MN. This rule also updates the geographic coordinates of Tower Municipal Airport.

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.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, 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 establishes controlled airspace at Tower Municipal Airport, Tower, MN.

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 amends14 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(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 Part 71.1 of the Federal Aviation Administration Order 7400.9S, Airspace Designations and Reporting Points, signed October 3, 2008, and effective October 31, 2008, is amended as follows:

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

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AGL MN E5 Tower, MN [New]

Tower Municipal Airport, MN
(Lat. 47°49′05″ N., long. 92°17′10″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Tower Municipal Airport, excluding that airspace within Prohibited Area P–205.

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Issued in Fort Worth, TX, on February 12, 2009.

Roger M. Trevino,

Acting Manager, Operations Support Group, Central Service Center.

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