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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2011-0556; Airspace Docket No. 11-ASO-21]

Amendment of Class E Airspace; Jacksonville, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E Airspace at Jacksonville, NC, to accommodate the new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures serving Albert J. Ellis Airport. This action enhances the safety and airspace management of Instrument Flight Rules (IFR) operations within the National Airspace System. This action also makes a minor adjustment to the geographic coordinates of the airport.

DATES: Effective 0901 UTC, December 15, 2011. 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 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P. O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:

History

On August 22, 2011, the FAA published in the Federal Register a notice of proposed rulemaking to amend Class E airspace at Jacksonville, NC (76 FR 52291). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Subsequent to publication, the FAA found that the geographic coordinates for Albert J. Ellis Airport needed to be adjusted. This action makes that adjustment. Class E airspace designations are published in paragraphs 6002 and 6005 of FAA Order 7400.9V dated August 9, 2011, and effective September 15, 2011, 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 the Order.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E surface area airspace and Class E airspace extending upward from 700 feet above the surface at Jacksonville, NC, to provide the controlled airspace required to accommodate the new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures developed for Albert J. Ellis Airport. This action is necessary for the safety and management of IFR operations at the airport. This action also adjusts the geographic coordinates of the airport to be in concert with the FAAs aeronautical database

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, 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 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 controlled airspace at Albert J Ellis Airport, Jacksonville, NC.

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(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 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, effective September 15, 2011, is amended as follows:
Paragraph 6002 Class E Airspace Designated as Surface Areas.

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ASO NC E2 Jacksonville Albert J Ellis Airport, NC [Amended]

Jacksonville, Albert J. Ellis Airport, NC
(lat. 34°49'75"N., long. 77°36'73"W.)

Within a 4.2-mile radius of Albert J. Ellis Airport. This Class E airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

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

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ASO NC E5 Jacksonville, NC [Amended]

Jacksonville, New River MCAS, NC
(lat. 34°42'31"N., long. 77°26'23"W.)
Albert J. Ellis Airport
(lat. 34°49'75"N., long. 77°36'73"W.)
Onslow Memorial Hospital

Point In Space Coordinates
(lat. 34°45'36"N., long. 77°22'28"W.)

That airspace extending upward from 700 feet or more above the surface within a 7-mile radius of New River MCAS, and within a 6.7-mile radius of Albert J. Ellis Airport, and within a 6-mile radius of the point in space (lat. 34°45'36"N., long. 77°22'28"W.) serving Onslow Memorial Hospital.

Issued in College Park, Georgia, on **October 21, 2011**

MICHAEL VERMUTH
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