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[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

Docket No. FAA-2012-0384; Airspace Docket No. 12-ANM-9

Proposed Amendment of Class D and Class E Airspace; Lewiston, ID

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM).

SUMMARY: The FAA is issuing a SNPRM for the notice of proposed rulemaking (NPRM) of June 4, 2012, in order to elicit comments addressing increasing further the controlled Class E airspace area at Lewiston-Nez Perce County Airport, Lewiston, ID. The NPRM proposed a modification of Class D airspace, and Class E airspace extending upward from 700 feet above the surface and 1,200 feet above the surface, and an adjustment to the geographic coordinates. This SNPRM would further enlarge the Class E airspace 1,200 feet above the surface area to enhance safety in the Lewiston-Nez Pearce County Airport, Lewiston, ID area.

DATES: Comments must be received on or before **[INSERT DATE 45 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, 20590; telephone (202) 366-9826. You must identify FAA Docket No. FAA-2012-0384; Airspace Docket No. 12-ANM-9, at the beginning of your

comments. You may also submit comments through the Internet at

<http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4537.

SUPPLEMENTARY INFORMATION:

History

On June 4, 2012, the FAA published a NPRM to modify Class D airspace, and Class E airspace extending upward from 700 feet above the surface at Lewiston-Nez Perce County Airport, Lewiston, ID (77 FR 32921). Also the geographic coordinates of the airport and navigation aids would be adjusted in the respective Class D and Class E airspace areas. The comment period closed July 19, 2012. The FAA received one comment from the National Business Aviation Association (NBAA).

The NBAA recommended making the Class E airspace area extending upward from 1,200 feet above the surface larger by lowering some of the adjacent Class E airspace, which begins from between 10,000 Mean Sea Level (MSL) and 14,500 MSL, for aircraft safety. The FAA found merit in this comment, and, therefore, proposes the additional Class E airspace area, extending upward from 1,200 feet above the surface, be made larger. The FAA seeks comments on this SNPRM.

Comments Invited

Interested parties are invited to participate in this proposed 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 (FAA Docket No. FAA 2012-0384 and Airspace Docket No. 12-ANM-9) and be submitted in triplicate to the Docket Management System (see “ADDRESSES” section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: “Comments to FAA Docket No. FAA-2012-0384 and Airspace Docket No. 12-ANM-9”. The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the “ADDRESSES” section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 1601 Lind Avenue, SW., Renton, WA 98057.

Persons interested in being placed on a mailing list for future NPRM’s should contact the FAA’s Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

The Supplemental Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) Part 71 by further increasing the Class E airspace area extending upward from 1,200 feet above the surface at Lewiston-Nez Perce County Airport, Lewiston, ID, to accommodate aircraft using RNAV (GPS) standard instrument approach procedures at the airport. As stated in the NPRM, the geographic coordinates of the airport, the Nez Perce VOR/DME, and the Lewiston-Nez Perce ILS Localizer navigation aids, would be updated to coincide with the FAA’s aeronautical database for the respective Class D airspace and Class E airspace areas. This action would enhance the safety and management of IFR operations at the airport.

Class D and E airspace designations are published in paragraphs 5000, 6002, 6004 and 6005, respectively, 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 D and E airspace designation listed in this document will be published subsequently in this Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed 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 proposed rule, when promulgated, would 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 for 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 the 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 would modify controlled airspace at Lewiston-Nez Perce County Airport, Lewiston, ID.

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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 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 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011 is amended as follows:

Paragraph 5000 Class D airspace.

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ANM ID D Lewiston, ID [Modified]

Lewiston-Nez Perce County Airport, ID
(lat. 46°22'28"N., long. 117°00'55"W.)

That airspace extending upward from the surface to and including 3,900 feet MSL within a 4.1-mile radius of the Lewiston-Nez Perce County Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6002 Class E airspace Designated as Surface Areas.

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ANM ID E2 Lewiston, ID [Modified]
 Lewiston-Nez Perce County Airport, ID
 (lat. 46°22'28"N., long. 117°00'55"W.)

Within a 4.1-mile radius of the Lewiston-Nez Perce County Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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

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ANM ID E4 Lewiston, ID [Modified]
 Lewiston-Nez Perce County Airport, ID
 (lat. 46°22'28"N., long. 117°00'55"W.)
 Nez Perce VOR/DME
 (lat. 46°22'54"N., long. 116°52'10"W.)
 Lewiston-Nez Perce ILS Localizer
 (lat. 46°22'27"N., long. 117°01'54"W.)

That airspace extending upward from the surface within 2.7 miles each side of the Lewiston-Nez Perce ILS localizer course extending from the 4.1-mile radius of the airport to 14 miles east of the airport and within 3.5 miles each side of the Nez Perce VOR/DME 266° radial extending from the 4.1-mile radius of the airport to 13.1 miles west of the airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time 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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ANM ID E5 Lewiston, ID [Modified]
Lewiston-Nez Perce County Airport, ID
(lat. 46°22'28"N., long. 117°00'55"W.)

That airspace extending upward from 700 feet above the surface bounded by a line beginning at lat. 46°33'00"N., long. 117°38'00"W.; to lat. 46°31'30"N., long 117°14'00"W.; to lat. 46°40'00"N., long. 116°48'00"W.; to lat. 46°26'00"N., long. 116°26'00"W.; to lat. 46°13'00"N., long. 116°30'00"W.; to lat. 46°14'00"N., long. 116°35'00"W.; to lat. 46°06'00"N., long. 116°47'00"W.; to lat. 46°17'00"N., long. 116°49'00"W.; to lat. 46°18'00"N., long 117°00'00"W.; to lat. 46°17'30"N., long. 117°22'00"W.; to lat. 46°10'30"N., long. 117°26'30"W.; to lat. 46°12'00"N., long. 117°36'00"W.; thence to the point of origin; that airspace extending upward from 1,200 feet above the surface within a 62-mile radius of the Lewiston-Nez Perce County Airport, and within 24 miles each side of the 056° bearing of the airport, extending from the 62-mile radius to 92 miles northeast of the airport.

Issued in Seattle, Washington, on August 14, 2012.

John Warner
Manager, Operations Support Group,
Western Service Center

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