



[4910-13]

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2017-0188; Airspace Docket No. 17-AGL-8]**

**Proposed Amendment of Class E Airspace; for Brainerd, MN**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to modify Class E airspace extending up to 700 feet above the surface at Brainerd Lakes Regional Airport (formerly Brainerd-Crow County Regional Airport), Brainerd, MN. Airspace reconfiguration is necessary due to the decommissioning of the Brainerd (BRD) VHF Omnidirectional Radio Range Tactical Air Navigation Aid (VORTAC), and cancellation of the VOR approach. This action would also update the geographic coordinates of the airport and the airport name in the Class E airspace above and in Class E surface area airspace. Additionally, an editorial change would be made to the Class E surface area airspace legal description replacing Airport/Facility Directory with the term Chart Supplement.

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

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366-9826, or 1-800-647-5527. You must identify FAA Docket No. FAA-2017- 0188; Airspace Docket No. 17-AGL-8, at the

beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C., 20591; telephone: 202-267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A 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).

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** Ron Laster, Federal Aviation Administration, Contract Support, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX, 76177; telephone (817) 222-5879.

**SUPPLEMENTARY INFORMATION:**

**Authority for this Rulemaking**

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 would modify Class E airspace extending up to and including 700 feet above the surface at Brainerd Lakes Regional Airport, Brainerd, MN to ensure the safety of IFR operations under standard instrument approach procedures.

### **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 (Docket No. FAA-2017-0188/Airspace Docket No. 17-AGL-8 and be submitted in triplicate to DOT Docket Office (see “ADDRESSES” section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

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-2017- 0188/Airspace Docket

No. 17-AGL-8.” The postcard will be date/time stamped and returned to the commenter.

All communication received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the *docket*.

### **Availability of NPRMs**

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//air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov//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 Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX, 76177.

### **Availability and Summary of Documents Proposed for Incorporation by Reference**

This document proposes to amend FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the ADDRESSES section of this document. FAA

Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### **The Proposal**

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 by modifying Class E airspace extending upward from 700 feet above the surface within a 7.1 mile (from a 7.9-mile) radius of Brainerd Lakes Regional Airport (formerly Brainerd-Crow County Regional Airport), MN, with a segment extending 2 miles each side of the 233° bearing extending from the 7.1-mile radius to 9.1 miles southwest of the airport.

Airspace reconfiguration is necessary due to the decommissioning of the Brainerd VORTAC, and cancellation of the VOR approaches, which would enhance the safety and management of the standard instrument approach procedures for IFR operations at the airport. This action would also update the geographic coordinates of the airport.

Additionally, this action would replace the outdated term Airport/Facility Directory with the term Chart Supplement in Class E surface area airspace, as well as update the airport name from Brainerd-Crow Wing County Regional Airport to Brainerd Lakes Regional Airport.

Class E airspace designations are published in paragraph 6002 and 6005, respectively, of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

### **Regulatory Notices and Analyses**

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, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Environmental Review**

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, "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(f), 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 FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

Paragraph 6002. Class E airspace areas designated as a surface area for an airport.

\* \* \* \* \*

**AGL MN E2 Brainerd, MN [Amended]**

Brainerd Lakes Regional Airport, MN  
(lat. 46°24'15"N., long. 94°08'02"W.)

Within a 4.3-mile radius of Brainerd Lakes Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

\* \* \* \* \*

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

\* \* \* \* \*

**AGL MN E5 Brainerd, MN [Amended]**

Brainerd Lakes Regional Airport, MN  
(lat. 46°24'15"N., long. 94°08'02"W.)

That airspace extending upward from 700 feet above the surface within a 7.1-mile radius of Brainerd Lakes Regional Airport, MN and within 2 miles each side of the 233° bearing extending from the 7.1-mile radius to 9.1 miles southwest of the airport.

Issued in Fort Worth, Texas on May XX, 2017.

Walter Tweedy,  
Acting Manager, Operations Support Group,  
ATO Central Service Center.

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