



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2018-0816; Airspace Docket No. 18-AWP-7]

RIN 2120-AA66

Delay of Class E Airspace Effective Date; Boulder City, NV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, delay of effective date.

SUMMARY: This action corrects the effective date for the Class E airspace extending upward from 700 feet or more above the surface of the earth at Boulder City, NV. The effective date was listed as August 15, 2019 and should have been October 10, 2019. This does not affect the charted boundaries or operating requirements of the airspace.

DATES: The effective date of the final rule published on July 17, 2019 at 84 FR 34055 is delayed until 0901 UTC, October 10, 2019. 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 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11C, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at

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 7400.11C at NARA, email fedreg.legal@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>. FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Richard Roberts, Federal Aviation Administration, Operations Support Group, Western Service Center, 2200 S 216th Street, Des Moines, WA, 98198-6547; telephone (206) 231-2245.

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 corrects the effective date of the Class E airspace extending upward from 700 feet or more above the surface of the earth at Boulder City, NV.

History

The FAA noted the effective date for the Class E airspace extending upward from 700 feet or more above the surface of the earth at Boulder City, NV, FAA-2018-0816, was

in error. The final rule published on July 17, 2019 (84 FR 34055) and listed the effective date as August 15, 2019 instead of October 10, 2019. The airspace information was issued on July 3, 2019, three weeks after the required submission cutoff date of June 18, 2019. A July 3, 2019 issue date did not allow sufficient time to publish the airspace information in the VFR Sectionals and Chart Supplement for the August 15, 2019 cycle. This action delays the effective date to October 10, 2019 and allows for publication of the Class E airspace extending upward from 700 feet in the VFR Sectional and Chart Supplement before it becomes effective.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, which is incorporated by reference in 14 CFR 71.1. The E airspace listed the final rule published on July 17, 2019 (84 FR 34055) will become effective on October 10, 2019 and be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11C dated August 13, 2018, and effective September 15, 2018, which is incorporated by reference in 14 CFR Part 71.1. FAA Order 7400.11C is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11C lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

The FAA is amending Title 14, Code of Federal Regulations (14 CFR) part 71 by correcting the effective date of the airspace change.

This is an administrative change and does not affect the boundaries, altitudes, or operating requirements of the airspace, therefore, notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

Issued in Seattle, Washington, on July 22, 2019.

Tom Clark,
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Western Service Center.

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