

## Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### PART 71—[AMENDED]

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; EO 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 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700ft above the surface of the earth.*

\* \* \* \* \*

#### AEA NY E5 New York, NY (Revised)

That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at lat. 40°49'00" N., long. 73°17'02" W., to lat. 40°36'00" N., long. 73°12'27" W., to lat. 40°29'42" N., long. 73°30'53" W., to lat. 40°29'43" N., long. 73°52'12" W., to lat. 40°15'00" N., long. 74°00'00" W., to lat. 40°14'32" N., long. 74°29'47" W., to lat. 40°24'45" N., long. 74°51'22" W., to lat. 41°08'17" N., long. 75°00'00" W., to lat. 41°23'15" N., long. 74°43'13" W., to lat. 41°26'08" N., long. 73°52'54" W., to lat. 41°16'48" N., long. 73°34'53" W., to the point of beginning excluding the airspace that coincides with the Wrightstown, NJ, Pittstown, NJ, Philadelphia, PA, Poughkeepsie, NY, Mewburgh, NY, and Danbury, CT Class E airspace areas.

\* \* \* \* \*

Issued in Jamaica, New York, on December 8, 2003.

**John G. McCartney,**

*Assistant Manager, Air Traffic Division,  
Eastern Region.*

[FR Doc. 03–31026 Filed 12–16–03; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2003–16614; Airspace  
Docket No. 03–AEA–17]

#### Amendment of Class E Airspace; New York, and New Jersey

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This action removes the description of the Class E airspace designated for Republic Airport, Farmingdale, NY; Westchester County Airport, White Plains, NY; Ossining, NY; Linden Airport, NJ; Greenwood Lake Airport, West Milford, NJ; Somerset Airport, Somerville, NJ; Sussex Airport, NJ; Aeroflex-Andover Airport, Andover, NJ; Old Bridge Airport, NJ; Princeton Airport, NJ; Solberg-Hunterdon Airport, Readington, NJ; Central Jersey Regional Airport, Manville, NJ. The affected Class E–5 airspace for the airport included in these descriptions will be consolidated into the New York, NY airspace description contained in Docket No. FAA–2003–16180; Airspace Docket No. 03–AEA–14, effective June 10, 2004.

**DATES:** *Effective date:* April 15, 2004.

*Comment Date:* Comments must be received on or before February 19, 2004.

**ADDRESSES:** Send comments of the rule to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590–0001. You must identify the docket number FAA–2003–16614/Airspace Docket No. 03–AEA–17 at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the rule, any comments received, and any final disposition in person in the Docket Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1–800–647–5527) is on the plaza level of the Department of Transportation NASSIF building at the above address.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, Eastern Region, 1 Aviation Plaza, Jamaica, NY 11434–4890.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA–520, Aviation Plaza, Jamaica, NY 11434–4809, telephone: (718) 553–4521.

**SUPPLEMENTARY INFORMATION:** Although this action is a final rule, which involves the amendment of Class E airspace within New York, and New Jersey, by consolidating that airspace into one description, and was not preceded by notice and public procedure, comments are invited on the rule. This rule will become effective on the date specified in the **DATES** section. However, after the review of any

comments and, if the FAA finds that further changes are appropriate, it will initiate rulemaking proceedings to extend the effective date or to amend the regulation.

Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule, and in determining whether additional rulemaking is required. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the rule which might suggest the need to modify the rule.

### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) amends the description of Class E airspace in the New York, NY area by removing the airspace designations for Babylon, NY; Ossining, NY; White Plains, NY; Andover, NJ; Linden, NJ; Manville, NJ; Old Bridge, NJ; Princeton, NJ; Readington, NJ; Somerville, NJ; Sussex, NJ; and West Milford, NJ. It consolidates those airspace areas into the New York, NY description. The proliferation of airports with Instrument Flight Rule (IFR) operations in the vicinity of New York, NY has resulted in the overlap of numerous Class E airspace areas that complicate the chart depictions. This action clarifies the airspace and diminishes the scope and complexity of charting. The IFR airports within those areas will be incorporated into the New York, NY Class E airspace area. Accordingly, since this action merely consolidates these airspace areas into one airspace designation and has inconsequential impact on aircraft operations in the area, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Class E airspace designations for airspace extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9L, dated September 2, 2003, and effective September 16, 2003, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order. 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 will not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporated 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—[AMENDED]

■ 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 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003 and effective September 16, 2003, is amended as follows:

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

\* \* \* \* \*

AEA NY E5 Babylon, NY [Removed]  
AEA NY E5 Ossining, NY [Removed]  
AEA NY E5 White Plains, NY [Removed]  
AEA NJ E5 Andover, NJ [Removed]  
AEA NJ E5 Linden, NJ [Removed]  
AEA NJ E5 Manville, NJ [Removed]  
AEA NJ E5 Old Bridge, NJ [Removed]  
AEA NJ E5 Princeton, NJ [Removed]  
AEA NJ E5 Readington, NJ [Removed]  
AEA NJ E5 Somerville, NJ [Removed]  
AEA NJ E5 Sussex, NJ [Removed]  
AEA NJ E5 West Milford, NJ [Removed]

\* \* \* \* \*

Issued in Jamaica, New York on December 8, 2003.

**John G. McCartney,**

*Assistant Manager, Air Traffic Division, Eastern Region.*

[FR Doc. 03–31025 Filed 12–16–03; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2003–16291; Airspace Docket No. 03–AEA–08]

#### Modification of Class E Airspace; York, PA; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects an error in the geographic coordinates in the description of the York County, PA Class E–2 designated airspace that was published in Federal Aviation Administration Order 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003 and effective September 16, 2003.

**EFFECTIVE DATE:** 0901 UTC, February 19, 2004.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis T. Jordan, Airspace Specialist, Airspace Branch, AEA–520, Air Traffic Division, Eastern Region, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434–4809, telephone: (718) 553–4521.

#### SUPPLEMENTARY INFORMATION:

#### History

Airspace Docket No. 99–AEA–09, published in the **Federal Register** on October 26, 1999 (64 FR 57557–57558), established the Class E–2 airspace area at York Airport, York County, PA. The description of the airspace incorporated the geographic reference point (GRP) for the airport. The designation was subsequently published in Federal Aviation Administration Order 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, which is incorporated by reference in 14 CFR 71.1.

#### Need for Correction

The final rule described the geographic position of the airport with a GRP. Other airspace designations for the airport incorporate the airport reference point (ARP) in the descriptions. This action deletes the GRP and incorporates the ARP for the airport in the description of the Class E–2 airspace designation.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporated by reference, Navigation (air).

■ Accordingly, pursuant to the authority delegated to me, 14 CFR part 71 is

corrected by making the following amendment:

#### PART 71—[CORRECTED]

■ 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 [Corrected]

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003 and effective September 16, 2003, is corrected as follows:

*Paragraph 6002 Class E Airspace Areas extending upward from the surface*

\* \* \* \* \*

#### AEA PA E2 York County, PA [CORRECTED]

York Airport, PA

(Lat. 39°55′01″ N., long. 76°52′23″ W.)

That airspace extending upward from the surface within a 6.5-mile radius of the York Airport.

\* \* \* \* \*

Issued in Jamaica, New York on, December 8, 2003.

**John McCartney,**

*Assistant Manager, Air Traffic Division, Eastern Region.*

[FR Doc. 03–31029 Filed 12–16–03; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2003–15228; Airspace Docket No. 03–AEA–04]

#### Establishment of Class E Airspace; Gettysburg, PA; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** Airspace Docket No. 03–AEA–04, published in the **Federal Register** on November 5, 1003 (68 FR 62515), established the description of the Class E airspace area at Gettysburg, PA. An error was discovered in the geographic coordinates for the Gettysburg Airport and Travel Center and the effective date was in error. This action corrects those errors.

**DATES:** The effective date of 0901 UTC, May 15, 2004, is changed to 0901 UTC, April 15, 2004.