

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(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 5000 Class D Airspace.

* * * * *

ASW NM D Roswell, NM [Amended]

Roswell International Air Center, NM
(Lat. 33°18′06″ N., long. 104°31′50″ W.)

That airspace extending upward from the surface to and including 6,200 feet MSL within a 5-mile radius of Roswell International Air Center. 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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ASW NM E2 Roswell, NM [Amended]

Roswell International Air Center, NM
(Lat. 33°18′06″ N., long. 104°31′50″ W.)

Within a 5-mile radius of Roswell International Air Center. 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 Areas Designated as an Extension to a Class D or Class E Surface Area.

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ASW NM E4 Roswell, NM [Removed]

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

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ASW NM E5 Roswell, NM [Amended]

Roswell International Air Center, NM
(Lat. 33°18′06″ N., long. 104°31′50″ W.)

Chisum VORTAC
(Lat. 33°20′15″ N., long. 104°37′16″ W.)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Roswell International Air Center, and within 1.7 miles each side of the Chisum VORTAC 278° radial extending from the 7.4-mile radius of the airport to 11 miles northwest of the airport.

Issued in Fort Worth, Texas, on December 28, 2016.

Thomas L. Lattimer,

*Acting Manager, Operations Support Group,
ATO Central Service Center.*

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

**[Docket No. FAA–2016–8830; Airspace
Docket No. 16–AGL–18]**

Amendment of Class E Airspace for the Following Wisconsin Towns; Land O’ Lakes, WI; Manitowish Waters, WI; Merrill, WI; Oconto, WI; Phillips, WI; Platteville, WI; Solon Springs, WI; Superior, WI; and West Bend, WI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class E airspace extending upward from 700 feet above the surface at Kings Land O’ Lakes Airport, Land O’ Lakes, WI; Manitowish Waters Airport, Manitowish Waters, WI; Merrill Municipal Airport, Merrill, WI; Oconto-J. Douglas Bake Municipal Airport, Oconto, WI; Price County Airport, Phillips, WI; Platteville Municipal Airport, Platteville, WI; Solon Springs Municipal Airport, Solon Springs, WI; Richard I. Bong Airport, Superior, WI; and West Bend Municipal Airport, West Bend, WI. Decommissioning of non-directional radio beacons (NDBs), cancellation of NDB approaches, and implementation of area navigation (RNAV) procedures have made this action necessary for the safety and management of Instrument Flight Rules (IFR) operations at these airports. This action also updates the geographic coordinates for Kings Land O’ Lakes Airport; Manitowish Waters Airport; Oconto-J. Douglas Bake Municipal Airport; and Solon Springs Municipal Airport to coincide with the FAA’s aeronautical database. The name of Oconto-J. Douglas Bake Municipal Airport (formerly Oconto Municipal Airport) is also adjusted to coincide with the FAA’s aeronautical database.

DATES: Effective 0901 UTC, April 27, 2017. 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 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC, 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.

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

FOR FURTHER INFORMATION CONTACT:

Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

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 amends Class E airspace extending upward from 700 feet above the surface at Kings Land O’ Lakes Airport, Land O’ Lakes, WI; Manitowish Waters Airport, Manitowish Waters, WI; Merrill Municipal Airport, Merrill, WI; Oconto-J. Douglas Bake Municipal Airport, Oconto, WI; Price County Airport, Phillips, WI; Platteville Municipal Airport, Platteville, WI; Solon Springs Municipal Airport, Solon Springs, WI; Richard I. Bong Airport, Superior, WI; and West Bend Municipal Airport, West Bend, WI.

History

On September 8, 2016, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM), (81 FR 62044) Docket No. FAA–2016–8830, to modify Class E airspace

extending upward from 700 feet above the surface at Kings Land O' Lakes Airport, Land O' Lakes, WI; Manitowish Waters Airport, Manitowish Waters, WI; Merrill Municipal Airport, Merrill, WI; Oconto-J. Douglas Bake Municipal Airport, Oconto, WI; Price County Airport, Phillips, WI; Platteville Municipal Airport, Platteville, WI; Solon Springs Municipal Airport, Solon Springs, WI; Richard I. Bong Airport, Superior, WI; and West Bend Municipal Airport, West Bend, WI. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 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 designation listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends 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 Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 modifies Class E airspace extending upward from 700 feet above the surface at the following airports:

Within a 6.4-mile radius (reduced from the 7-mile radius) of Kings Land O' Lakes Airport, Land O' Lakes, WI, and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database;

Within a 6.3-mile radius (reduced from the 7-mile radius) of Manitowish Waters Airport, Manitowish, WI, and removing the 9-mile segment southeast of the airport, and updating the geographic coordinates of the airport to coincide with the FAA's database;

Within a 6.6-mile radius (reduced from the 7-mile radius) of Merrill Municipal Airport, Merrill, WI;

By removing the 7-mile segment extending from the 6.3-mile radius southeast of Oconto-J. Douglas Bake Municipal Airport, Oconto, WI, and updating the name and geographic coordinates of the airport to coincide with the FAA's aeronautical database;

By removing the 7-mile segments extending from the 6.6-mile radius southwest and northeast of Price County Airport, Phillips, WI;

Within a 6.4-mile radius (reduced from the 7.4-mile radius) of Platteville Municipal Airport, Platteville, WI, with an extension southeast of the airport from the 6.4-mile radius to 10.2 miles;

Within a 6.3-mile radius (reduced from the 6.6-mile radius) of Solon Springs Municipal Airport, Solon Springs, WI, and removing the 7.4-mile segment north of the airport, and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database;

Within an 8.5-mile radius (increased from a 6.7-mile radius) of Richard I. Bong Airport, Superior, WI, and removing the 12.2-mile segment southeast of the airport;

And within a 6.8-mile radius (reduced from the 7.4-mile radius) of the West Bend Municipal Airport, West Bend, WI, reducing existing segment extending from the 6.8-mile radius to 11.4 miles southwest, and adding segments extending from the 6.8-mile radius to 7 miles northeast and 10 miles northwest of the airport.

Airspace reconfiguration is necessary due to the decommissioning of NDBs, cancellation of NDB approaches, or implementation of RNAV standard instrument procedures at these airports. Controlled airspace is necessary for the safety and management of the standard instrument approach procedures for IFR operations at these airports.

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 5–6.5.a. 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).

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(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 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

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AGL WI E5 Land O' Lakes, WI [Amended]

Kings Land O' Lakes Airport, WI
(Lat. 46°09'15" N., long. 89°12'43" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Kings Land O' Lakes Airport.

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AGL WI E5 Manitowish Waters, WI [Amended]

Manitowish Waters Airport, WI
(Lat. 46°07'13" N., long. 89°52'56" W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Manitowish Waters Airport.

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AGL WI E5 Merrill, WI [Amended]

Merrill Municipal Airport, WI
(Lat. 45°11'56" N., long. 89°42'46" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Merrill Municipal Airport.

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AGL WI E5 Oconto, WI [Amended]

Oconto-J. Douglas Bake Municipal Airport, WI

(Lat. 44°52'27" N., long. 87°54'35" W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Oconto-J. Douglas Bake Municipal Airport.

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AGL WI E5 Phillips, WI [Amended]

Price County Airport, WI

(Lat. 45°42'32" N., long. 90°24'09" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Price County Airport.

AGL WI E5 Platteville, WI [Amended]

Platteville Municipal Airport, WI

(Lat. 42°41'22" N., long. 90°26'40" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Platteville Municipal Airport, and within 4 miles each side of the 145° bearing from the airport extending from the 6.4-mile radius to 10.2 miles southeast of the airport.

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AGL WI E5 Solon Springs, WI [Amended]

Solon Springs Municipal Airport, WI

(Lat. 46°18'53" N., long. 91°48'59" W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Solon Springs Municipal Airport.

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AGL WI E5 Superior, WI [Amended]

Richard I. Bong Airport, WI.

(Lat. 46°41'23" N., long. 92°05'41" W.)

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Richard I. Bong Airport.

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AGL WI E5 West Bend, WI [Amended]

West Bend Municipal Airport, WI

(Lat. 43°25'20" N., long. 88°07'41" W.)

West Bend VOR

(Lat. 43°25'19" N., long. 88°07'31" W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of West Bend Municipal Airport, and within 2 miles each side of the 239° bearing from the airport extending from the 6.8-mile radius to 11.4 miles southwest of the airport, and within 1.2 miles each side of the West Bend VOR 052° radial extending from the 6.8-mile radius to 7 miles northeast of the airport, and within 1.3 miles each side of the West Bend VOR 303° radial extending from the 6.8-mile radius to 10 miles northwest of the airport, excluding that airspace within the Hartford, WI, Class E airspace area.

Issued in Fort Worth, Texas, on December 28, 2016.

Thomas L. Lattimer,

*Acting Manager, Operations Support Group,
ATO Central Service Center.*

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 740, 742, 750, and 774

[Docket No. 150325297-6180-02]

RIN 0694-AG59

Revisions to the Export Administration Regulations (EAR): Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Final rule.

SUMMARY: This final rule addresses issues raised in, and public comments on, the interim final rule that was published on May 13, 2014, as well as additional clarifications and corrections. The May 13 rule added controls to the Export Administration Regulations (EAR) for spacecraft and related items that the President has determined no longer warrant control under United States Munitions List (USML) Category XV—spacecraft and related items.

This is the third final rule BIS has published related to the May 13 rule and completes the regulatory action for the interim final rule. These changes were also informed by comments received in response to the May 13 rule that included a request for comments, as well as interagency discussions on how best to address the comments. The changes made in this final rule are grouped into four types of changes: Changes to address the movement of additional spacecraft and related items from the USML to the Commerce Control List (CCL), as a result of changes in aperture size for spacecraft that warrant ITAR control, in response to public comments and further U.S. Government review; changes to address the movement of the James Webb Space Telescope (JWST) from the USML to the CCL; other corrections and clarifications to the spacecraft interim final rule; and addition of .y items to Export Control Classification Number 9A515.

This final rule is being published in conjunction with the publication of a Department of State, Directorate of Defense Trade Controls (DDTC) final rule, which makes changes, including corrections and clarifications, to the provisions adopted in the State Department's own May 13, 2014 rule. The State May 13 rule revised USML Category XV (22 CFR 121.1) to control those articles the President has determined warrant control on the

USML. Both May 13 rules and the subsequent related rules are part of the President's Export Control Reform Initiative. This rule is also part of Commerce's retrospective regulatory review plan under Executive Order (EO) 13563 (see the **SUPPLEMENTARY INFORMATION** section of this rule for information on the availability of the plan).

DATES: This rule is effective on January 15, 2017.

FOR FURTHER INFORMATION CONTACT: For questions about the ECCNs included in this rule, contact Dennis Krepp, Office of National Security and Technology Transfer Controls, Bureau of Industry and Security, U.S. Department of Commerce, Telephone: 202-482-1309, email: Dennis.Krepp@bis.doc.gov. For general questions about the regulatory changes pertaining to satellites, spacecraft, and related items, contact the Regulatory Policy Division, Office of Exporter Services, Bureau of Industry and Security, at 202-482-2440 or email: rp22@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

This final rule addresses issues raised in, and public comments on, the interim final rule, *Revisions to the Export Administration Regulations (EAR): Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)*, that was published on May 13, 2014 (79 FR 27417) (May 13 rule), and makes corrections and clarifications. The May 13 rule added controls to the Export Administration Regulations (EAR) for spacecraft and related items that the President has determined no longer warrant control under United States Munitions List (USML) Category XV—spacecraft and related items. The vast majority of the changes included in the May 13 rule have been implemented as published in the interim final rule and are not republished in this final rule. A full description of those changes can be found in the Background section and the regulatory text of the May 13 rule. BIS also published corrections and clarifications to the May 13 rule in a final rule published on November 12, 2014 (79 FR 67055) and in a final rule published on July 13, 2015 (80 FR 39950).

This final rule is being published in conjunction with the publication of a Department of State, Directorate of Defense Trade Controls (DDTC) final rule, which makes changes, including corrections and clarifications, to the provisions adopted in the May 13 State