

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, will 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 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 controlled airspace at Tri-State/Milton J. Ferguson Field Airport, Huntington, WV.

#### List 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(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 Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, effective September 15, 2011, is amended as follows:

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

\* \* \* \* \*

#### AEA WV E5 Huntington, WV [Amended]

Tri-State/Milton J. Ferguson Field Airport, Huntington, WV  
(Lat. 38°22′01″ N., long. 82°33′31″ W.)

That airspace extending upward from 700 feet above the surface within an 8.2-mile radius of the Tri-State/Milton J. Ferguson Field Airport.

Issued in College Park, Georgia, on December 13, 2011.

**Michael Vermuth,**

*Acting Manager, Operations Support Group,  
Eastern Service Center, Air Traffic  
Organization.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2011–0347; Airspace  
Docket No. 11–ASO–11]

#### Establishment of Class D and E Airspace and Amendment of Class E; Punta Gorda, FL

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class D and E airspace and amends existing Class E airspace at Punta Gorda, FL, to accommodate a new air traffic control tower at Punta Gorda Airport. This action enhances the safety and management of Instrument Flight Rules (IFR) operations for standard instrument approach procedures at the airport. This action also changes the airport name and makes a minor adjustment to the geographic coordinates of the airport.

**DATES:** Effective 0901 UTC, February 9, 2012. 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 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

#### SUPPLEMENTARY INFORMATION:

##### History

On September 26, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish Class D and E airspace and amend existing Class E airspace at Punta

Gorda, FL, to accommodate a new air traffic control tower at Punta Gorda Airport (76 FR 59306). 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 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 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

#### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes Class D and Class E surface airspace extending upward from the surface to and including 2,500 feet MSL within a 4.5-mile radius of Punta Gorda Airport, Punta Gorda, FL. This action also establishes Class E surface airspace designated as an extension to Class D surface area. The existing Class E airspace area extending upward from 700 feet above the surface is amended to change the airport previously named Charlotte County Airport to Punta Gorda Airport, and adjusts the geographic coordinates to be in concert with the FAA’s aeronautical database. Additional controlled airspace is necessary to support the new air traffic control tower and new standard instrument approach procedures developed for continued safety and management of IFR operations at Punta Gorda Airport.

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, will 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 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 establishes and amends controlled airspace at Punta Gorda Airport, Punta Gorda, FL.

#### List 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

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 [Amended]

The incorporation by reference in 14 CFR 71.1 of 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*  
\* \* \* \* \*

#### ASO FL D Punta Gorda, FL [NEW]

Punta Gorda Airport, FL  
(Lat. 26°55'08" N., long. 81°59'27" W.)

That airspace extending upward from the surface up to and including 2,500 feet MSL within a 4.5-miles radius of the Punta Gorda Airport. This Class D airspace area is effective during 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.*  
\* \* \* \* \*

#### ASO FL E2 Punta Gorda, FL [New]

Punta Gorda Airport, FL  
(Lat. 26°55'08" N., long. 81°59'27" W.)

That airspace extending from the surface within a 4.5-mile radius of Punta Gorda Airport. This Class E airspace area is effective

during 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 surface area.*  
\* \* \* \* \*

#### ASO FL E4 Punta Gorda, FL [NEW]

Punta Gorda Airport, FL  
(Lat. 26°55'08" N., long. 81°59'27" W.)

That airspace extending from the surface 2.4 miles either side of the 036° bearing from Punta Gorda Airport extending from the 4.5-mile radius to 7.0 miles northeast of the airport. This Class E airspace area is effective during 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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#### ASO FL E5 Punta Gorda, FL [Amended]

Punta Gorda Airport, FL  
(Lat. 26°55'08" N., long. 81°59'27" W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Punta Gorda Airport.

Issued in College Park, Georgia, on December 13, 2011.

**Michael Vermuth,**

*Acting Manager, Operations Support Group,  
Eastern Service Center, Air Traffic  
Organization.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

**[Docket No. FAA–2011–0744; Airspace  
Docket No. 11–ASO–33]**

#### Establishment of Class E Airspace; Oneonta, AL

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E Airspace at Oneonta, AL, to accommodate the new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures serving Robbins Field. This action enhances the safety and airspace management of Instrument Flight Rules (IFR) operations within the National Airspace System. This action also makes a minor adjustment to the geographic coordinates of the airport.

**DATES:** Effective 0901 UTC, February 9, 2012. 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 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

#### SUPPLEMENTARY INFORMATION:

##### History

On September 22, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish Class E airspace at Oneonta, AL (76 FR 58728) Docket No. FAA–2011–0744. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Subsequent to publication, the FAA found a typographical error in the longitude coordinates of the airport. This action makes the correction. Class E airspace designations are published in paragraph 6005 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 E airspace designations listed in this document will be published subsequently in the Order. With the exception of editorial changes, and the changes described above, this rule is the same as that proposed in the NPRM.

##### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes Class E airspace extending upward from 700 feet above the surface at Oneonta, AL, to provide the controlled airspace required to accommodate the new RNAV GPS Standard Instrument Approach Procedures developed for Robbins Field. This action is necessary for the safety and management of IFR operations at the airport. Also, the coordinates of the airport are corrected to be in concert with the FAA's aeronautical database.

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