

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2017-1032; Airspace
Docket No. 17-ANM-4]

RIN 2120-AA66

**Establishment of Class E Airspace,
Amendment of Class D Airspace, and
Revocation of Class E Airspace;
Tacoma, WA**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E surface area airspace, and Class E airspace extending upward from 700 feet above the surface at Tacoma Narrows Airport, Tacoma, WA. This action removes Class E airspace designated as an extension at Tacoma Narrows Airport. Additionally, this action updates the geographic coordinates of the airport and replaces the outdated term Airport/Facility Directory with the term Chart Supplement in the Class D airspace description. These changes are necessary to accommodate airspace redesign for the safety and management of instrument flight rules (IFR) operations within the National Airspace System.

DATES: Effective 0901 UTC, April 25, 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 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 this material at NARA, call (202) 741-6030, 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:
Bonnie Malgarini, Federal Aviation

Administration, Operations Support Group, Western Service Center, 2200 S 216th Street, Des Moines, WA 98198-6547; telephone (206) 231-2329.

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 establishes Class E airspace, amends Class D airspace, and removes Class E airspace at Tacoma Narrows Airport, Tacoma, WA to support IFR operations at the airport.

History

The FAA published a notice of proposed rulemaking in the **Federal Register** (83 FR 4863; February 2, 2018) for Docket No. FAA-2017-1032 to establish Class E surface area airspace, and Class E airspace extending upward from 700 feet above the surface at Tacoma Narrows Airport, Tacoma, WA, and remove Class E airspace designated as an extension at the airport. After publication, an error was noted in the airspace description of the north extension and in the description of the south extension in the section of the preamble entitled, The Rule. The description of the north extension should be applied to the south extension and the description of the south extension should be applied to the north extension. Correcting the errors produced no changes in the legal description of the boundaries as the extensions are removed by this action. Additionally, there was an error in the latitude coordinates for Tacoma Narrows airport. It was listed as lat. 44°16'05" N, while the correct coordinates are lat. 47°16'05" N.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. Two comments were received, supporting the proposal.

While the Aircraft Owners and Pilots Association (AOPA) supported this proposal, they stated that the NPRM did not comply with FAA guidance in Order 7400.2, *Procedures for Handling*

Airspace Matters, because a graphic was not included in the docket. Additionally, AOPA encouraged the FAA to follow their guidance in the Order by making the action effective date coincidental to the sectional chart publication date.

The FAA has determined AOPA's comments raised no substantive issues with respect to the proposed changes to the airspace addressed in the NPRM. To the extent the FAA failed to follow its policy guidance reference publishing graphics in the docket and establishing the Class D airspace effective date to match the sectional chart date, we note the following.

With respect to AOPA's comment addressing graphics, FAA Order 7400.2L, para 2-3-3.c. requires the official docket to include available graphics. For this airspace action, a graphic was produced and placed in the docket on February 15, 2018.

Specific to AOPA's comment regarding the FAA already creating a graphical depiction of new or modified airspace overlaid on a Sectional Chart for quality assurance purposes, this is not correct nor required in all cases. During the airspace reviews, airspace graphics may be created, if deemed necessary, to determine if there are any terrain issues, or if cases are considered complex. However, in many cases when developing an airspace amendment proposal, a graphic is not needed. It was unclear if the graphic AOPA argued was already created with a sectional chart background was actually the airspace graphic created by the Aeronautical Information Services office in preparation of publishing the sectional charts. However, that graphic is normally created after the rulemaking determination is published.

With respect to AOPA's comment addressing effective dates, FAA Order 7400.2L, para 2-3-7.a.4. states that, to the extent practicable, Class D airspace area and restricted area rules should become effective on a sectional chart date and that consideration should be given to selecting a sectional chart date that matches a 56-day en route chart cycle date. The FAA does consider publishing Class D airspace amendment effective dates to coincide with the publication of sectional charts, to the extent practicable; however, this consideration is accomplished after the NPRM comment period ends. Substantive comments received to NPRMs, flight safety concerns, management of IFR operations at affected airports, and immediacy of requiring proposed airspace amendments are some of the factors that must be taken into consideration when

selecting the appropriate effective date. After considering all factors, the FAA may determine that selecting an effective date that conforms to a 56-day en route chart cycle date that is not coincidental to sectional chart dates is better for the NAS and users than awaiting the next sectional chart date.

Class D and E airspace designations are published in paragraph 5000, 6002, 6004, and 6005, respectively, 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 Class D and 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 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018. 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

This amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 modifies Class D airspace, establishes Class E surface area airspace, removes Class E airspace designated as an extension to a Class D or Class E surface area, and establishes Class E airspace extending upward from 700 feet above the surface at Tacoma Narrows Airport, Tacoma, WA.

Class D airspace is modified to add a small extension south of the airport within 1.7 miles each side of a 189° bearing from the airport extending from the 4-mile radius to 5.3 miles south of the airport.

Class E surface area airspace is established coincident with the dimensions of the Class D airspace and effective during the hours when the Class D is not in effect to protect IFR operations continuously.

Class E airspace designated as an extension is removed as the extension north of the airport (within 1.8 miles each side of the 187° bearing from Scenn OM extending from the 4-mile radius to 1 mile south of the OM) protects no arrival aircraft within 1,000 feet of the surface. Also, the extension to the south (within 1.8 miles each side of the 009° bearing from the Graye NDB extending from the 4-mile radius to .9 miles north of the NDB; excluding that airspace within the Tacoma, McChord AFB, WA, Class D airspace area)

protects no arrival aircraft within 1,000 feet of the surface beyond 5.3 miles south of the airport. By eliminating the unnecessary airspace, the remaining extension to the south is less than 2 nautical miles in length, and must be Class D.

Class E airspace extending upward from 700 feet is established at Tacoma Narrows Airport within 4 miles each side of the 007° and 187° bearings, respectively, from the airport extending to 8 miles north and 7 miles south of the airport. This new airspace duplicates the larger Seattle Class E airspace area, and ensures sufficient airspace is designated for Tacoma Narrows Airport in case of any future modification.

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, will 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).

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 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, is amended as follows:

Paragraph 5000 Class D Airspace.

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ANM WA D Tacoma, WA [Amended]

Tacoma Narrows Airport, WA
(Lat. 47°16′05″ N, long. 122°34′41″ W)

That airspace extending upward from the surface to and including 2,800 feet MSL within a 4-mile radius of Tacoma Narrows Airport, and within 1.7 miles each side of the 189° bearing from the airport extending from the 4-mile radius to 5.3 miles south of the airport, excluding that airspace within the Tacoma, McChord AFB, WA, Class D airspace area. 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 Chart Supplement.

Paragraph 6002 Class E Airspace Designated as Surface Areas.

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ANM WA E2 Tacoma, WA [New]

Tacoma Narrows Airport, WA
(Lat. 47°16′05″ N, long. 122°34′41″ W)

That airspace extending upward from the surface within a 4-mile radius of the Tacoma Narrows Airport, and within 1.7 miles each side of the 189° bearing from the airport extending from the 4-mile radius to 5.3 miles south of the airport, excluding that airspace within the Tacoma, McChord AFB, WA, Class D airspace area. 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 Chart Supplement.

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ANM WA E4 Tacoma, WA [Removed]

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

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ANM WA E5 Tacoma, WA [New]

Tacoma Narrows Airport, WA
(Lat. 47°16′05″ N, long. 122°34′41″ W)

That airspace extending upward from 700 feet above the surface within 4 miles each

side of the 007° bearing from the Tacoma Narrows Airport extending to 8 miles north of the airport, and within 4 miles each side of a 187° bearing from the airport extending to 7 miles south of the airport.

Issued in Seattle, Washington, on January 31, 2019.

Shawn M. Kozica,

Manager, Operations Support Group, Western Service Center.

[FR Doc. 2019-02074 Filed 2-12-19; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 75

[Docket ID: DOD-2011-OS-0127]

RIN 0790-A182

Exceptional Family Member Program (EFMP)

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness, DoD.

ACTION: Final rule.

SUMMARY: This part discusses procedures for identifying a family member with special needs and coordinating travel for family members of active duty Service members who meet the Department of Defense (DoD) criteria for the Exceptional Family Member Program (EFMP). It also describes procedures for processing DoD civilian employees who have family members with special needs for an overseas assignment and provides family support services to military families with special needs.

DATES: This final rule is effective on March 15, 2019.

FOR FURTHER INFORMATION CONTACT: Rebecca Lombardi, 571-372-0862.

SUPPLEMENTARY INFORMATION:

Authority and Background

This rule implements 10 U.S.C. 1781c, which established the Office of Community Support for Military Families with Special Needs (OSN) within the Office of the Under Secretary of Defense for Personnel and Readiness. The purpose of the program is to enhance and improve DoD support around the world for military families with special needs (whether medical or educational) through developing policies, disseminating information, obtaining referrals for services and in obtaining services. By statute, the OSN is responsible for developing an EFMP policy that applies to members of the armed forces without regard to their

location and in a manner consistent with the needs of the armed forces while being responsive to the career development needs of members.

In addressing support for military families, the program provides the following:

- Procedures to identify members of the armed forces who are members of military families with special needs.
- Mechanisms to ensure timely and accurate evaluations of members of such families who have special needs.
- Procedures to facilitate the enrollment of such members of the armed forces and their families in programs of the military department for the support of military families with special needs.
- Procedures to ensure the coordination of DoD health care programs and support programs for military families with special needs, and the coordination of such programs with other Federal, State, local, and non-governmental health care programs and support programs intended to serve such families.
- Requirements for resources (including staffing) to ensure the availability through the DoD of appropriate numbers of case managers to provide individualized support for military families with special needs.
- Requirements regarding the development and continuous updating of an individualized services plan (medical and educational) for each military family with special needs.
- Requirements for record keeping, reporting, and continuous monitoring of available resources and family needs under individualized services support plans for military families with special needs, including the establishment and maintenance of a central or various regional databases for such purposes.

Public Comments

Following the publication of the proposed rule in December 11, 2015 (80 FR 76881-76889), 99 public comments were received and are discussed below. There has been some restructuring of the final rule as several sections of the proposed rule were determined to be better suited to internal DoD Guidance, which can be found in DoD Instruction 1315.19, "Exceptional Family Member Program," available at <http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/131519p.pdf>.

Section 75.1 Purpose

Due to the restructuring of the rule, § 75.1 of the final rule includes new paragraphs (a) and (b). Other paragraphs in § 75.1 of the proposed rule were

removed and now appear in DoD Instruction 1315.19.

Several commenters requested Guard and Reserve components be eligible for enrollment in the EFMP automatically rather than allowing each Service to determine the conditions under which their Guard and Reserve members are eligible to enroll in the EFMP.

DoD declines to make this change because only active duty military undergo the assignment coordination process. Therefore, the Department does not require the Services to enroll their Guard and Reserve members in the program, but also does not prohibit the Services from doing so, in accordance with their respective missions and needs.

Many commenters requested changes to Service-specific EFMP policies or assignment coordination procedures associated with the EFMP program. Suggested changes included a request that Guard and Reserve components be eligible for EFMP services regardless of duty status, a request that a Service apply special codes to EFMP families in their data system, a request to cease frequent contact from the EFMP program, a request to mandate a uniform set of programming to be provided through each Service's EFMP program or at each installation, and a request to limit frequent changes to assigned EFMP coordinators.

Other suggestions included a request to allow people to examine their own family member profiles during the assignment coordination process, a request to allow families more of a voice in the assignment coordination process, a request for changes to the process when an assignment is denied, requests for information packets about the EFMP program and local resources at the time of enrollment and permanent change of station, requests for greater clarity on how health information and outcomes from previous duty stations are or are not considered during assignment coordination, a request that families be given an official reason for assignment location denials, a request for changes to the weight given to family needs during assignment coordination, and requests for a system to appeal assignment coordination decisions.

No changes were made to the final rule based on the above Service-specific comments. All Service EFMP policies must conform to this final rule and the associated DoD Instruction 1315.19. Beyond that, the Department believes the Services must have the flexibility to tailor their EFMP policies to meet the specific needs of their missions and communities. To request changes to Service-specific EFMP policies or