

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

[Docket No. FAA-2002-14348; Airspace  
Docket No. 03-ACE-5]

**Establishment of Class E Surface Area  
Airspace; and Modification of Class D  
Airspace; Topeka, Forbes Field, KS**

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects a final rule published in the **Federal Register** on Friday, April 11, 2003, (68 FR 17729) [FR Doc. 03-8568]. It addresses comments received regarding this Docket that were inadvertently overlooked in the final rule determination.

**EFFECTIVE DATE:** 0901 UTC, May 15, 2003.

**FOR FURTHER INFORMATION CONTACT:**

Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone (816) 329-2525.

**SUPPLEMENTARY INFORMATION:****History**

On Monday, February 10, 2003, the FAA proposed to amend 14 CFR part 71 to establish a Class E surface area and to modify Class D airspace at Topeka, Forbes Field, KS (68 FR 6677) [FR Doc. 03-3267]. The proposal was to establish a Class E surface area at Topeka, Forbes Field, KS for those times when the air traffic control tower (ATCT) is closed. It also proposed to modify the Class D airspace and its legal description by incorporating the revised Topeka, Forbes Field, KS airport reference point. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. On Friday, April 11, 2003, the FAA issued a final rule (68 FR 17729) [FR Doc. 03-8568] that included the statement "No comments objecting to the proposal were received." This statement was incorrect. Responses to the proposal were inadvertently overlooked when the final rule was issued. This action addresses those comments.

■ According to the authority delegated to me, the publication on Friday, April 11, 2003, of the final rule (68 FR 17729) [FR Doc. 03-8568] is corrected as follows:

■ On page 17730, Column 1, first paragraph, last two lines, change "No comments objecting to the proposal were received" to read: "There were four responses to the proposal, one of which was an objection. The mayor of Topeka, KS, the Topeka, Forbes Field airport manager and the manager of the Topeka, Forbes Field Federal Contract Tower all supported the proposal. Mr. Randy Hansen, of the Experimental Aircraft Association (EAA), submitted the sole objecting comment. Mr. Hansen stated that the EAA felt the increase in protective airspace was not warranted for the limited volume of aircraft using the airfield during the times the proposed airspace would be in effect and that there was a lack of safety data to support the change in airspace at Topeka Forbes Field. The FAA does not concur with Mr. Hansen's comment. Numerous large military aircraft operate in and out of Topeka, Forbes Field. Mission requirements dictate that these aircraft conduct night operations. When conducting night operations the aircraft often return to Topeka, Forbes Field after the ATCT is closed. A Class E surface area at Topeka, Forbes Field, KS will afford a greater margin of safety, during low weather conditions, not only for the military aircraft but also for other aircraft operating in the vicinity of Topeka, Forbes Field."

Issued in Kansas City, MO, on April 21, 2003.

**Herman J. Lyons, Jr.,**

*Manager, Air Traffic Division, Central Region.*

[FR Doc. 03-11032 Filed 5-2-03; 8:45 am]

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

[Docket No. FAA-2003-14933; Airspace  
Docket No. 03-ACE-36]

**Modification of Class E Airspace; Pratt,  
KS**

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

**ACTION:** Direct final rule; request for  
comments.

**SUMMARY:** A National Geodetic Survey (NGS) of Pratt Industrial Airport, KS redefined the airport reference point effective March 31, 2003. Class E controlled airspace at Pratt, KS is defined, in part, by the Pratt Industrial Airport airport reference point. This action corrects discrepancies between the previous and revised airport reference points by modifying the Pratt, KS Class E airspace area and its legal

description. It incorporates the revised Pratt Industrial Airport airport reference point in the Class E airspace legal description and brings the airspace area into compliance with FAA Order 7400.2E, Procedures for Handling Airspace Matters.

**DATES:** This direct final rule is effective on 0901 UTC, September 4, 2003. Comments for inclusion in the Rules Docket must be received on or before June 10, 2003.

**ADDRESSES:** Send comments on this proposal 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-2003-14933/ Airspace Docket No. 03-ACE-36, 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 proposal, any comments received, and any final disposition in person in the Dockets 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.

**FOR FURTHER INFORMATION CONTACT:**

Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2525.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR 71 modifies the Class E airspace area extending upward from 700 feet or more above the surface at Pratt, KS. It incorporates the revised Pratt Industrial Airport airport reference point into the legal description of this airspace area and brings the Class E airspace area into compliance with FAA Order 7400.2E, Procedures for Handling Airspace Matters. The area will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9K, dated August 30, 2002, and effective September 16, 2002, 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 Direct Final Rule Procedure**

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been