

Class E airspace area at Elkhart, KS. RNAV (GPS) RWY 4, ORIGINAL SIAP, RNAV (GPS) RWY 17, ORIGINAL SIAP, RNAV (GPS) Rwy 22, ORIGINAL SIAP, RNAV (GPS) RWY 35, ORIGINAL SIAP and NDB RWY 35, AMENDMENT 1 SIAP have been developed to serve Elkhart-Morton County Airport, Elkhart, KS. The Elkhart, KS controlled airspace must be tailored to contain aircraft executing the approach procedures. This action modifies Class E airspace extending upward from 700 feet above ground level (AGL) at Elkhart, KS. An examination of controlled airspace for Elkhart, KS revealed discrepancies in the Elkhart-Morton County Airport airport reference point used in the legal description for the Elkhart, KS Class E airspace area. Class E controlled airspace at Elkhart, KS is defined, in part, by the Elkhart-Morton County Airport airport reference point. This action corrects discrepancies between the previous and revised airport reference points by modifying the Elkhart, KS Class E airspace area. It incorporates the revised Elkhart-Morton County Airport airport reference point into the Class E airspace legal description and brings the 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 controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit

such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2003-15453/Airspace Docket No. 03-ACE-51." The postcard will be date/time stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

■ Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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 7400.9K, dated August 30, 2002, and effective September 16, 2002, 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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ACE KS E5 Elkhart, KS

Elkhart-Morton County Airport, KS
(Lat. 37°00'03"N., long. 101°52'48"W.)
Elkhart NDB
(Lat. 37°00'04"N., long. 101°53'05"W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Elkhart-Morton County Airport and within 2.5 miles each side of the 172° bearing from the Elkhart NDB extending from the 6.5-mile radius to 7 miles south of the airport.

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Issued in Kansas City, MO, on June 26, 2003.

Anthony D. Roetzel,

Acting Manager, Air Traffic Division, Central Region.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2003-15363; Airspace Docket No. 03-AEA-3]

RIN 2120-AA66

Revision of Jet Route J-147

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revises Jet Route 147 (J-147) by realigning the segment of the route that extends from the Beckley,