

**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 7400.9L, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

\* \* \* \* \*

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

\* \* \* \* \*

**ACE MO E5 Excelsior Springs, MO**

Excelsior Springs Memorial Airport, MO (Lat. 39°20'14" N., long. 94°11'52" W.)

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

\* \* \* \* \*

Issued in Kansas City, MO, on February 24, 2004.

**Paul J. Sheridan,**

*Acting Manager, Air Traffic Division, Central Region.*

[FR Doc. 04–5035 Filed 3–5–04; 8:45 am]

BILLING CODE 4910–13–M

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

[Docket No. FAA 2003–16070; Airspace Docket No. 03–ANM–05]

**Establishment of Class E Airspace; Hamilton, MT**

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

**ACTION:** Final rule.

**SUMMARY:** This establishes Class E airspace at Hamilton, MT. New Area

Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAPs) have been developed at Ravalli County Airport, Hamilton, MT, making it necessary to establish this controlled airspace. Additional Class E airspace extending upward from 700 feet or more above the surface of the earth is needed for the safety of Instrument Flight Rules (IFR) aircraft executing these new SIAPs.

**EFFECTIVE DATE:** 0901 UTC June 10, 2004.

**FOR FURTHER INFORMATION CONTACT:** Ed Haeseker, Air Traffic Division, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, Washington 98055–4056; telephone (425) 227–2527.

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

On November 6, 2003, the FAA proposed to amend Federal Aviation Regulations 14 CFR part 71 to establish Class E airspace at Hamilton, MT (68 FR 62762). New RNAV GPS SIAPs at Ravalli County Airport, Hamilton, MT, made this proposal necessary.

Additional airspace extending upward from 700 feet or more above the surface of the earth was added for the safety of IFR aircraft executing these new SIAPs.

Interested parties were invited to participate in this rule making proceeding by submitting written comments on the proposal to the FAA. One favorable comment was received. 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 7400.9L dated September 2, 2003, and effective September 16, 2003, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

**The Rule**

This amendment to 14 CFR part 71 establishes Class E airspace at Ravalli County Airport, Hamilton, MT. Class E airspace extending upward from 700 feet or more above the surface of the earth is necessary to provide adequate controlled airspace for the safety of IFR aircraft executing these new RNAV GPS SIAPs.

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. Therefore, this regulation—(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 will not have a significant economic impact 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, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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 14 CFR 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 the Federal Aviation Administration Order 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

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

\* \* \* \* \*

**ANM UT E5 Hamilton, MT [New]**

Ravalli County Airport, MT (Lat. 46°15'05" N., long. 114°07'32" W.)

That airspace extending upward from 700 feet above the surface of the earth within an 8 mile radius of Ravalli County Airport; that airspace extending upward from 1,200 feet above the surface of the earth bounded by a line beginning at lat. 46°42'00" N., long. 114°11'00" W.; to lat. 46°42'00" N., long. 113°52'00" W.; to lat. 46°19'30" N., long. 113°52'00" W.; to lat. 45°51'30" N., long. 114°01'00" W.; to lat. 45°51'30" N., long. 114°11'00" W.; to lat. 46°03'00" N., long. 114°19'00" W.; thence to the beginning; excluding that airspace within Federal Airways.

\* \* \* \* \*

Issued in Seattle, Washington, on February 20, 2004.

**Suzanne Alexander,**  
Acting Manager, Air Traffic Division,  
Northwest Mountain Region.

[FR Doc. 04-5174 Filed 3-5-04; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2003-16746; Airspace  
Docket No. 03-ACE-90]

#### Modification of Class E Airspace; Independence, IA

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

**ACTION:** Direct final rule; confirmation of  
effective date.

**SUMMARY:** This document confirms the  
effective date of the direct final rule  
which revises Class E airspace at  
Independence, IA.

**EFFECTIVE DATE:** 0901 UTC, April 15,  
2004.

**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:** The FAA  
published this direct final rule with a  
request for comments in the **Federal  
Register** on January 12, 2004 (69 FR  
1668). The FAA uses the direct final  
rulemaking procedure for a non-  
controversial rule where the FAA  
believes that there will be no adverse  
public comment. This direct final rule  
advised the public that no adverse  
comments were anticipated, and that  
unless a written adverse comment, or a  
written notice of intent to submit such  
an adverse comment, were received  
within the comment period, the  
regulation would become effective on  
April 15, 2004. No adverse comments  
were received, and thus this notice  
confirms that this direct final rule will  
become effective on that date.

Issued in Kansas City, MO on February 23,  
2004.

**Paul J. Sheridan,**  
Acting Manager, Air Traffic Division, Central  
Region.

[FR Doc. 04-5173 Filed 3-5-04; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2003-16760; Airspace  
Docket No. 03-ACE-97]

#### Modification of Class E Airspace; Colby, KS

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

**ACTION:** Direct final rule; correction; and  
confirmation of effective date.

**SUMMARY:** This document contains a  
correction to a direct final rule and  
confirms the effective date of the direct  
final rule which revises Class E airspace  
at Colby, KS.

**DATES:** 0901 UTC, April 15, 2004.

**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

Federal Register Document 04-492,  
published on Monday, January 12, 2004,  
(69 FR 1670) modified Class E airspace  
at Colby, KS. The modification enlarged  
the controlled airspace area around  
Shalz Field to provide proper protection  
of diverse departures, deleted the  
extension of controlled airspace and  
brought the Colby, KS Class E airspace  
area legal description into compliance  
with FAA Order 7400.2E, Procedures for  
Handling Airspace Matters. However,  
Shalz Field was incorrectly spelled as  
Shaltz Field in the Colby, KS Class E  
airspace area legal description as  
published.

■ Accordingly, pursuant to the authority  
delegated to me, the Colby, KS Class E  
airspace, as published in the **Federal  
Register** on Monday, January 12, 2004,  
(69 FR 1670) [FR Doc. 04-492] is  
corrected as follows:

##### § 71.1 [Corrected]

On page 1670, Column 2, fourth line  
from the bottom; Column 3, fourth,  
ninth and twenty-fifth lines from the  
bottom; and on page 1671, Column 2,  
second line from bottom, change  
“Shaltz Field” to read “Shalz Field.”

The FAA uses the direct final  
rulemaking procedure for a non-  
controversial rule where the FAA  
believes that there will be no adverse  
public comment. This direct final rule  
advised the public that no adverse

comments were anticipated, and that  
unless a written adverse comment, or a  
written notice of intent to submit such  
an adverse comment, were received  
within the comment period, the  
regulation would become effective on  
April 15, 2004. No adverse comments  
were received, and thus this notice  
confirms that this direct final rule will  
become effective on that date.

Issued in Kansas City, MO, on February 26,  
2004.

**Paul J. Sheridan,**  
Acting Manager, Air Traffic Division, Central  
Region.

[FR Doc. 04-5172 Filed 3-5-04; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2004-17148; Airspace  
Docket No. 04-ACE-14]

#### Modification of Class E Airspace; Festus, MO

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

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

**SUMMARY:** This action amends title 14  
Code of Federal Regulations, part 71 (14  
CFR 71) by revising Class E airspace at  
Festus, MO. A review of controlled  
airspace for Festus Memorial Airport  
revealed it does not comply with the  
criteria for 700 feet above ground level  
(AGL) airspace required for diverse  
departures. The review also identified  
discrepancies in the legal description  
for the Festus, MO Class E airspace area.  
The area is modified and enlarged to  
conform to the criteria in FAA Orders.

**DATES:** This direct final rule is effective  
on 0901 UTC, June 10, 2004. Comments  
for inclusion in the Rules Docket must  
be received on or before April 16, 2004.

**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-2004-17148/  
Airspace Docket No. 04-ACE-14, 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