

Aviation Administration, Southwest Region, Fort Worth, TX 76193-0530; telephone (817) 222-4949.

#### SUPPLEMENTARY INFORMATION:

##### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comments, and, therefore, issues it as a direct final rule. 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 effective date of the rule. If the FAA receives, within the comment period, an adverse or negative comment, or written comment 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

Although this action is in the form of a direct final rule, and was not preceded by a notice of proposed rulemaking, interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. An electronic copy of this document may be downloaded from <http://www.regulations.gov>. Communications should identify both docket numbers and be submitted in triplicate to the address specified under the caption **ADDRESSES** above or through the Web site. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received.

##### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes Class E airspace at Plains, TX, providing the airspace required to support the new RNAV (GPS) RWY 03/21 approach developed for IFR landings at Yoakum County Airport. Controlled airspace extending upward from 700 feet above the surface is required to encompass all SIAPs and for the safety of IFR operations at Yoakum County Airport. Designations for Class E5 airspace areas extending upward from 700 feet above the surface of the earth are published in the FAA Order 7400.9R, signed August 15, 2007, and effective September 15, 2007, which is

incorporated by reference in 14 CFR part 71.1. Class E5 designations listed in this document will be published subsequently in the Order.

##### Agency Findings

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

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 Class E5 airspace at Yoakum County Airport, Plains, TX.

##### 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(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 7400.9R, Airspace Designation and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

*Paragraph 6002 Class E5 airspace areas extending upward from 700 feet above the surface of the earth.*

\* \* \* \* \*

#### ASW TX CLASS E5 Plains, TX [New]

Yoakum County Airport  
(Lat. 33°13'02" N., long. 102°49'49" W.)  
That airspace extending upward from 700 feet above the surface within a 6.54-mile radius of Yoakum County Airport.

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Issued in Fort Worth, TX, on June 24, 2008.

**Donald R. Smith,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. E8–14921 Filed 7–3–08; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2008–0610; Airspace Docket No. 08–ASW–10]

#### Establishment of Class E Airspace; Pampa, TX

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

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

**SUMMARY:** This action establishes Class E5 airspace at Pampa, TX. Controlled airspace is necessary to accommodate aircraft using new RNAV Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAP) at Mesa Vista Ranch Airport. The FAA is proposing this action to enhance the safety and management of Instrument Flight Rules (IFR) aircraft operations at Mesa Vista Ranch Airport, Pampa, TX.

**DATES:** *Effective Date:* 0901 UTC September 25, 2008. Comments for

inclusion in the rules Docket must be received August 21, 2008. 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.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. You must identify the docket number FAA-2008-06 10/Airspace Docket No. 08-ASW-10, at the beginning of your comments. You may also submit comments through the Internet at <http://regulations.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 ground floor of the building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Gary A. Mallett, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, Fort Worth, TX, 76193-0530; telephone (817) 222-4949.

#### **SUPPLEMENTARY INFORMATION:**

##### **The Direct Final Rule Procedure**

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##### **Comments Invited**

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such written data, views, or arguments as they may desire. An electronic copy of this document may be downloaded from <http://www.regulations.gov>. Communications should identify both docket numbers and be submitted in triplicate to the address specified under the caption **ADDRESSES** above or through the Web site. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received.

##### **The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes Class E airspace at Pampa, TX providing the airspace required to support the new RNAV (GPS) RWY 01/19 approach developed for IFR landings at Mesa Vista Ranch Airport. Controlled airspace extending upward from 700 feet above the surface is required to encompass all SIAPs and for the safety of IFR operations at Mesa Vista Ranch Airport. Designations for Class E airspace areas extending upward from 700 feet above the surface of the earth are published in the FAA Order 7400.9R, signed August 15, 2007 and effective September 15, 2007, which is incorporated by reference in 14 CFR part 71.1. Class E designations listed in this document will be published subsequently in the Order.

##### **Agency Findings**

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

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 Class E5 airspace near Pampa, TX.

##### **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**

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##### **ASW TX Class E5 Pampa, TX [New]**

Mesa Vista Ranch Airport  
(Lat. 35°53'21" N., long. 101°01'49" W.)

That airspace extending upward from 700 feet above the surface within a 6.49-mile radius of Mesa Vista Ranch Airport.

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Issued in Fort Worth, TX, on June 24, 2008.

**Donald R. Smith,**

Manager, Operations Support Group, ATO Central Service Center.

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