

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 97**

[Docket No. 30473; Amdt. No. 3148]

Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) and/or Weather Takeoff Minimums for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective January 9, 2006. The compliance date for each SIAP and/or Weather Takeoff Minimums is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 9, 2006.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located;

3. The National Flight Procedures Office, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

*For Purchase—*Individual SIAP and Weather Takeoff Minimums copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

*By Subscription—*Copies of all SIAPs and Weather Takeoff Minimums mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT:

Donald P. Pate, Flight Procedure Standards Branch (AFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954-4164.

SUPPLEMENTARY INFORMATION: This amendment to Title 14 of the Code of Federal Regulations, Part 97 (14 CFR part 97), establishes, amends, suspends, or revokes SIAPs and/or Weather Takeoff Minimums. The complete regulatory description of each SIAP and/or Weather Takeoff Minimums is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4, 8260-5 and 8260-15A. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs and/or Weather Takeoff Minimums, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs and/or Weather Takeoff Minimums but refer to their depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP and/or Weather Takeoff Minimums contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR sections, with the types and effective dates of the SIAPs and/or Weather Takeoff Minimums. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP and/or Weather Takeoff Minimums as contained in the transmittal. Some SIAP and/or Weather Takeoff Minimums amendments may have been previously issued by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP, and/or Weather Takeoff Minimums amendments may require making them effective in less than 30 days. For the remaining SIAPs and/or Weather Takeoff Minimums, an effective date at least 30 days after publication is provided.

Further, the SIAPs and/or Weather Takeoff Minimums contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and/or Weather Takeoff Minimums, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and/or Weather Takeoff Minimums and safety in air commerce, I find that notice and public procedure before adopting these SIAPs and/or Weather Takeoff Minimums are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs and/or Weather Takeoff Minimums effective in less than 30 days.

Conclusion

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. 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. For the same reason, the FAA certifies that this amendment 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 97

Air Traffic Control, Airports, Incorporation by reference, and Navigation (Air).

Issued in Washington, DC on December 30, 2005.

James J. Ballough,

Director, Flight Standards Service.

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me, under Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures and Weather Takeoff Minimums effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

* * * *Effective 16 FEB 2006*

- Bay Minette, AL, Bay Minette Muni, VOR RWY 8, Amdt 7
- Atqasuk, AK, Atqasuk Edward Burnell Sr. Memorial, RNAV (GPS) RWY 6, Amdt 1
- Atqasuk, AK, Atqasuk Edward Burnell Sr. Memorial, RNAV (GPS) RWY 24, Amdt 1
- Atqasuk, AK, Atqasuk Edward Burnell Sr. Memorial, NDB RWY 6, Amdt 1
- Atqasuk, AK, Atqasuk Edward Burnell Sr. Memorial, NDB RWY 24, Amdt 1
- Holy Cross, AK, Holy Cross, RNAV (GPS) RWY 1, Orig
- Holy Cross, AK, Holy Cross, RNAV (GPS) RWY 19, Orig
- Holy Cross, AK, Holy Cross, Takeoff Minimums and Textual DPs, Amdt 1
- Holy Cross, AK, Holy Cross, GPS RWY 1, Orig, CANCELLED
- Holy Cross, AK, Holy Cross, GPS RWY 19, Orig, CANCELLED
- Koliganek, AK, Koliganek, RNAV (GPS) RWY 9, Orig
- Koliganek, AK, Koliganek, RNAV (GPS) RWY 27, Orig
- Koliganek, AK, Koliganek, GPS RWY 9, Orig-B, CANCELLED
- Koliganek, AK, Koliganek, GPS RWY 27, Orig-B, CANCELLED
- Koliganek, AK, Koliganek, Takeoff Minimums and Textual DPs, Amdt 1
- Minchumina, AK, Minchumina, RNAV (GPS) RWY 3, Orig
- Minchumina, AK, Minchumina, RNAV (GPS) RWY 21, Orig
- Minchumina, AK, Minchumina, NDB RWY 3, Amdt 3
- Minchumina, AK, Minchumina, Takeoff Minimums and Textual DPs, Amdt 2
- New Stuyahok, AK, New Stuyahok, RNAV (GPS) RWY 16, Orig
- New Stuyahok, AK, New Stuyahok, RNAV (GPS) RWY 34, Orig
- New Stuyahok, AK, New Stuyahok, Takeoff Minimums and Textual DPs, Orig
- Nondalton, AK, Nondalton, RNAV (GPS) RWY 2, Orig
- Nondalton, AK, Nondalton, Takeoff Minimums and Textual DPs, Orig
- Sitka, AK, Sitka Rocky Gutierrez, LDA/DME RWY 11, Amdt 14
- Sitka, AK, Sitka Rocky Gutierrez, NDB/DME-B, Amdt 1
- Sitka, AK, Sitka Rocky Gutierrez, GPS RWY 11, Orig, CANCELLED
- Sitka, AK, Sitka Rocky Gutierrez, Takeoff Minimums and Textual DPs, Amdt 2
- St. Paul Island, AK, St. Paul Island, RNAV (GPS) RWY 18, Amdt 1
- Togiak Village, AK, Togiak, RNAV (GPS) RWY 3, Orig
- Togiak Village, AK, Togiak, RNAV (GPS) RWY 21, Orig
- Togiak Village, AK, Togiak, NDB-B, Amdt 1
- Togiak Village, AK, Togiak, NDB/DME-A, Amdt 1
- Tok, AK, Tok Junction, RNAV (GPS) RWY 7, Orig
- Tok, AK, Tok Junction, RNAV (GPS) RWY 25, Orig
- Tok, AK, Tok Junction, Takeoff Minimums and Textual DPs, Orig
- Tucson, AZ, Marana Regional, NDB RWY 12, Orig
- Tucson, AZ, Marana Regional, RNAV (GPS)-E, Orig
- Tucson, AZ, Marana Regional, RNAV (GPS) RWY 3, Orig
- Tucson, AZ, Marana Regional, RNAV (GPS) RWY 12, Orig
- Tucson, AZ, Marana Regional, RNAV (GPS) RWY 21, Orig
- Tucson, AZ, Marana Regional, Takeoff Minimums and Textual DPs, Orig
- Concord, CA, Buchanan Field, NDB RWY 19R, Amdt 1
- Concord, CA, Buchanan Field, RNAV (GPS) RWY 19R, Orig
- Los Angeles, CA, Los Angeles Intl, ILS OR LOC RWY 24L, Amdt 24
- Los Angeles, CA, Los Angeles Intl, ILS OR LOC RWY 24R, Amdt 23, ILS RWY 24R (CAT II), ILS RWY 24R (CAT III)
- Los Angeles, CA, Los Angeles Intl, ILS OR LOC RWY 25L, Amdt 9, ILS RWY 25L (CAT II), ILS RWY 25L (CAT III)
- Los Angeles, CA, Los Angeles Intl, ILS OR LOC RWY 25R, Amdt 15
- San Francisco, CA, San Francisco Intl, RNAV (GPS) Z RWY 28R, Amdt 2A
- Vidalia, GA, Vidalia Regional, ILS OR LOC/NDB RWY 24, Orig
- Vidalia, GA, Vidalia Regional, LOC RWY 24, Amdt 3, CANCELLED
- Grinnell, IA, Grinnell Regional, RNAV (GPS) RWY 13, Orig
- Grinnell, IA, Grinnell Regional, RNAV (GPS) RWY 31, Orig
- Grinnell, IA, Grinnell Regional, VOR/DME RWY 31, Amdt 3
- Grinnell, IA, Grinnell Regional, GPS RWY 13, Orig-A, CANCELLED
- Grinnell, IA, Grinnell Regional, GPS RWY 31, Orig-A, CANCELLED
- Grinnell, IA, Grinnell Regional, NDB RWY 13, Amdt 3
- Grinnell, IA, Grinnell Regional, NDB RWY 31, Amdt 3
- Shreveport, LA, Shreveport Downtown, RNAV (GPS) RWY 14, Orig
- Shreveport, LA, Shreveport Downtown, VOR RWY 14, Amdt 15
- Cape Girardeau, MO, Cape Girardeau Regional, RNAV (GPS) RWY 10, Orig
- Cape Girardeau, MO, Cape Girardeau Regional, RNAV (GPS) RWY 28, Orig
- Cape Girardeau, MO, Cape Girardeau Regional, NDB RWY 10, Amdt 10
- Jefferson City, MO, Jefferson City Meml, ILS OR LOC RWY 30, Amdt 5
- Kansas City, MO, Charles B. Wheeler Downtown, VOR RWY 19, Amdt 19
- Kansas City, MO, Charles B. Wheeler Downtown, NDB RWY 19, Amdt 17
- Mexico, MO, Mexico Memorial, RNAV (GPS) RWY 24, Amdt 1
- Mexico, MO, Mexico Memorial, LOC/DME RWY 24, Amdt 1
- St Joseph, MO, Rosecrans Memorial, RADAR 1, Amdt 1
- Augusta, ME, Augusta State, RNAV (GPS)-B, Orig
- Augusta, ME, Augusta State, RNAV (GPS) RWY 35, Orig
- Augusta, ME, Augusta State, GPS RWY 35, Orig-A, CANCELLED
- Grenada, MS, Grenada Muni, RNAV (GPS) RWY 4, Orig
- Grenada, MS, Grenada Muni, RNAV (GPS) RWY 13, Orig
- Grenada, MS, Grenada Muni, RNAV (GPS) RWY 22, Orig
- Grenada, MS, Grenada Muni, RNAV (GPS) RWY 31, Orig
- Grenada, MS, Grenada Muni, GPS RWY 4, Orig, CANCELLED
- Grenada, MS, Grenada Muni, GPS RWY 13, Orig, CANCELLED
- Grenada, MS, Grenada Muni, GPS RWY 22, Orig, CANCELLED
- Grenada, MS, Grenada Muni, GPS RWY 31, Orig, CANCELLED
- Louisville, MS, Louisville-Winston County, NDB RWY 17, Amdt 4, CANCELLED
- Butte, MT, Bert Mooney, LOC/DME RWY 15, Amdt 7
- Beatrice, NE, Beatrice Municipal, RNAV (GPS) RWY 17, Amdt 1
- Beatrice, NE, Beatrice Municipal, RNAV (GPS) RWY 35, Amdt 1
- Beatrice, NE, Beatrice Municipal, VOR RWY 17, Orig
- Gothenburg, NE, Quinn Field, RNAV (GPS) RWY 3, Orig
- Gothenburg, NE, Quinn Field, RNAV (GPS) RWY 21, Orig
- Gothenburg, NE, Quinn Field, VOR-A, Amdt 2
- Gothenburg, NE, Quinn Field, NDB-A, Orig
- Gothenburg, NE, Quinn Field, NDB OR GPS RWY 32, Amdt 1B, CANCELLED
- Toledo, OH, Toledo Express, RNAV (GPS) RWY 7, Amdt 1
- Toledo, OH, Toledo Express, RNAV (GPS) RWY 25, Amdt 1
- Toledo, OH, Toledo Express, ILS OR LOC RWY 7, Amdt 27
- Toledo, OH, Toledo Express, ILS OR LOC RWY 25, Amdt 7
- Boise City, OK, Boise City, NDB-A, Amdt 1A, CANCELLED
- Dallas, TX, Dallas Executive, RNAV (GPS) RWY 17, Orig
- Dallas, TX, Dallas Executive RNAV (GPS) RWY 31, Orig

Dallas, TX, Dallas Executive RNAV (GPS) RWY 35, Orig
 Dallas, TX, Dallas Executive VOR/DME RWY 17, Amdt 1
 Dallas, TX, Dallas Executive VOR RWY 31, Amdt 1
 Dallas, TX, Dallas Executive NDB OR GPS RWY 35, Amdt 9, CANCELLED
 Dallas-Fort Worth, TX, Dallas-Fort Worth International, RNAV (GPS) RWY 17C, Orig
 Dallas-Fort Worth, TX, Dallas-Fort Worth International, RNAV (GPS) RWY 35C, Amdt 1
 Del Rio, TX, Del Rio Intl, RNAV (GPS) RWY 13, Amdt 1
 Del Rio, TX, Del Rio Intl, LOC RWY 13, Amdt 1
 Greenville, TX, Majors, RNAV (GPS) RWY 17, Orig
 Greenville, TX, Majors, RNAV (GPS) RWY 35, Orig
 Greenville, TX, Majors, ILS OR LOC RWY 17, Amdt 6
 Greenville, TX, Majors, LOC BC RWY 35, Amdt 1
 Greenville, TX, Majors, VOR/DME RWY 17, Amdt 1
 Greenville, TX, Majors, NDB RWY 17, Amdt 6
 Greenville, TX, Majors, NDB RWY 35, Amdt 2
 Jacksonville, TX, Cherokee County, RNAV (GPS) RWY 14, Orig
 Jacksonville, TX, Cherokee County, VOR/DME RWY 14, Amdt 4
 Jacksonville, TX, Cherokee County, NDB RWY 14, Amdt 5A, CANCELLED
 Jacksonville, TX, Cherokee County, Takeoff Minimums and Textual DP, Orig
 Wichita Falls, TX, Wichita Valley, VOR-B, Amdt 6
 Ogden, UT, Ogden-Hinckley, RNAV (GPS) Z RWY 3, Orig-A
 Richlands, VA, Tazewell County, RNAV (GPS) RWY 25, Orig

Richlands, VA, Tazewell County, GPS RWY 25, Orig, CANCELLED
 * * * Effective 16 March 2006
 Fort Worth, TX, Fort Worth Meacham Intl, ILS OR LOC RWY 16, Amdt 8
 Fort Worth, TX, Fort Worth Meacham Intl, ILS OR LOC RWY 34, Amdt 2
 [FR Doc. 06-94 Filed 1-6-06; 8:45 am]
BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[I.D. 010406B]

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; inseason retention limit adjustment.

SUMMARY: NMFS has determined that the Atlantic bluefin tuna (BFT) General category daily retention limit for five previously designated restricted fishing days (RFD) should be adjusted. These General category RFDs are being waived to provide reasonable opportunity for utilization of the coastwide General category BFT quota. Therefore, NMFS waives five RFDs scheduled for January 2006, and increases the daily retention limit from zero to two large medium or

giant BFT on these previously designated RFDs.

DATES: Effective dates for BFT daily retention limits are provided in Table 1 under **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Brad McHale, 978-281-9260.

SUPPLEMENTARY INFORMATION:

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. The 2005 BFT fishing year began on June 1, 2005, and ends May 31, 2006. The final initial 2005 BFT specifications and General category effort controls (June 7, 2005; 70 FR 33033) established the following RFD schedule for the 2005 fishing year: All Fridays, Saturdays, and Sundays from November 18, 2005, through January 31, 2006, and Thursday, November 24, 2005, inclusive, provided quota remained available and the fishery was open. RFDs are intended to extend the General category BFT fishery late into the southern Atlantic season. NMFS has determined that the BFT General category daily retention limit for five of the previously designated RFDs should be adjusted as described in Table 1 to provide reasonable opportunity to utilize the coastwide General category BFT quota.

TABLE 1. EFFECTIVE DATES FOR RETENTION LIMIT ADJUSTMENTS

| Permit Category | Effective Dates | Area | BFT Size Class Limit |
|--|--|------|---|
| Atlantic tunas General and HMS Charter/Headboat (while fishing commercially) | January 7 - 8, 2006, and January 13 - 15, 2006 | All | Two BFT per vessel per day/trip, measuring 73 inches (185 cm) CFL or larger |

Adjustment of General Category Daily Retention Limits

Under 50 CFR 635.23(a)(4), NMFS may increase or decrease the General category daily retention limit of large medium and giant BFT over a range from zero (on RFDs) to a maximum of three per vessel to allow for maximum utilization of the quota for BFT. NMFS has taken multiple actions during the 2005 fishing year in an attempt to allow for maximum utilization of the General category BFT quota. On September 28, 2005 (70 FR 56595), NMFS adjusted the commercial daily BFT retention limit (on non-RFDs), in all areas, for those vessels fishing under the General category quota, to two large medium or

giant BFT, measuring 73 inches (185 cm) or greater curved fork length (CFL), per vessel per day/trip, effective through January 31, 2006, inclusive, provided quota remained available and the fishery remained open. On November 9, 2005 (70 FR 67929), NMFS waived the previously designated RFDs for the month of November and adjusted the daily retention limit on those RFDs to two large medium or giant BFT. On December 16, 2005 (70 FR 74712), NMFS waived previously designated RFDs for December 16-18, inclusive, and adjusted the daily retention limit on those RFDs to two large medium or giant BFT to provide reasonable opportunity to harvest the coastwide quota. On January 4, 2006 (71 FR 273),

NMFS waived previously designated RFDs for December 31, 2005, and January 1, 2006, inclusive, and adjusted the daily retention limit on those RFDs to two large medium or giant BFT to provide reasonable opportunity to harvest the coastwide quota.

On December 7, 2005 (70 FR 72724), NMFS adjusted the General category quota by conducting a 200 mt inseason quota transfer to the Reserve category, resulting in an adjusted General category quota of 708.3 mt. This action was taken to account for any potential overharvests that may occur in the Angling category during the 2005 fishing year (June 1, 2005 through May 31, 2006) and to ensure that U.S. BFT