DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2008–0926; Airspace Docket No. 08–AAL–24]

RIN 2120–AA66

Establishment, Revision, and Removal of Area Navigation (RNAV) Routes; Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes twenty two Area Navigation (RNAV) routes, and revises fourteen RNAV routes, in the State of Alaska. Additionally, this action removes four existing routes that are no longer required. Q & T-routes are Air Traffic Service (ATS) routes, based on RNAV, for use by aircraft having instrument flight rules (IFR)-approved Global Positioning System (GPS)/Global Navigation Satellite System (GNSS) equipment. The FAA is taking this action to enhance safety and to improve the efficient use of the navigable airspace in Alaska.

DATES: *Effective Date:* 0901 UTC, August 27, 2009. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; *telephone:* (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Background

On February 12, 2009, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish twenty three RNAV routes, and revise fourteen RNAV routes, in the State of Alaska. Additionally, this action proposed to remove four existing routes that are no longer required (74 FR 7012). Interested parties were invited to participate in this rulemaking effort by submitting written comments on this proposal. Two comments were received in response to the NPRM.

The first commenter proposed to amend the T–252 between Nome and Kotzebue. The commenter suggested moving the route to the East to stay closer to land. Moving the proposed T–252 closer to the shoreline would delay establishing a route that traverses Norton Sound until 2010. As a result, the FAA has decided to establish T–252 as proposed, and during the 2010 route development cycle, the FAA will evaluate establishing a route closer to the shoreline as suggested.

The second comment concerned the Prince William Sound region and access to the Alaskan Native villages of Tatitlek and Chenega Bay. In order to accommodate this suggestion, the FAA would have to make the routes four miles wide instead of eight miles in order to achieve an MEA advantage over conventional routing in the area. This would make the routes restricted from public use. While this does not prevent the suggestion from being evaluated for feasibility, development of special RNAV routes falls outside the scope of this project. The FAA will consider this suggestion in future airway work.

During the comment period, the FAA conducted flight inspections of the proposed routes and reviewed the results to evaluate the safety and efficiency of the proposed T route structure. Based on the results of the inspections, and on further refinements to the route designs, the FAA determined that changes are required to the description of one route and the elimination of one route proposed in the NPRM.

A minor change will be made to T–231 by adding a new point (Selawik) between Fairbanks and Kotzebue. This change will realign the route southward to pass over the Selawik VORTAC. This change will cause the route to more closely match current air traffic procedures. Additionally, proposed route T–271 will be eliminated from this rulemaking action since the FAA was unable to complete a flight inspection on T–271. Therefore, the FAA has decided not to implement T–271. With the exception of the changes described above, this amendment is the same as that proposed in the NPRM.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by establishing fourteen high altitude RNAV routes, and eight low altitude RNAV routes, in the State of Alaska. Additionally, this action revises one high altitude route, thirteen low altitude routes, and removes four existing ''T'' routes that are no longer required. These changes will enhance safety, and facilitate the more flexible and efficient use of the navigable airspace for en route IFR operations within the State of Alaska. This action will improve operator efficiency, access and safety, while incrementally reducing dependency on ground based navigation facilities.

The High Altitude RNAV Q–Routes are published in paragraph 2006, and the Low Altitude RNAV T–Routes are published in paragraph 6011 in FAA Order 7400.9S, Airspace Designations and Reporting Points, signed October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The airspace designations listed in this document would be published subsequently in the Order.

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 Department of Transportation (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 proposed 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 the 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 proposes to create Class A and E airspace sufficient in size to contain aircraft using the described Federal Airways within the State of Alaska and represents the FAA's continuing effort to safely and efficiently use the navigable airspace.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, ''Environmental Impacts: Policies and Procedures,'' paragraph 311a. This airspace action is not expected to cause any potentially

significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

■ In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 FAA Order 7400.9S, Airspace Designations and Reporting Points, signed October 3, 2008, and effective October 31, 2008, is to be amended as follows:

Paragraph 2006 United States Area Navigation Routes.

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Q–41 CAWIN to SCC [New]		
CAWIN	Fix	(Lat. 63°16′51″ N., long. 148°59′18″ W.)
SCC	VOR/DME	(Lat. 70°11′57″ N., long. 148°24′58″ W.)
Q–43 ANC to FAI [New]		
ANC	VOR/DME	(Lat. 61°09′03″ N., long. 150°12′24″ W.)
CAWIN	Fix	(Lat. 61°16′51″ N., long. 148°59′18″ W.)
FAI	VORTAC	(Lat. 64°48′00″ N., long. 148°00′43″ W.)
Q–44 OME to ANC [New]		
OME	VOR/DME	(Lat. 64°29′06″ N., long. 165°15′11″ W.)
ANC	VOR/DME	(Lat. 61°09′03″ N., long. 150°12′24″ W.)
Q–45 DLG to AMOTT [New]		
DLG	VOR/DME	(Lat. 58°59′39″ N., long. 158°33′08″ W.)
AMOTT	Fix	(Lat. 60°53′56″ N., long. 151°21′46″ W.)
Q–46 PHO to BRW [New]		
PHO	NDB	(Lat. 68°20′41″ N., long. 166°47′51″ W.)
BRW	VOR/DME	(Lat. 71°16′24″ N., long. 156°47′17″ W.)
Q–47 AKN to AMOTT [New]		
AKN	VORTAC	(Lat. 58°43′29″ N., long. 156°45′08″ W.)
AMOTT	Fix	(Lat. 60°53′56″ N., long. 151°21′46″ W.)
Q–48 BRW to ROCES [New]		
BRW	VOR/DME	(Lat. 71°16′24″ N., long. 156°47′17″ W.)
SCC	VOR/DME	(Lat. 70°11′57″ N., long. 148°24′58″ W.)
ROCES	WP	(Lat. 70°08′34″ N., long. 143°08′16″ W.)
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Q–49 ODK to AMOTT [New]		
ODK	VOR/DME	(Lat. 57°46′30″ N., long. 152°20′23″ W.)
AMOTT	Fix	(Lat. 60°53′56″ N., long. 151°21′46″ W.)
Q–51 AKN to OTZ [New]		
AKN	VORTAC	(Lat. 58°43′29″ N., long. 156°45′08″ W.)
OTZ	VOR/DME	(Lat. 66°53′09″ N., long. 162°32′24″ W.)
Q–53 ODK to OTZ [New]		
ODK	VOR/DME	(Lat. 57°46′30″ N., long. 152°20′23″ W.)
ILI	NDB/DME	(Lat. 59°44′53″ N., long. 154°54′35″ W.)
OTZ	VOR/DME	(Lat. 66°53′09″ N., long. 162°32′24″ W.)
Q–55 ODK to OME [New]		
ODK	VOR/DME	(Lat. 57°46′30″ N., long. 152°20′23″ W.)
OME	VOR/DME	(Lat. 64°29′06″ N., long. 165°15′11″ W.)
Q–57 AKN to MCG [New]		
AKN	VORTAC	(Lat. 58°43′29″ N., long. 156°45′08″ W.)
MCG	VORTAC	(Lat. 62°57′04″ N., long. 155°36′41″ W.)
Q–59 CDB to BET [New]		
CDB	VORTAC	(Lat. 55°16′03″ N., long. 162°46′27″ W.)
BET	VORTAC	(Lat. 60°47′05″ N., long. 161°49′28″ W.)
Q–61 FAI to BRW [New]		
FAI	VORTAC	(Lat. 64°48′00″ N., long. 148°00′43″ W.)
BRW	VOR/DME	(Lat. 71°16′24″ N., long. 156°47′17″ W.)
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Q–16 ODK to YAK [Revised]		
ODK	VOR/DME	(Lat. 57°46′30″ N., long. 152°20′23″ W.)
MDO	VOR/DME	(Lat. 59°25′19″ N., long. 146°21′00″ W.)
YAK	VOR/DME	(Lat. 59°30′39″ N., long. 139°38′53″ W.)

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Paragraph 6011. United States Area Navigation Routes.

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T–269 BET to ANN [New]

BET	VORTAC	(Lat. 60°47′05″ N., long. 161°49′28″ W.)
SQA	VOR/DME	(Lat. 61°05′55″ N., long. 155°38′04″ W.)
ANC	VOR/DME	(Lat. 61°09′03″ N., long. 150°12′24″ W.)
JOH	VOR/DME	(Lat. 60°28′51″ N., long. 146°35′58″ W.)
YAK	VOR/DME	(Lat. 59°30′39″ N., long. 139°38′53″ W.)
BKA	VORTAC	(Lat. 56°51′34″ N., long. 135°33′05″ W.)
ANN	VOR/DME	(Lat. 55°03′37″ N., long. 131°34′42″ W.)

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T–273 FAI to ROCES [New]

FAI	VORTAC	(Lat. 64°48′00″ N., long. 148°00′43″ W.)
ROCES	WP	(Lat. 70°08′34″ N., long. 144°08′16″ W.)

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T–275 BET to UNK [New]

BET	VORTAC	(Lat. 60°47′05″ N., long. 161°49′28″ W.)
UNK	VOR/DME	(Lat. 63°53′31″ N., long. 160°41′04″ W.)

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T–277 BTT to PIZ [New]

BTT	VOR/DME	(Lat. 66°54′18″ N., long. 151°32′09″ W.)
PIZ	NDB	(Lat. 69°44′04″ N., long. 163°44′49″ W.)

T–278 HAPIT to SSR [New]

HAPIT	Fix	(Lat. 58°11′58″ N., long. 137°31′12″ W.)
SSR	VORTAC	(Lat. 58°10′40″ N., long. 135°15′32″ W.)

T–279 ALEUT to BET [New]

ALEUT	Fix	(Lat. 54°14′17″ N., long. 166°32′52″ W.)
BET	VORTAC	(Lat. 60°47′05″ N., long. 161°49′28″ W.)

T–280 FLIPS to LVD [New]

FLIPS	Fix	(Lat. 56°34′33″ N., long. 134°52′47″ W.)
LVD	VOR/DME	(Lat. 56°28′04″ N., long. 133°04′59″ W.)

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T–282 VENCE to FAI [New]

VENCE	Fix	(Lat. 64°29′23″ N., long. 158°00′06″ W.)
HORSI	Fix	(Lat. 64°44′05″ N., long. 154°19′15″ W.)
ROSII	Fix	(Lat. 64°57′46″ N., long. 153°14′37″ W.)
PERZO	WP	(Lat. 64°40′23″ N., long. 148°07′20″ W.)
FAI	VORTAC	(Lat. 64°48′00″ N., long. 148°00′43″ W.)

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T–219 AIX to DLG [Revised]

AIX	NDB/DME	(Lat. 60°23′06″ N., long. 166°12′53″ W.)
RUFVY	WP	(Lat. 59°56′34″ N., long. 164°02′04″ W.)
DLG	VOR/DME	(Lat. 58°59′39″ N., long. 158°33′08″ W.)

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T–222 BAERE TO FAI [Revised]

BAERE	WP	(Lat. 52°12′12″ N., long. 176°08′09″ W.)
SPY	NDB/DME	(Lat. 57°09′28″ N., long. 170°13′51″ W.)
RUFVY	WP	(Lat. 59°56′34″ N., long. 164°02′04″ W.)
BET	VORTAC	(Lat. 60°47′05″ N., long. 161°49′28″ W.)
MCG	VORTAC	(Lat. 62°57′04″ N., long. 155°36′41″ W.)
ENN	VORTAC	(Lat. 64°35′24″ N., long. 149°04′22″ W.)
FAI	VORTAC	(Lat. 64°48′00″ N., long. 148°00′43″ W.)

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T–223 EHM to AMOTT [Revised]

EHM	NDB/DME	(Lat. 58°39′24″ N., long. 162°04′17″ W.)
DLG	VOR/DME	(Lat. 58°59′39″ N., long. 158°33′08″ W.)
FAGIN	Fix	(Lat. 59°51′56″ N., long. 155°32′43″ W.)
NONDA	Fix	(Lat. 60°19′16″ N., long. 153°47′58″ W.)
BLUGA	Fix	(Lat. 60°46′22″ N., long. 151°55′07″ W.)

AMOTT	Fix	(Lat. 60°53′56″ N., long. 151°21′46″ W.)

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T–227 SYA to SCC [Revised]

SYA	VORTAC	(Lat. 52°43′06″ N., long. 174°03′44″ E.)
JANNT	WP	(Lat. 52°04′18″ N., long. 178°15′37″ W.)
BAERE	WP	(Lat. 52°12′12″ N., long. 176°08′09″ W.)
ALEUT	Fix	(Lat. 54°14′17″ N., long. 166°32′52″ W.)
MORDI	Fix	(Lat. 54°52′50″ N., long. 165°03′15″ W.)
GENFU	Fix	(Lat. 55°23′18″ N., long. 163°06′21″ W.)
BINAL	Fix	(Lat. 55°46′00″ N., long. 161°59′56″ W.)
PDN	NDB/DM	(Lat. 56°57′15″ N., long. 158°38′51″ W.)
AMOTT	Fix	(Lat. 60°53′56″ N., long. 151°21′46″ W.)
ANC	VOR/DME	(Lat. 61°09′03″ N., long. 150°12′24″ W.)
FAI	VORTAC	(Lat. 64°48′00″ N., long. 148°00′43″ W.)
SCC	VOR/DME	(Lat. 70°11′57″ N., long. 148°24′58″ W.)

T–228 EHM to ROCES [Revised]

ENM	VOR/DME	(Lat. 62°47′05″ N., long. 164°29′15″ W.)
RUFVY	WP	(Lat. 59°56′34″ N., long. 164°02′04″ W.)
HPB	VOR/DME	(Lat. 61°30′52″ N., long. 166°08′04″ W.)
OME	VOR/DME	(Lat. 64°29′06″ N., long. 165°15′11″ W.)
HIKAX	WP	(Lat. 65°36′20″ N., long. 165°44′44″ W.)
SHH	NDB	(Lat. 66°15′29″ N., long. 166°03′09″ W.)
ECIPI	Fix	(Lat. 67°55′48″ N., long. 165°29′58″ W.)
BRW	VOR/DME	(Lat. 71°16′24″ N., long. 156°47′17″ W.)
SCC	VOR/DME	(Lat. 70°11′57″ N., long. 148°24′58″ W.)
ROCES	WP	(Lat. 70°08′34″ N., long. 144°08′16″ W.)

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T–231 FAI to OTZ [Revised]

FAI	VORTAC	(Lat. 64°48′00″ N., long. 148°00′43″ W.)
WLK	VOR/DME	(Lat. 66°35′58″ N., long. 159°59′27″ W.)
OTZ	VOR/DME	(Lat. 66°53′09″ N., long. 162°32′24″ W.)

T–232 BRW to ORT [Revised]

BRW	VOR/DME	(Lat. 71°16′24″ N., long. 156°47′17″ W.)
BRONX	Fix	(Lat. 70°04′02″ N., long. 155°06′35″ W.)
BTT	VOR/DME	(Lat. 66°54′18″ N., long. 151°32′09″ W.)
FAI	VORTAC	(Lat. 64°48′00″ N., long. 148°00′43″ W.)
BIG	VORTAC	(Lat. 64°00′16″ N., long. 145°43′02″ W.)
ORT	VORTAC	(Lat. 62°56′50″ N., long. 141°54′46″ W.)

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T–240 BTT to SCC [Revised]

BTT	VOR/DME	(Lat. 66°54′18″ N., long. 151°32′09″ W.)
NAMRE	WP	(Lat. 69°06′29″ N., long. 149°34′00″ W.)
SCC	VOR/DME	(Lat. 70°11′57″ N., long. 148°24′58″ W.)

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T–246 BRW to ANC [Revised]

BRW	VOR/DME	(Lat. 71°16′24″ N., long. 156°47′17″ W.)
GAL	VOR/DME	(Lat. 64°44′17″ N., long. 156°46′38″ W.)
MCG	VORTAC	(Lat. 62°57′04″ N., long. 155°36′41″ W.)
ANC	VOR/DME	(Lat. 61°09′03″ N., long. 150°12′24″ W.)

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T–248 GAM to ENM [Revised]

GAM	NDB/DME	(Lat. 63°46′55″ N., long. 171°44′12″ W.)
QAYAQ	WP	(Lat. 63°52′14″ N., long. 169°59′42″ W.)
ENM	VOR/DME	(Lat. 62°47′05″ N., long. 164°29′15″ W.)

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T–250 ULL to BET [Revised]

ULL	VOR/DME	(Lat. 63°41′32″ N., long. 170°28′12″ W.)
QAYAQ	WP	(Lat. 63°52′14″ N., long. 169°59′42″ W.)
BANAT	WP	(Lat. 62°12′49″ N., long. 165°40′01″ W.)
BET	VORTAC	(Lat. 60°47′05″ N., long. 161°49′28″ W.)

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T–252 OME to SCC [Revised]

OME	VOR/DME	(Lat. 64°29′06″ N., long. 165°15′11″ W.)
OTZ	VOR/DME	(Lat. 66°53′09″ N., long. 162°32′24″ W.)
SCC	VOR/DME	(Lat. 70°11′57″ N., long. 148°24′58″ W.)

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T–260 PHO to OME [Revised]

PHO	NDB	(Lat. 68°20′41″ N., long. 166°47′51″ W.)
COGNU	WP	(Lat. 65°48′29″ N., long. 167°50′06″ W.)
TNC	NDB/DME	(Lat. 65°33′43″ N., long. 167°55′27″ W.)
OME	VOR/DME	(Lat. 64°29′06″ N., long. 165°15′11″ W.)

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T–239 GAM to ULL [Remove]

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T–256 GAL to BRW [Remove]

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T–258 SHH to PHO [Remove]

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T–268 FPN to ICK [Remove]

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Issued in Washington, DC, on June 26, 2009.

Edith V. Parish,

Manager, Airspace and Rules Group.

[FR Doc. E9–15695 Filed 7–2–09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2008–0940; Airspace Docket No. 08–AAL–25]

RIN 2120–AA66

Removal and Modification of VOR Federal Airways; Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action removes Federal Airway V–328, and modifies three Federal Airways, V–319, V–333 and V–480, in Alaska. This action revises the Instrument Flight Rules (IFR) airway and route structure in Alaska to account for the pending decommissioning from the National Airspace System (NAS) of the Kipnuk Very High Omni-directional Range (VOR), at Kipnuk, AK. The FAA is taking this action to enhance safety and improve the management of air traffic operations in the State of Alaska.

DATES: *Effective Date:* 0901 UTC, August 27, 2009. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

History

On December 10, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to remove V–328 and modify V–319, V–333 and V–480 (73 FR 75013). Interested parties were invited to participate in this rulemaking effort by submitting written comments on this proposal. No comments were received in response to the NPRM.

VOR Federal Airways are published in paragraph 6010(b) of FAA Order 7400.9S, signed October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The VOR Federal Airways listed in this document will be published subsequently in the Order.

The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR part 71) by revoking one Federal Airway V–328, and modifying three Federal Airways, V–319, V–333, and V–480 in Alaska. The FAA is taking this action to remove all airways off the Kipnuk, Very High Omni-directional Range (VOR), Kipnuk, AK, in preparation for the VOR's eventual decommissioning from the National Airspace System (NAS). The Kipnuk VOR decommissioning proposal was publicly advertised in non-rulemaking notice numbers 02–AAL–31NR and 06–AAL–32NR. After reviewing public comment, the FAA decided that keeping or moving the Kipnuk VOR was not feasible and should be decommissioned. 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 Department of Transportation (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.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, ''Environmental Impacts: Polices and Procedures,'' paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).