

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

[Docket No. FAA-2022-0231; Airspace
Docket No. 19-AAL-46]

RIN 2120-AA66

**Establishment of United States Area
Navigation (RNAV) Route T-377; Sitka,
AK**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes RNAV T-route, T-377, in the vicinity of Sitka, AK in support of a large and comprehensive T-route modernization project for the state of Alaska.

DATES: Effective date 0901 UTC, December 29, 2022. 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 JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:**Authority for This Rulemaking**

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 expands the availability of RNAV in Alaska and improve the efficient flow of air traffic within the National Airspace System by

lessening the dependency on ground based navigation.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA-2022-0231 in the **Federal Register** (87 FR 16669; March 24, 2022), establishing RNAV T-route T-377, in the vicinity of Sitka, AK in support of a large and comprehensive T-route modernization project for the state of Alaska. Interested parties were invited to participate in this rulemaking effort by submitting comments on the proposal. No comments were received.

United States Area Navigation Routes are published in paragraph 6011 of FAA Order JO 7400.11G dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The RNAV route listed in this document will be published subsequently in FAA Order JO 7400.11.

**Availability and Summary of
Documents for Incorporation by
Reference**

This document amends FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by establishing RNAV route T-377 in the vicinity of Sitka, AK in support of a large and comprehensive T-route modernization project in the state of Alaska.

The new route is described below.

T-377: RNAV T-route, T-377, extends from the Annette Island, AK (ANN), VHF Omnidirectional Range/Distance Measuring Equipment (VOR/DME) to the Biorca Island, AK, (BKA) VOR and Tactical Air Navigation facility (VORTAC), in anticipation of the decommissioning of Sitka, AK (SIT), and Nichols, AK (ICK), Non-Directional Beacons (NDB). T-377 provides alternate navigation options for Colored Federal airways A-1 and B-28.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

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 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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does 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 airspace action of establishing RNAV route T-377 in the vicinity of Sitka, AK qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points), and paragraph 5-6.5i, which categorically excludes from further environmental review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

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 amends 14 CFR part 71 as follows:

T-377 Annette Island, AK (ANN) to Biorka Island, AK (BKA) [New]		
Annette Island, AK (ANN)	VOR/DME	(Lat. 55°03'37.47" N, long. 131°34'42.24" W)
INEPE, AK	WP	(Lat. 55°35'25.84" N, long. 133°24'52.15" W)
FOROP, AK	WP	(Lat. 56°05'08.84" N, long. 134°21'39.59" W)
Biorka Island, AK (BKA)	VORTAC	(Lat. 56°51'33.87" N, long. 135°33'04.72" W)

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Issued in Washington, DC, on October 17, 2022.

Scott M. Rosenbloom,
Manager, Airspace Rules and Regulations.
 [FR Doc. 2022-22781 Filed 10-25-22; 8:45 am]
BILLING CODE 4910-13-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG-2022-0757]

Special Local Regulations; Marine Events Within the Seventh Coast Guard District

AGENCY: Coast Guard, Department of Homeland Security (DHS).
ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a special local regulation for the Race World Offshore (RWO), Offshore World. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the regulated area without permission from the Captain of the Port Key West or a designated representative.

DATES: The regulations in 33 CFR 100.701 will be enforced for the location in Table 1 to § 100.701, Section (b), Item No. 4, from 10 a.m. until 4 p.m., on November 9, 11, and 13, 2022.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant junior grade Hailye Reynolds, Sector Key West Waterways Management Division, Coast Guard; phone 305-292-8768, email SKWWaterways@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce special local

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 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

regulations in 33 CFR 100.701, Table 1 to § 100.701, Section (b), Item No. 4, for the RWO Offshore World Championship regulated area from 10:00 a.m. to 4:00 p.m. on November 9, 11, and 13, 2022. This action is being taken to provide for the safety of life on navigable waterways during this 3-day event. The regulation for this marine event within the Seventh Coast Guard District, § 100.701, Table 1 to § 100.701, Section (b), Item No. 4, specifies the location of the regulated area for the RWO Offshore World Championship which encompasses a portion of the Atlantic Ocean located southwest of Key West, Florida. During the enforcement period, all persons and vessels, except those persons and vessels participating in the high-speed boat races, are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area without obtaining permission from the Captain of the Port Key West or a designated representative.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners, marine information broadcasts, or both.

Dated: October 20, 2022.
Jason Ingram,
Captain, U.S. Coast Guard, Captain of the Port Key West.

[FR Doc. 2022-23249 Filed 10-25-22; 8:45 am]
BILLING CODE 9110-04-P

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6011 United States Area Navigation Routes
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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-HQ-ES-2021-0043; FF09E21000 FXES1111090FEDR 232]

RIN 1018-BF35

Endangered and Threatened Wildlife and Plants; Threatened Species Status for Emperor Penguin With Section 4(d) Rule

AGENCY: Fish and Wildlife Service, Interior.
ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), determine threatened species status under the Endangered Species Act of 1973 (Act), as amended, for the emperor penguin (*Aptenodytes forsteri*), a flightless bird species from Antarctica. This rule adds the species to the List of Endangered and Threatened Wildlife. We also finalize a rule issued under the authority of section 4(d) of the Act that provides measures that are necessary and advisable to provide for the conservation of this species.

DATES: This rule is effective November 25, 2022.

ADDRESSES: The final rule is available on the internet at <https://www.regulations.gov> under Docket No. FWS-HQ-ES-2021-0043. Comments and materials received, as well as supporting documentation we used in preparing this rule, are available for public inspection at <https://www.regulations.gov> under Docket No. FWS-HQ-ES-2021-0043.

FOR FURTHER INFORMATION CONTACT: Elizabeth Maclin, Chief, Branch of Delineating and Foreign Species, Ecological Services Program, U.S. Fish and Wildlife Service, MS: ES, 5275 Leesburg Pike, Falls Church, VA 22041-