

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

[Docket No. FAA–2023–0512; Airspace
Docket No. 22–AAL–59

RIN 2120–AA66

**Revocation of Very High Frequency
(VHF) Omnidirectional Range (VOR)
Federal Airway V–489; Galena, AK**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: This action proposes to
revoke Alaskan VOR Federal Airway V–
489. The FAA is taking this action due
to automated flight plan conflicts
between New York Air Route Traffic
Control Center (ARTCC) and Anchorage
ARTCC when pilots file V–489 in flight
plans.

DATES: Comments must be received on
or before April 24, 2023.

ADDRESSES: Send comments identified
by FAA Docket No. FAA–2023–0512
and Airspace Docket No. 22–AAL–59
using any of the following methods:

* *Federal eRulemaking Portal:* Go to
www.regulations.gov and follow the
online instructions for sending your
comments electronically.

* *Mail:* Send comments to Docket
Operations, M–30; U.S. Department of
Transportation, 1200 New Jersey
Avenue SE, Room W12–140, West
Building Ground Floor, Washington, DC
20590–0001.

* *Hand Delivery or Courier:* Take
comments to Docket Operations in
Room W12–140 of the West Building
Ground Floor at 1200 New Jersey
Avenue SE, Washington, DC, between 9
a.m. and 5 p.m., Monday through
Friday, except Federal holidays.

* *Fax:* Fax comments to Docket
Operations at (202) 493–2251.

Privacy: In accordance with 5 U.S.C.
553(c), DOT solicits comments from the
public to better inform its rulemaking
process. DOT posts these comments,
without edit, including any personal
information the commenter provides, to
www.regulations.gov, as described in
the system of records notice (DOT/ALL–
14 FDMS), which can be reviewed at
www.dot.gov/privacy.

Docket: Background documents or
comments received may be read at
www.regulations.gov at any time.
Follow the online instructions for
accessing the docket or go to the Docket
Operations in Room W12–140 of the
West Building Ground Floor at 1200

New Jersey Avenue SE, Washington,
DC, between 9 a.m. and 5 p.m., Monday
through Friday, except Federal holidays.

FAA Order JO 7400.11G, Airspace
Designations and Reporting Points, and
subsequent amendments can be viewed
online at [www.faa.gov/air_traffic/
publications/](http://www.faa.gov/air_traffic/publications/).

FOR FURTHER INFORMATION CONTACT:

Steven Roff, 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 proposes to
revoke Alaskan VOR Airway V–489.

Comments Invited

The FAA invites interested persons to
participate in this rulemaking by
submitting written comments, data, or
views. Comments are specifically
invited on the overall regulatory,
aeronautical, economic, environmental,
and energy-related aspects of the
proposal. The most helpful comments
reference a specific portion of the
proposal, explain the reason for any
recommended change, and include
supporting data. To ensure the docket
does not contain duplicate comments,
commenters should submit only one
time if comments are filed
electronically, or commenters should
send only one copy of written
comments if comments are filed in
writing.

The FAA will file in the docket all
comments it receives, as well as a report
summarizing each substantive public
contact with FAA personnel concerning
this proposed rulemaking. Before acting
on this proposal, the FAA will consider
all comments it receives on or before the
closing date for comments. The FAA
will consider comments filed after the
comment period has closed if it is
possible to do so without incurring
expense or delay. The FAA may change

this proposal in light of the comments
it receives.

Availability of Rulemaking Documents

An electronic copy of this document
may be downloaded through the
internet at www.regulations.gov.
Recently published rulemaking
documents can also be accessed through
the FAA's web page at [www.faa.gov/air_
traffic/publications/airspace_
amendments/](http://www.faa.gov/air_traffic/publications/airspace_amendments/).

You may review the public docket
containing the proposal, any comments
received and any final disposition in
person in the Dockets Operations office
(see **ADDRESSES** section for address,
phone number, and hours of
operations). An informal docket may
also be examined during normal
business hours at the office of the
Western Service Center, Federal
Aviation, 2200 South 216th St., Des
Moines, WA 98198.

Incorporation by Reference

Alaskan VOR Federal airways are
published in paragraph 6010(b) of FAA
Order JO 7400.11, Airspace
Designations and Reporting Points,
which is incorporated by reference in 14
CFR 71.1 on an annual basis. This
document proposes to amend the
current version of that order, FAA Order
JO 7400.11G, dated August 19, 2022,
and effective September 15, 2022. These
updates would be published in the next
update to FAA Order JO 7400.11. That
order 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.

Background

The VOR Federal airway V–489
identifier is used in Alaska and in the
New Jersey/New York area. The Alaskan
V–489 is a short segment that extends
between the Galena, AK, VOR/Distance
Measuring Equipment (VOR/DME) and
Tanana, AK, VOR/DME navigational
aids (NAVAID). The Domestic V–489
extends between the Sparta, NJ, VOR/
Tactical Air Navigation (VORTAC) and
Albany, NY, VORTAC NAVAIDs.
Automated flight plans that include the
Domestic V–489 routinely appear in the
Anchorage ARTCC computer system
when they are intended for New York
ARTCC. As a result, pilots are unable to
activate their flight plan. Correcting the
flight plan conflicts within the
computers is not feasible due to the
Anchorage and New York ARTCCs
utilizing different computer systems and
flight data processors.

The Proposal

The FAA proposes to amend 14 CFR part 71 by revoking Alaskan VOR Federal airway V-489 in its entirety. Revoking the Alaskan V-489 would eliminate the confusion between the Alaskan V-489 and the Domestic V-489 and resolve the automated flight plan conflicts the confusion causes with the Anchorage and New York ARTCCs. The FAA is proposing to revoke Alaskan VOR Federal airway V-489 in its entirety. The Domestic VOR Federal airway V-489 would remain unchanged.

Other existing routes would mitigate the loss of the Alaskan V-489. Currently, Alaskan the V-489 offers indirect routing between the Galena, AK, VOR/DME and the Tanana, AK, VOR/DME NAVAIDs; however, two other routes—Alaskan VOR Federal airway V-488 and Area Navigation (RNAV) route T-225—offer direct routing between these two NAVAIDs.

Regulatory Notices and Analyses

The FAA has determined that this proposed 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. 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.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed 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 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.

§ 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 6010(b) Alaskan VOR Federal Airways.

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V-489 [Remove]

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Issued in Washington, DC.

Brian Konie,

Acting Manager, Airspace Rules and Regulations.

[FR Doc. 2023–04780 Filed 3–8–23; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 251

RIN 0596–AD35

Land Uses; Special Uses; Cost Recovery, Strict Liability Limit, and Insurance

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Proposed rule; request for public comment.

SUMMARY: The Forest Service (Forest Service or Agency), United States Department of Agriculture, is proposing to amend its special use regulations to update the processing and monitoring fee schedules based on current Agency costs; to provide for recovery of costs associated with processing special use proposals, as well as applications; and to remove the exemption for commercial recreation special use applications and authorizations that involve 50 hours or less to process or monitor. In addition, the Forest Service is proposing to amend its special use regulations to increase the strict liability limit consistent with the strict liability limit established by the United States Department of the Interior, Bureau of Land Management, and to expressly

provide for requiring holders of a special use authorization to obtain insurance, as needed.

DATES: Comments on this proposed rule must be received in writing by May 8, 2023.

ADDRESSES: Comments, identified by RIN 0596–AD35, should be sent via one of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for sending comments;
2. *Email:* SM.FS.WO_LandStaff@usda.gov;
3. *Mail:* Director, Lands and Realty Management Staff, 201 14th Street SW, Washington, DC 20250–1124; or
4. *Hand Delivery/Courier:* Director, Lands and Realty Management Staff, 1st Floor Southeast, 201 14th Street SW, Washington, DC 20250–1124.

Comments should be confined to issues pertinent to the proposed rule, should explain the reasons for any recommended changes, and should reference the specific section and wording being addressed, where possible. All comments, including names and addresses when provided, will be placed in the record and will be available for public inspection and copying. The public may inspect comments received on this proposed rule at the Office of the Director, Lands and Realty Management Staff, 201 14th Street SW, 1st Floor Southeast, Sidney R. Yates Federal Building, Washington, DC 20024, on business days between 8:30 a.m. and 4 p.m. Visitors are encouraged to call ahead at 202–205–1680 to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT:

Reginal Woodruff, Acting Assistant Director, Washington Office Lands and Realty Management Staff, 202–644–5974 or reginal.woodruff@usda.gov.

Individuals who use telecommunication devices for the deaf and hard of hearing (TDD) may call the Federal Relay Service at 800–877–8339 24 hours a day, every day of the year, including holidays.

SUPPLEMENTARY INFORMATION:

1. Background and Need

The Forest Service administers approximately 74,000 special use authorizations for use and occupancy of National Forest System (NFS) lands for a wide variety of purposes, including powerline facilities, communications facilities, outfitting and guiding, campground concessions, and four-season resorts. The activities and facilities authorized by special use authorizations contribute significantly to the national economy and the social