

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

[Docket No. FAA–2022–0220; Airspace
Docket No. 19–AAL–67]

RIN 2120–AA66

**Amendment of United States Area
Navigation (RNAV) Route T–242;
Utqiagvik, AK**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends United States RNAV route T–242 in the vicinity of Utqiagvik, AK, in support of a large and comprehensive T-route modernization project for the state of Alaska.

DATES: Effective date 0901 UTC, November 30, 2023. 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: A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11H, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

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 expands the availability of RNAV in Alaska and improves the efficient flow of air traffic within the National Airspace System by lessening the dependency on ground based navigation.

History

The FAA published a NPRM for Docket No. FAA–2022–0220 in the **Federal Register** (87 FR 16683; March 24, 2022), amending RNAV route T–242 in the vicinity of Utqiagvik, 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.

Incorporation by Reference

United States Area Navigation routes are published in paragraph 6011 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 amends the current version of that order, FAA Order JO 7400.11H, dated August 11, 2023, and effective September 15, 2023. FAA Order JO 7400.11H is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11H 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 amending RNAV route T–242 in the vicinity of Utqiagvik, AK, in support of a large and comprehensive T-route modernization project in the state of Alaska. The amendment is described below.

T–242: T–242 extends between the Talkeetna, AK, Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME) and the Barrow, AK, VOR/DME. The route is amended by removing the KUTDE, AK, and LACIL, AK, waypoints (WPs) from the route description since they are not required to retain the route’s structure. The WPs will remain in the National Airspace System Resources database and continue to be depicted on the Instrument Flight Rules En Route charts. Additionally, the HUMUB, AK, WP is

added to the legal description to provide connectivity to a future proposed RNAV route in the area. Lastly, the route is described in a west to east order to conform with existing regulatory guidance.

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 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 amending RNAV route T–242 in the vicinity of Utqiagvik, 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:

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 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, is amended as follows:

Paragraph 6011 United States Area Navigation Routes.

* * * * *

T-242 BARROW, AK (BRW) TO TALKEETNA, AK (TKA) [AMENDED]

Barrow, AK (BRW)	VOR/DME	(Lat. 71°16'24.33" N, long. 156°47'17.22" W)
JOKAP, AK	WP	(Lat. 63°54'46.48" N, long. 150°58'29.25" W)
HUMUB, AK	WP	(Lat. 62°25'20.31" N, long. 150°13'49.23" W)
Talkeetna, AK (TKA)	VOR/DME	(Lat. 62°17'54.16" N, long. 150°06'18.90" W)

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Issued in Washington, DC, on September 19, 2023.

Karen L. Chiodini,

Acting Manager, Rules and Regulations Group.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA–2023–1802; Airspace Docket No. 23–ASW–13]

RIN 2120–AA66

Renaming of Restricted Areas R–6302A, R–6302B, R–6302C, R–6302D, and R–6302E, and Updating the Using Agency, U.S. Army, Commanding General, III Armored Corps and Fort Cavazos, Fort Cavazos, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action is an administrative change to rename the location of restricted areas R–6302A, R–6302B, R–6302C, R–6302D, and R–6302E and to update the name of the listed using agency for those restricted areas. This action partially implements recommendations of the Commission on the Naming of Items (Naming Commission) of the Department of Defense (DoD) as established by section 370 of the Fiscal Year (FY) 2021 National Defense Authorization Act (NDAA). Additionally, this action makes minor editorial corrections to the designated altitudes contained in three

of the restricted areas and to the geographic coordinates of one boundary point in one of the restricted areas. These amendments do not affect the overall restricted area complex boundaries, operational altitudes, times of designation, or activities conducted within the airspace.

DATES: Effective 0901 UTC, November 30, 2023.

ADDRESSES: A copy of this final rule, and all background material may be viewed online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, 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 updates the information in the airspace descriptions of restricted areas R–6302A, R–6302B,

R–6302C, R–6302D, and R–6302E and the name of their using agency.

Background

The FY 2021 NDAA directed the DoD to establish a commission relating to assigning, modifying, or removing of names, symbols, displays, monuments, and paraphernalia to assets of the DoD that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America.¹ In January 2023, the Secretary of Defense directed all DoD organizations to begin full implementation of the Naming Commission's recommendations. As approved by the Secretary of Defense, the name “Fort Hood, TX” is changed to “Fort Cavazos, TX”. Consequently, this rulemaking action implements the requisite changes to part 73 by updating the airspace description titles and using agencies of restricted areas R–6302A, R–6302B, R–6302C, R–6302D, and R–6302E to reflect the new name.

Additionally, in reviewing the Fort Hood restricted areas complex, the FAA identified restricted area R–6302A and the overlapping R–6302E contained the same 30,000 feet mean sea level (MSL) altitude in both designated altitudes descriptions. To correct this altitude overlap while both restricted areas are active, the designated altitude information for R–6302A is being changed from extending upward from the surface to 30,000 feet MSL to extending upward from the surface to, but not including 30,000 feet MSL. That will overcome the designated altitudes overlap issue without impacting the operations conducted within the restricted areas when they are active

¹ Public Law 116–283, 134 Stat. 3388, Jan. 1, 2021.