

**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](http://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](http://www.regulations.gov), as described in  
the system of records notice (DOT/ALL–  
14 FDMS), which can be reviewed at  
[www.dot.gov/privacy](http://www.dot.gov/privacy).

*Docket:* Background documents or  
comments received may be read at  
[www.regulations.gov](http://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](http://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.*

\* \* \* \* \*

### V-489 [Remove]

\* \* \* \* \*

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](mailto: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](mailto: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