

are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2009-0052/Airspace Docket No. 09-AGL-1." The postcard will be date/time stamped and returned to the commenter.

#### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration (FAA), Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

#### The Proposal

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), Part 71 by adding additional Class E airspace for SIAPs operations at Gogebic Iron County Airport, Ironwood, MI. The area would be depicted on appropriate aeronautical charts.

Class E airspace areas are published in Paragraph 6005 of FAA Order 7400.9S, dated October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

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 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 U.S. Code. Subtitle 1, 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 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 would add additional controlled airspace at Gogebic Iron County Airport, Ironwood, MI.

#### 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; AIRWAYS; 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 Federal Aviation Administration Order 7400.9S, Airspace Designations and Reporting Points, dated October 3, 2008, and effective October 31, 2008, is amended as follows:

*Paragraph 6005 Class E Airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AGL MI E5 Ironwood, MI [Amended]

Gogebic Iron County Airport, MI  
(Lat. 46°31'39" N., long. 90°07'53" W.)  
Ironwood ILS  
(Lat. 46°31'39" N., long. 90°09'12" W.)  
Ironwood VORTAC  
(Lat. 46°31'56" N., long. 90°07'33" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Gogebic Iron County Airport and within 3.5 miles each side of the ILS localizer course extending from the 6.6-mile radius to 10.2 miles east of the airport and within 3.2 miles each side of the Ironwood VORTAC 104° radial extending from the 6.6-mile radius to 11.7 miles southeast of the VORTAC, and within 2.4 miles each side of the Ironwood VORTAC 260° radial extending from the 6.6-mile radius to 7 miles west of the VORTAC and within 4 miles each side of the 090° bearing from the airport extending from the 6.6-mile radius to 11.4 miles east of the airport; and that airspace extending upward from 1,200 feet above the surface within a 21-mile radius of the Ironwood VORTAC.

\* \* \* \* \*

Issued in Fort Worth, TX on February 2, 2009.

**Anthony D. Roetzel,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. E9-2999 Filed 2-11-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

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

**RIN 2120-AA66**

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

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to establish twenty three Area Navigation (RNAV) routes, and revise fourteen RNAV routes, in the State of Alaska. Additionally, this action proposes to remove 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 proposing this action to enhance safety and to improve the efficient use of the navigable airspace in Alaska.

**DATES:** Comments must be received on or before March 30, 2009.

**ADDRESSES:** Send comments on the proposal to the U.S. Department of Transportation, Dockets Operations, M-30, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; telephone: (202) 366-9826. You must identify docket No. FAA-2008-0926 and Airspace Docket No. 08-AAL-24, at the beginning of your comments. You may also submit comments on the Internet at <http://www.regulations.gov>.

**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:**

##### **Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2008-0926 and Airspace Docket No. 08-AAL-24) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2008-0926 and Airspace Docket No. 08-AAL-24." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned

with this rulemaking will be filed in the docket.

##### **Availability of NPRMs**

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/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 Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Alaska Flight Service Operations, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

##### **Background**

The FAA is establishing RNAV routes focusing on developing and implementing improvements in navigation structure and operating methods to allow more flexible and efficient en route operations in the National Airspace System. RNAV routes provide greater freedom to properly equipped users and achieves the economic benefits of flying user-selected non-restrictive routings. RNAV routes will be identified by the letter prefix "Q" for routes flight level (FL) 180 and above, and "T" for routes below FL 180 followed by a number consisting of one to three digits. This specific effort focuses on developing and implementing improvements in navigation structure for more efficient en route operations in the Alaska airspace environment. To help accomplish this goal, the FAA asked for user feedback to help place routing in the most efficient manner. As a result, twelve of the charted thirty three Alaskan T routes are proposed to be revised. Nine new T routes are proposed to be established, along with fourteen new Q routes. Additionally, four T routes are proposed to be removed. Final rules for Area Navigation routes will contain a general route outline and

no longer contain the individual coordinates for each navigational aid, waypoint or fix. The coordinates will be published in the National Flight Data Digest and subsequently in FAA Order 7350.8 Location Identifiers.

##### **Related Rulemaking**

On April 8, 2003, the FAA published the Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes, and Reporting Points rule in the **Federal Register** (68 FR 16943). This rule adopted certain amendments proposed in Notice No. 02-20, Area Navigation (RNAV) and Miscellaneous Amendments. The rule revised and adopted several definitions in FAA regulations, including Air Traffic Service Routes, to be in concert with International Civil Aviation Organization (ICAO) definitions; and reorganized the structure of FAA regulations concerning the designation of Class A, B, C, D, and E airspace areas; airways; routes; and reporting points. The purpose of the rule was to facilitate the establishment of RNAV routes in the NAS for use by aircraft with advanced navigation system capabilities.

##### **The Proposal**

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to establish fourteen high altitude Area Navigation (RNAV) routes, and nine low altitude RNAV routes, in the State of Alaska. Additionally, this action proposes to revise one high altitude route, fourteen low altitude routes, and remove four existing "T" routes that are no longer required. These routes are being proposed to enhance safety, and to facilitate the more flexible and efficient use of the navigable airspace for en route instrument flight rules (IFR) operations within the state of Alaska. This proposal will improve operator efficiency, access and safety, while incrementally reducing dependency on ground based navigation facilities. A graphical representation of this proposal is on the web (downloadable PDF file) at: [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ato/service\\_units/systemops/fs/alaskan/notices/RNAV\\_Routes/](http://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/fs/alaskan/notices/RNAV_Routes/). These areas would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83.

The High Altitude RNAV Routes are published in paragraph 2006, and the Low Altitude RNAV 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 proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed 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 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 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.*

\* \* \* \* \*

#### 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. 144°08'16" W.)

#### 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.)
<b>Q-55 ODK to OME [New]</b>		
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.)
<b>Q-57 AKN to MCG [New]</b>		
AKN	VORTAC	(Lat. 58°43'29" N., long. 156°45'08" W.)
MCG	VORTAC	(Lat. 62°57'04" N., long. 155°36'41" W.)
<b>Q-59 CDB to BET [New]</b>		
CDB	VORTAC	(Lat. 55°16'03" N., long. 162°46'27" W.)
BET	VORTAC	(Lat. 60°47'05" N., long. 161°49'28" W.)
<b>Q-61 FAI to BRW [New]</b>		
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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<b>Q-16 ODK to YAK [Revised]</b>		
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.*

\* \* \* \* \*

<b>T-269 BET to ANN [New]</b>		
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.)
BAK	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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<b>T-271 CDB to AMOTT [New]</b>		
CDB	VORTAC	(Lat. 55°16'03" N., long. 162°46'27" W.)
BINAL	FIX	(Lat. 55°46'00" N., long. 161°59'56" W.)
AKN	VORTAC	(Lat. 58°43'29" N., long. 156°45'08" W.)
AMOTT	FIX	(Lat. 60°53'56" N., long. 151°21'46" W.)

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<b>T-273 FAI to ROCES [New]</b>		
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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<b>T-275 BET to UNK [New]</b>		
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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<b>T-277 BTT to PIZ [New]</b>		
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.)

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<b>T-278 HAPIT to SSR [New]</b>		
HAPIT	FIX	(Lat. 58°11'58" N., long. 137°31'12" W.)
SSR	VORTAC	(Lat. 58°10'40" N., long. 135°15'32" W.)

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<b>T-279 ALEUT to BET [New]</b>		
ALEUT	FIX	(Lat. 54°14'17" N., long. 166°32'52" W.)
BET	VORTAC	(Lat. 60°47'05" N., long. 161°49'28" W.)

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<b>T-280 FLIPS to LVD [New]</b>							
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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<b>T-282 VENCE to FAI [New]</b>							
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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<b>T-219 DLG to AIX [Revised]</b>							
DLG	VOR/DME	(Lat. 58°59'39" N., long. 158°33'08" W.)					
RUFVY	WP	(Lat. 59°56'34" N., long. 161°49'28" W.)					
AIX	NDB/DME	(Lat. 60°23'06" N., long. 166°12'53" W.)					
	*	*	*	*	*	*	*
<b>T-222 BAERE TO FAI [Revised]</b>							
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. 161°49'28" 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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<b>T-223 EHM to AMOTT [Revised]</b>							
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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<b>T-227 SYA to SCC [Revised]</b>							
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°06'22" 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.)					
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<b>T-228 EHM to ROCES [Revised]</b>							
EHM	NDB/DME	(Lat. 58°39'24" N., long. 162°04'17" W.)					
RUFVY	WP	(Lat. 59°56'34" N., long. 161°49'28" 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.)					
	*	*	*	*	*	*	*
<b>T-231 FAI to OTZ [Revised]</b>							
FAI	VORTAC	(Lat. 64°48'00" N., long. 148°00'43" W.)					
OTZ	VOR/DME	(Lat. 66°53'09" N., long. 162°32'24" W.)					

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<b>T-232 BRW to ORT [Revised]</b>						
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.)				
*	*	*	*	*	*	*
<b>T-240 BTT to SCC [Revised]</b>						
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.)				
*	*	*	*	*	*	*
<b>T-246 BRW to ANC [Revised]</b>						
BRW	VOR/DME	(Lat. 71°16'24" N., long. 156°47'17" W.)				
GAL	VORTAC	(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.)				
*	*	*	*	*	*	*
<b>T-248 GAM to ENM [Revised]</b>						
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.)				
*	*	*	*	*	*	*
<b>T-250 ULL to BET [Revised]</b>						
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.)				
*	*	*	*	*	*	*
<b>T-252 OME to SCC [Revised]</b>						
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.)				
*	*	*	*	*	*	*
<b>T-260 PHO to OME [Revised]</b>						
PHO	NDB	(Lat. 68°20'41" N., long. 166°47'51" W.)				
COGNO	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°29'07" N., long. 165°15'11" W.)				
*	*	*	*	*	*	*
<b>T-239 GAM to ULL [Remove]</b>						
*	*	*	*	*	*	*
<b>T-256 GAL to BRW [Remove]</b>						
*	*	*	*	*	*	*
<b>T-258 SHH to PHO [Remove]</b>						
*	*	*	*	*	*	*
<b>T-268 FPN to ICK [Remove]</b>						
*	*	*	*	*	*	*

Issued in Washington, DC, on January 14, 2009.

Edith V. Parish,

Manager, Airspace and Rules Group.

[FR Doc. E9-2976 Filed 2-11-09; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA-2008-1261; Airspace  
Docket No. 06-ASO-18]

#### Proposed Amendment and Establishment of Restricted Areas and Other Special Use Airspace, Avon Park Air Force Range; FL

**AGENCY:** Federal Aviation  
Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking  
(NPRM).

**SUMMARY:** This action proposes to restructure the special use airspace (SUA), consisting of restricted areas and military operations areas (MOA), at the Avon Park Air Force Range (APAFR), Florida. The proposed changes would provide additional restricted airspace needed for training in high altitude weapons releases and other hazardous activities, and would reconfigure the MOAs to contain nonhazardous flight operations. The changes would permit more realistic training in modern tactics to be conducted at the Range and enable more efficient use of the National Airspace System.

**DATES:** Comments must be received on or before March 30, 2009.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; telephone: (202) 366-9826. You must identify FAA Docket No. FAA-2008-1261 and Airspace Docket No. 06-ASO-18, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>. Comments on environmental and land use aspects should be directed to: 23rd Wing, Det 1, OLA/CEVN, Avon Park Air Force Range Natural Resources Office, 29 South Blvd., Avon Park AFR FL 33825-9381 (Mr. Tod Zechiel; telephone: (863) 452-4119, ext. 328).

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, 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:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Comments are also invited on the nonregulatory MOA portion of this proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2008-1261 and Airspace Docket No. 06-ASO-18) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2008-1261 and Airspace Docket No. 06-ASO-18." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person at the Dockets Office (see **ADDRESSES** section for address and

phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Ave., College Park, GA 30337.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

##### History

The special use airspace at the Avon Park Air Force Range includes restricted areas and MOAs. The restricted areas support a variety of hazardous activities including both ground-based and air-delivered weapons employment. Restricted areas are regulatory airspace areas that are designated under Title 14, Code of Federal Regulations (14 CFR) part 73 rulemaking procedures. Restricted areas are designated to contain activities that may present a hazard to aircraft. No person may operate an aircraft within a restricted area without the advance permission of the using or controlling agency.

The APAFR MOAs are used primarily as holding and maneuvering areas for aircraft operating in the restricted areas. MOAs are nonregulatory airspace areas that are established administratively and published in the National Flight Data Digest (NFDD). MOAs are established to separate or segregate non-hazardous military flight activities from aircraft operating in accordance with instrument flight rules (IFR), and to advise pilots flying under visual flight rules (VFR) where these activities are conducted. IFR aircraft may be routed through an active MOA only when air traffic control can provide approved separation from the MOA activity. VFR pilots are not restricted from flying in an active MOA, but are advised to exercise caution while doing so. Normally, MOA proposals are not published in a NPRM but, instead, are advertised for public comment through a nonrule circular distributed by the FAA Service Center office to aviation interests in the affected area. When a nonrulemaking action is an integral part of a rulemaking action, FAA procedures allow for the nonrulemaking proposal to be included in the NPRM. Because the MOAs are an integral part of the Avon Park Range, the proposed changes are being described in this NPRM. Comments on the proposed MOA changes may also be submitted as