

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 97

[Docket No. 31382; Amdt. No. 3967]

**Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final rule.

**SUMMARY:** This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures (SIAPS) and associated Takeoff Minimums and Obstacle Departure Procedures (ODPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective August 5, 2021. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 5, 2021.

**ADDRESSES:** Availability of matters incorporated by reference in the amendment is as follows:

**For Examination**

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590-0001.

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Information Services, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**Availability**

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at [nfdc.faa.gov](https://nfdc.faa.gov) to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

**FOR FURTHER INFORMATION CONTACT:**

Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29, Room 104, Oklahoma City, OK 73169. Telephone (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This rule amends 14 CFR part 97 by establishing, amending, suspending, or removes SIAPS, Takeoff Minimums and/or ODPs. The complete regulatory description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms 8260-3, 8260-4, 8260-5, 8260-15A, 8260-15B, when required by an entry on 8260-15A, and 8260-15C.

The large number of SIAPs, Takeoff Minimums and ODPs, their complex nature, and the need for a special format make publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their graphic depiction on charts printed by publishers or aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA form documents is unnecessary. This amendment provides the affected CFR sections and specifies the typed of SIAPS, Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure, and the amendment number.

**Availability and Summary of Material Incorporated by Reference**

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPS, Takeoff Minimums and/or ODPs as identified in the amendatory language for part 97 of this final rule.

**The Rule**

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flights safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making some SIAPs effective in less than 30 days.

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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial

number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on July 23, 2021.

**Wade E.K. Terrell,**

*Aviation Safety, Flight Standards Service, Manager (A), Flight Technologies and Procedures Division.*

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure Procedures effective at 0901 UTC on the dates specified, as follows:

#### PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

##### *Effective 9 September 2021*

Marathon, FL, KMTH, RNAV (GPS) RWY 7, Orig-B  
Lincoln Park, NJ, N07, RNAV (GPS) RWY 1, Amdt 1  
Lincoln Park, NJ, N07, RNAV (GPS) RWY 19, Amdt 1

##### *Effective 7 October 2021*

Koyukuk, AK, Koyukuk, DIBVY THREE Graphic DP  
Port Alsworth, AK, Wilder Runway, LLC, MARVN ONE Graphic DP  
Port Alsworth, AK, PAKX, RNAV (GPS) RWY 6R, Orig  
Port Alsworth, AK, Wilder Runway, LLC, Takeoff Minimums and Obstacle DP, Orig  
Talladega, AL, KASN, RNAV (GPS) RWY 4, Amdt 2A  
Blytheville, AR, KHKA, RNAV (GPS) RWY 18, Orig-A  
Blytheville, AR, KHKA, RNAV (GPS) RWY 36, Orig-B  
Corning, AR, 4M9, RNAV (GPS) RWY 18, Orig-D  
Corning, AR, 4M9, RNAV (GPS) RWY 36, Orig-E  
Crossett, AR, KCRT, RNAV (GPS) RWY 23, Orig-D  
Crossett, AR, KCRT, VOR–A, Orig-D, CANCELLED  
Hope, AR, M18, RNAV (GPS) RWY 4, Orig-A  
Hope, AR, M18, RNAV (GPS) RWY 22, Orig-A

Lake Village, AR, M32, VOR–A, Amdt 8C, CANCELLED  
Mc Gehee, AR, 7M1, VOR/DME–A, Amdt 3, CANCELLED  
Monticello, AR, KLLQ, RNAV (GPS) RWY 3, Amdt 1E  
Monticello, AR, KLLQ, VOR–A, Amdt 6C, CANCELLED  
Pine Bluff, AR, KPBF, ILS OR LOC RWY 18, Amdt 3E  
Los Angeles, CA, KLAX, ILS OR LOC RWY 25L, ILS RWY 25L (CAT II), ILS RWY 25L (CAT III), Amdt 14D  
Los Angeles, CA, KLAX, RNAV (RNP) Z RWY 24R, Amdt 1D  
Oakdale, CA, O27, RNAV (GPS) RWY 10, Amdt 2A  
Redlands, CA, Redlands Muni, Takeoff Minimums and Obstacle DP, Orig-B  
Denver, CO, KDEN, ILS OR LOC RWY 34L, ILS RWY 34L (SA CAT I), ILS RWY 34L (CAT II), ILS RWY 34L (CAT III), Amdt 2C  
Denver, CO, KDEN, RNAV (GPS) Y RWY 34L, Amdt 2D  
Immokalee, FL, KIMM, RNAV (GPS) RWY 36, Amdt 1B  
Lakeland, FL, Lakeland Linder Intl, Takeoff Minimums and Obstacle DP, Amdt 1C  
Orlando, FL, KMCO, ILS OR LOC RWY 18R, Amdt 11A  
Orlando, FL, KMCO, RNAV (GPS) RWY 18R, Amdt 2A  
Quincy, FL, 2J9, RNAV (GPS)-A, Orig  
Quincy, FL, 2J9, VOR/DME–A, Amdt 1, CANCELLED  
Washington, GA, KIIY, VOR/DME RWY 13, Amdt 3B, CANCELLED  
Ankeny, IA, KIKV, RNAV (GPS) RWY 22, Amdt 1A  
Jefferson, IA, KEFW, NDB RWY 32, Amdt 6A, CANCELLED  
Jefferson, IA, KEFW, RNAV (GPS) RWY 14, Amdt 1  
Jefferson, IA, KEFW, RNAV (GPS) RWY 32, Amdt 1  
Jefferson, IA, Jefferson Muni, Takeoff Minimums and Obstacle DP, Amdt 4  
Mapleton, IA, KMEY, RNAV (GPS) RWY 2, Orig-C  
Lewiston, ID, KLWS, RNAV (RNP) Z RWY 12, Orig-B  
Cairo, IL, KCIR, NDB RWY 14, Amdt 2C, CANCELLED  
Cairo, IL, KCIR, RNAV (GPS) RWY 32, Orig-C  
Decatur, IL, KDEC, VOR RWY 36, Amdt 17A  
Freeport, IL, KFEP, ILS OR LOC RWY 24, Orig-B  
Freeport, IL, KFEP, RNAV (GPS) RWY 24, Amdt 1B  
Freeport, IL, KFEP, VOR RWY 24, Amdt 7A, CANCELLED  
Peoria, IL, KPIA, ILS OR LOC RWY 4, ILS RWY 4 (SA CAT I), ILS RWY 4 (SA CAT II), Amdt 4  
Peoria, IL, KPIA, VOR OR TACAN RWY 13, Amdt 24  
Poplar Grove, IL, C77, RNAV (GPS)-A, Orig  
Poplar Grove, IL, C77, VOR–A, Orig, CANCELLED  
Rochelle, IL, KRPI, VOR–A, Amdt 8B, CANCELLED  
Griffith, IN, Griffith-Merrill Ville, Takeoff Minimums and Obstacle DP, Amdt 4B  
Seymour, IN, KSER, RNAV (GPS) RWY 14, Amdt 1A

Warsaw, IN, KASW, ILS OR LOC RWY 27, Amdt 2  
Warsaw, IN, KASW, RNAV (GPS) RWY 9, Amdt 1  
Warsaw, IN, KASW, RNAV (GPS) RWY 27, Amdt 1  
Warsaw, IN, Warsaw Muni, VOR RWY 9, Amdt 6, CANCELLED  
Abilene, KS, Abilene Muni, Takeoff Minimums and Obstacle DP, Orig-B  
Elkhart, KS, KEHA, RNAV (GPS) RWY 4, Amdt 1C  
Elkhart, KS, KEHA, RNAV (GPS) RWY 17, Amdt 1C  
Elkhart, KS, KEHA, RNAV (GPS) RWY 22, Amdt 1C  
Elkhart, KS, KEHA, RNAV (GPS) RWY 35, Amdt 1D  
Mc Pherson, KS, KMPR, VOR RWY 36, Amdt 6C  
Neodesha, KS, Neodesha Muni, Takeoff Minimums and Obstacle DP, Orig-A  
New Orleans, LA, KMSY, ILS OR LOC RWY 2, Amdt 20  
New Orleans, LA, KMSY, RNAV (GPS) RWY 2, Amdt 3  
Boston, MA, General Edward Lawrence Logan Intl, Takeoff Minimums and Obstacle DP, Amdt 15  
Carrabassett, ME, B21, RNAV (GPS)-A, Amdt 1  
Detroit, MI, KYIP, RNAV (GPS) RWY 5L, Amdt 1B, CANCELLED  
Detroit, MI, KYIP, RNAV (GPS) RWY 23R, Amdt 1B, CANCELLED  
Manistee, MI, KMBL, VOR RWY 10, Amdt 1B, CANCELLED  
Detroit Lakes, MN, KDTL, RNAV (GPS) RWY 32, Amdt 2A  
Fairmont, MN, KFRM, RNAV (GPS) RWY 31, Orig-B  
Marshall, MN, KMML, RNAV (GPS) RWY 30, Orig-C  
Caruthersville, MO, M05, VOR/DME RWY 18, Orig-B, CANCELLED  
Dexter, MO, KDxE, VOR/DME RWY 36, Amdt 6A, CANCELLED  
Houston, MO, Houston Meml, Takeoff Minimums and Obstacle DP, Amdt 1  
Kennett, MO, KTKX, VOR/DME RWY 20, Amdt 1A, CANCELLED  
Kirkville, MO, KIRK, ILS OR LOC RWY 36, Amdt 1C  
Macon, MO, K89, VOR RWY 2, Amdt 2, CANCELLED  
Moberly, MO, KMBY, RNAV (GPS) RWY 13, Orig-C  
Moberly, MO, KMBY, VOR/DME–A, Amdt 4, CANCELLED  
Monroe City, MO, K52, RNAV (GPS) RWY 9, Orig-B  
New Madrid, MO, KEIW, VOR/DME–A, Amdt 4A, CANCELLED  
Tarkio, MO, K57, RNAV (GPS) RWY 18, Amdt 1  
Tarkio, MO, K57, RNAV (GPS) RWY 36, Amdt 1  
Tarkio, MO, Gould Peterson Muni, Takeoff Minimums and Obstacle DP, Amdt 2  
Hattiesburg-Laurel, MS, KPIB, RNAV (GPS) RWY 18, Amdt 1A  
Hamilton, MT, 6S5, RNAV (GPS)-A, Orig-A, CANCELLED  
Hamilton, MT, 6S5, RNAV (GPS)-B, Orig-A, CANCELLED  
Hardin, MT, 00U, RNAV (GPS) RWY 26, Amdt 1

Elkin, NC, KZEF, NDB-A, Orig, CANCELLED  
Kindred, ND, K74, RNAV (GPS) RWY 11,  
Amdt 1E  
Kindred, ND, K74, RNAV (GPS) RWY 29,  
Amdt 1E  
Watford City, ND, Watford City Muni,  
Takeoff Minimums and Obstacle DP, Amdt  
2  
Burwell, NE, KBUB, RNAV (GPS) RWY 33,  
Orig-B  
Lincoln, NE, KLNK, ILS Y OR LOC Y RWY  
18, Amdt 7C  
Lincoln, NE, KLNK, ILS Y OR LOC Y RWY  
36, Amdt 11K  
Lincoln, NE, KLNK, VOR Y RWY 18, Amdt  
13B  
Dayton, OH, KDAY, ILS OR LOC RWY 24R,  
Amdt 10B  
Hamilton, OH, KHAO, ILS OR LOC RWY 29,  
Amdt 2A  
Waverly, OH, KEOP, RNAV (GPS) RWY 7,  
Amdt 1B  
Waverly, OH, KEOP, RNAV (GPS) RWY 25,  
Amdt 1B  
Corvallis, OR, KCVO, RNAV (GPS) RWY 17,  
Amdt 1B  
Corvallis, OR, KCVO, RNAV (GPS) RWY 35,  
Amdt 3A  
La Grande, OR, KLG, NDB-B, Amdt 2  
La Grande, OR, La Grande/Union County,  
Takeoff Minimums and Obstacle DP, Amdt  
4  
Conway, SC, KHYW, NDB RWY 4, Orig-D  
Huron, SD, Huron Rgnl, Takeoff Minimums  
and Obstacle DP, Amdt 5A  
Clarksville, TN, KCKV, RNAV (GPS) RWY  
17, Amdt 1B  
Dyersburg, TN, Dyersburg Rgnl, Takeoff  
Minimums and Obstacle DP, Amdt 1A  
Dyersburg, TN, KDYR, VOR-A, Amdt 18B,  
CANCELLED  
Memphis, TN, KMEM, RNAV (GPS) Z RWY  
18C, Amdt 2C  
Memphis, TN, KMEM, RNAV (GPS) Z RWY  
18L, Amdt 2E  
Memphis, TN, KMEM, RNAV (GPS) Z RWY  
18R, Amdt 2G  
Comanche, TX, KMKV, RNAV (GPS) RWY  
35, Orig-B  
Houston, TX, KHOU, RNAV (GPS) RWY 17,  
Amdt 1B, CANCELLED  
Houston, TX, KHOU, RNAV (GPS) RWY 35,  
Amdt 1C, CANCELLED  
Houston, TX, William P Hobby, Takeoff  
Minimums and Obstacle DP, Amdt 7A  
Midland, TX, KMAF, RADAR 1, Amdt 7A,  
CANCELLED  
Van Horn, TX, KVHN, RNAV (GPS) RWY 21,  
Orig-B  
Martinsville, VA, KMTV, RNAV (GPS) RWY  
13, Amdt 2A  
Highgate, VT, KFSO, RNAV (GPS) RWY 19,  
Amdt 2  
Land O' Lakes, WI, Kings Land O' Lakes,  
Takeoff Minimums and Obstacle DP, Amdt  
5  
Wheeling, WV, KHLG, ILS OR LOC RWY 3,  
Amdt 23A

[FR Doc. 2021-16584 Filed 8-4-21; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Parts 4 and 5

[Docket No. RM20-21-000; Order No. 877]

#### Removing Profile Drawing Requirement for Qualifying Conduit Notices of Intent and Revising Filing Requirements for Major Hydroelectric Projects 10 MW or Less

**AGENCY:** Federal Energy Regulatory  
Commission, Department of Energy.

**ACTION:** Final rule.

**SUMMARY:** In this final rule, the Federal Energy Regulatory Commission (Commission) is amending its regulations governing the filing requirements for qualifying conduits and certain major hydroelectric power projects. Specifically, the Commission is removing the requirement that a notice of intent to construct a qualifying conduit include a profile drawing showing the source of the hydroelectric potential in instances where a dam would be constructed in association with the facility and extending the licensing requirements that currently apply to major projects up to 5 megawatts (MW) to major projects 10 MW or less, consistent with the amended definition of a small hydroelectric power project in the Hydropower Regulatory Efficiency Act of 2013.

**DATES:** This rule is effective October 4, 2021.

#### FOR FURTHER INFORMATION CONTACT:

Heather Campbell (Technical Information), Office of Energy Projects, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, (202) 502-6182, [heather.e.campbell@ferc.gov](mailto:heather.e.campbell@ferc.gov).

Kelly Houff (Technical Information), Office of Energy Projects, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, (202) 502-6393, [kelly.houff@ferc.gov](mailto:kelly.houff@ferc.gov).

John Matkowski (Technical Information), Office of Energy Projects, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, (202) 502-8576, [john.matkowski@ferc.gov](mailto:john.matkowski@ferc.gov).

Rachael Warden (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, (202) 502-8717, [rachael.warden@ferc.gov](mailto:rachael.warden@ferc.gov).

#### SUPPLEMENTARY INFORMATION:

## I. Background

1. By this final rule, the Federal Energy Regulatory Commission (Commission or FERC) is amending parts 4 and 5 of its regulations governing the filing requirements for qualifying conduits and certain major hydroelectric power projects. The Commission, under Part I of the Federal Power Act (FPA), licenses hydropower projects that are developed by non-Federal entities including individuals, private entities, states, municipalities, electric cooperatives, and others.

2. The Hydropower Regulatory Efficiency Act of 2013 (2013 HREA)<sup>1</sup> was signed into law on August 9, 2013. As explained below, changes implemented in response to the 2013 HREA form the basis for these revisions to the Commission's regulations.

## II. Notice of Proposed Rulemaking

3. On February 18, 2021, the Commission issued a notice of proposed rulemaking (NOPR) proposing to: (1) Remove the requirement that a notice of intent to construct a qualifying conduit include a profile drawing showing the source of the hydroelectric potential in instances where a dam would be constructed in association with the facility; and (2) extend the licensing requirements that currently apply to major projects up to 5 megawatts (MW) to major projects 10 MW or less, consistent with the amended definition of a small hydroelectric power project in the 2013 HREA.<sup>2</sup> The Commission did not receive any comments in response to the NOPR. The proposal set forth in the NOPR and the Commission's determination are discussed below.

## III. Discussion

### A. Qualifying Conduits

4. The NOPR explained that the 2013 HREA amended section 30 of the FPA to create a subset of small conduit facilities that are categorically excluded from the licensing and exemption requirements of the FPA. In 2014, the Commission issued Order No. 800, which became effective February 23, 2015, defining a "qualifying conduit hydropower facility" at § 4.30(b)(26) of its regulations.<sup>3</sup> Subsequently, section 30 of the FPA was amended by the

<sup>1</sup> Public Law 113-23, 127 Stat. 493 (2013).

<sup>2</sup> *Removing Profile Drawing Requirement for Qualifying Conduit Notices of Intent and Revising Filing Requirements for Major Hydroelectric Projects 10 MW or Less*, 86 FR 13506 (Mar. 9, 2021), 174 FERC ¶ 61,105 (2021).

<sup>3</sup> *See Revisions and Technical Corrections to Conform the Commission's Regulations to the Hydropower Regulatory Efficiency Act of 2013*, Order No. 800, 79 FR 59105 (Oct. 1, 2014), 148 FERC ¶ 61,197 (2014).