



**4910-13**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2018-0985; Airspace Docket No. 18-AWP-19]**

**RIN 2120-AA66**

**Amendment of Air Traffic Service (ATS) Route T-331; Western United States**

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Area Navigation (RNAV) Route T-331 in the western United States. The modification is necessary due to the planned decommissioning of the Clovis, CA, VOR portion of the VOR/Tactical Air Navigation (VORTAC) navigation aid (NAVAID), which provides navigation guidance for portions of affected ATS route V-23. The decommissioning has rendered portions of V-23 unusable and amending T-331 helps overcome affected portions of V-23. The Clovis, CA, VOR is being decommissioned as part of the FAA's VOR Minimum Operational Network (MON) program.

**DATES:** Effective date 0901 UTC, October 10, 2019. The Director of the FEDERAL REGISTER approves this incorporation by reference action under Title 1 Code of Federal Regulations part 51 subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11C, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/).

For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11C at NARA, call (202) 741-6030, or go to <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Ready, Airspace Policy Group, Office of Airspace Services, 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 modifies the air traffic service route structure in the western United States to maintain the efficient flow of air traffic.

**History**

On November 27, 2018, the FAA published a notice of proposed rulemaking (NPRM) for Docket No. FAA-2018-0985 in the FEDERAL REGISTER (83 FR 60786), amending RNAV

route T-331 in the western United States. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

United States Area Navigation Routes are published in paragraph 6011, of FAA Order 7400.11C dated August 13, 2018, and effective September 15, 2018, which is incorporated by reference in 14 CFR 71.1. The RNAV route listed in this document will be subsequently published in the Order.

### **Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018. FAA Order 7400.11C is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11C lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### **Differences from the NPRM**

Subsequent to publication of the NPRM, the FAA identified an unnecessary point along the route. PARZZ, NV WP is not required in the legal description because it is along a straight segment of the route. The deleted point does not change the direction of the flight, does not add length to any of the routes, and does not change the start or stop points of any of the routes. For these reasons the FAA in amending the legal descriptions in the best interest of the flying public.

### **The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by amending RNAV route T-331. The route changes are outlined below.

**T-331:** T-331 is amended from the FRAME, CA, FIX to the FONIA, ND, FIX. The FAA extended the route to the southeast by 15 miles to connect to the FRAME, CA, FIX, which is the new starting point of the RNAV route. The extension is for navigation in the low altitude

structure as V-23 is being gapped in a separate rulemaking action due to the decommissioning of the Clovis, CA, VOR. Additionally, five waypoints (WP) (ESSOH, CA, WP; HIXUP, NV, WP; WAHNZ, ID, WP; SPECT, MT, WP; and TRUED, MT, WP) and one FIX (CUTVA, NV, FIX) were removed as they were unnecessary to the RNAV route description required by policy.

### **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 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 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 action of modifying RNAV route T-331 in the western United States qualifies for categorical exclusion under the National Environmental Policy Act 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). As such, this action is not expected to result in any 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. 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 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 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, is amended as follows:

### **Paragraph 6011—United States Area Navigation Routes**

#### **T-331 FRAME, CA to FONIA, ND [Amended]**

FRAME, CA	FIX	(lat. 36°36'46.74"N., long. 119°40'25.53"W.)
NTELL, CA	WP	(lat. 36°53'58.99"N., long. 119°53'22.21"W.)
KARNN, CA	FIX	(lat. 37°09'03.79"N., long. 121°16'45.22"W.)
VINCO, CA	FIX	(lat. 37°22'35.11"N., long. 121°42'59.52"W.)
NORCL, CA	WP	(lat. 37°31'02.66"N., long. 121°43'10.60"W.)
MOVDD, CA	WP	(lat. 37°39'40.88"N., long. 121°26'53.53"W.)
EVETT, CA	WP	(lat. 38°00'36.11"N., long. 121°07'48.14"W.)

TIPRE, CA	WP	(lat. 38°12'21.00"N., long. 121°02'09.00"W.)
Squaw Valley, CA (SWR)	VOR/DME	(lat. 39°10'49.16"N., long. 120°16'10.60"W.)
TRUCK, CA	FIX	(lat. 39°26'15.67"N., long. 120°09'42.48"W.)
Mustang, NV (FMG)	VORTAC	(lat. 39°31'52.60"N., long. 119°39'21.87"W.)
Lovelock, NV (LLC)	VORTAC	(lat. 40°07'30.95"N., long. 118°34'39.34"W.)
Battle Mountain, NV (BAM)	VORTAC	(lat. 40°34'08.69"N., long. 116°55'20.12"W.)
TULIE, ID	WP	(lat. 42°37'58.49"N., long. 113°06'44.54"W.)
AMFAL, ID	WP	(lat. 42°45'56.67"N., long. 112°50'04.64"W.)
Pocatello, ID (PIH)	VOR/DME	(lat. 42°52'13.38"N., long. 112°39'08.05"W.)
VIPUC, ID	FIX	(lat. 43°21'09.64"N., long. 112°14'44.08"W.)
Idaho Falls, ID (IDA)	VOR/DME	(lat. 43°31'08.42"N., long. 112°03'50.10"W.)
SABAT, ID	FIX	(lat. 44°00'59.71"N., long. 111°39'55.04"W.)
Billings, MT (BIL)	VORTAC	(lat. 45°48'30.81"N., long. 108°37'28.73"W.)
EXADE, MT	FIX	(lat. 47°35'56.78"N., long. 104°32'40.61"W.)
JEKOK, ND	WP	(lat. 47°59'31.05"N., long. 103°27'17.51"W.)
FONIA, ND	FIX	(lat. 48°15'35.07"N., long. 103°10'37.54"W.)

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