



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2023-1147; Airspace Docket No. 22-AAL-55]

RIN 2120-AA66

Amendment of Alaskan Very High Frequency (VHF) Omnidirectional Range (VOR) Federal Airway V-333 in the vicinity of Shishmaref, AK, and revocation of Alaskan VOR Federal Airway V-401 in the vicinity of Ambler, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Alaskan VOR Federal Airway V-333 and to revoke Alaskan VOR Federal Airway V-401. The FAA is taking this action due to the pending decommissioning of the Shishmaref, AK, and Ambler, AK, Nondirectional Radio Beacons (NDB). The identifier V-333 is also used as an identifier for Domestic VOR Federal Airway V-333 in the vicinity of Rome, GA. The identifier V-401 is also used as an identifier for Domestic VOR Federal Airway V-401 in the vicinity of Worland, WY. This proposed airspace action only pertains to the Alaskan V-333 and V-401. The V-333 near Rome, GA and V-401 near Worland, WY, would not be affected by this proposed airspace action.

DATES: Comments must be received on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER.]

ADDRESSES: Send comments identified by FAA Docket No. FAA-2023-1147 and Airspace Docket No. 22-AAL-55 using any of the following methods:

* Federal eRulemaking Portal: Go to 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.

Docket: Background documents or comments received may be read at 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/. 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 proposes to amend Alaskan VOR Federal Airway V-333 and revoke Alaskan VOR Federal Airway V-401.

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.

Privacy: In accordance with 5 USC 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, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the Internet at 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/.

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

In 2003, Congress enacted the Vision 100-Century of Aviation Reauthorization Act (Pub L., 108-176), which established a joint planning and development office in the FAA to manage the work related to the Next Generation Air Transportation System (NextGen). Today, NextGen is an ongoing FAA-led modernization of the nation's air transportation system to make flying safer, more efficient, and more predictable.

In support of NextGen, this proposal is part of an ongoing, large and comprehensive T-route modernization project in the state of Alaska. The project mission statement states: "To modernize Alaska's Air Traffic Service route structure using satellite-based navigation development of new T-routes and optimization of existing T-routes will enhance safety, increase efficiency and access, and will provide en route continuity that is not subject to the restrictions associated with ground-based airway navigation."

As part of this initiative, the Shishmaref, AK, and Ambler, AK, NDBs are scheduled to be decommissioned. As a result, portions of Alaskan V-333 and V-401 in its entirety will become unusable. This airspace action proposes to amend the Alaskan V-333 by removing the portion of the airways that rely on the Shishmaref NDB and revoke Alaskan V-401 airway in its entirety. The mitigations to these amendments are already in place. United States Area Navigation (RNAV) route T-228 overlays Alaskan VOR Federal Airway V-333. Alaskan VOR Federal Airway V-401 extends between Ambler, AK, NDB, Kotzebue, AK, VOR distance measuring equipment (VOR/DME) and Shishmaref, AK, NDB. T-233 is near V-401 to the south between the Ambler, AK, NDB and the Kotzebue, AK, VOR/DME. RNAV route T-364 overlies the V-401 between Kotzebue, AK, VOR/DME and Shishmaref, AK, NDB.

The VOR Federal airway identifier V-333 is used in Alaska and in the Rome, GA, area. The VOR Federal airway identifier V-401 is used in Alaska and in the Worland, WY, area. This proposed airspace action only pertains to the Alaskan V-333 and V-401. It would not affect the V-333 near Rome, GA or the V-401 near Worland, WY.

The Proposal

The FAA proposes to amend 14 CFR part 71 by amending Alaskan VOR Federal airway V-333 and revoking Alaskan VOR Federal airway V-401 in its entirety. The Domestic VOR Federal airways V-333 and V-401 would remain unchanged. The proposed airspace actions are described below.

V-333: The Alaskan V-333 currently extends between the Hooper Bay, AK, VOR/DME, Nome, AK, VOR/DME, and the Shishmaref, AK, NDB. The FAA proposes to revoke the portion of the Alaskan V-333 that extends between the Nome, AK, VOR/DME and the Shishmaref, AK, NDB. As amended, Alaskan V-333 would extend between the Hooper Bay, AK, VOR/DME and the Nome, AK, VOR/DME. The Domestic route V-333 would remain unchanged.

V-401: The Alaskan V-401 extends between the Ambler, AK, NDB, Kotzebue, AK, VOR/DME, and the Shishmaref, AK, NDB. The FAA proposes to revoke the Alaskan V-401 in its entirety. The domestic V-401 would remain unchanged.

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.

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V-333 [Amended]

From Hooper Bay, AK; to Nome, AK.

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V-401 [Remove]

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Issued in Washington, DC, on August 3, 2023.

Karen L. Chiodini,

Acting Manager, Rules and Regulations Group.

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