

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Docket No. FAA-2010-1263; Airspace  
Docket No. 10-AWP-17]

Amendment of VOR Federal Airways  
V-2 and V-21; Hawaii

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

**SUMMARY:** This action amends two VHF Omnidirectional Range (VOR) Federal airway legal descriptions in the State of Hawaii. The FAA is taking this action to remove exclusions to restricted airspace areas that have been removed from the National Airspace System (NAS).

**DATES:** Effective date 0901 UTC, March 10, 2011. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace Regulation and ATC Procedures Group, Office of Mission Support Services, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:****History**

The FAA Honolulu Control Facility conducted a review of the facility airspace areas and found that two Federal Airways, V-2 and V-21, contained exclusions to restricted airspace that was removed from the NAS several years ago. Accordingly, since this is an administrative change and does not involve a change in the boundaries, altitudes or operating procedures of this airspace, notice and public procedure under Title 5 U.S.C. 553(b) are unnecessary.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by amending two VOR Federal Airways, V-2 and V-21, located in the State of Hawaii by removing all references to Restricted Area R-3104A and R-3104B from the legal descriptions.

Hawaiian VOR Federal Airways are listed in paragraph 6010(c) of FAA Order 7400.9U dated August 18, 2010, and effective September 15, 2010, which is incorporated by reference in 14 CFR 71.1. The Federal airways listed in this document will be revised subsequently in the Order.

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. Therefore, this 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 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 amends two VOR Federal airways in Hawaii.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with 311a, FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures." 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).

**Adoption of 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(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 7400.9U, Airspace Designations and Reporting Points, signed August 18, 2010, and effective September 15, 2010, is amended as follows:

*Paragraph 6010(c) Hawaiian VOR Federal Airways.*

\* \* \* \* \*

**V-2 [Amend]**

From Honolulu, HI, via Lanai, HI; INT Lanai 106° and Upolu Point, HI, 305° radials; Upolu Point (4 miles N and 3 miles S of centerline); INT Upolu Point 093° and Hilo, HI, 336° radials; Hilo.

\* \* \* \* \*

**V-21 [Amend]**

From Honolulu, HI, via INT Honolulu 182° and Lanai, HI, 289° radials; Lanai; INT Lanai 106° and Hilo, HI, 033° radials; INT Upolu Point, HI, 093° and Hilo 078° radials; to INT Hilo 078° and long. 152°14'00" W.

Issued in Washington, DC on January 7, 2011.

**Edith V. Parish,**

*Manager, Airspace Regulation and ATC Procedures Group.*

[FR Doc. 2011-823 Filed 1-14-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Docket FAA No. FAA-2010-1208; Airspace  
Docket No. 10-ANM-16]

Establishment of Class E Airspace;  
Lucin, UT

**AGENCY:** Federal Aviation  
Administration (FAA), DOT.  
**ACTION:** Final rule; technical  
amendment.

**SUMMARY:** This action makes a minor correction to a final rule published in the **Federal Register** July 8, 2010, that establishes Class E en route domestic airspace for the Lucin VORTAC, Lucin, UT.

**DATES:** Effective 0901 UTC, February 17, 2011. The Director of the Federal

Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:**

Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4537.

**SUPPLEMENTARY INFORMATION:**

**History**

In a final rule published in the *Federal Register* July 8, 2010 (75 FR 39148) Airspace Docket No. 09-ANM-25, the airspace description for the Lucin VORTAC, Lucin, UT, incorrectly referenced the existing Class E en route domestic airspace exclusion above 8,500 feet MSL. As written, the wording may cause confusion as to the exclusion of the existing controlled airspace at 8,500 feet MSL. It should read 8,500 feet and above MSL.

The FAA's Aeronautical Products office correctly charted the airspace and requested the correction be made. Accordingly, since this is an administrative change, and does not involve a change in the dimensions, altitudes, or operating requirements of that airspace, notice and public procedures under 5 U.S.C. 553(b) are unnecessary.

**Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air).

**Technical 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(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 7400.9U, Airspace Designations and Reporting Points, dated August 18, 2010, and effective September 15, 2010, is amended as follows:

*Paragraph 6006 En Route Domestic Airspace Areas.*

\* \* \* \* \*

**ANM UT E6 Lucin, UT [Amended]**

Lucin VORTAC

(Lat. 41°21'47" N., long. 113°50'26" W.)

That airspace extending upward from 1,200 feet above the surface bounded on the west by V-269; on the east by V-484; and on the south by V-32; excluding existing controlled airspace 8,500 feet MSL and above; excluding that airspace designated for Federal airways; excluding the portions within Restricted Area R-6404 and Lucin MOA during their published hours of designation.

Issued in Seattle, Washington on January 5, 2011.

**John Warner,**

*Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2011-593 Filed 1-14-11; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2010-1191; Airspace Docket No. 10-AAL-22]**

**Revocation and Establishment of Compulsory Reporting Points; Alaska**

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

**ACTION:** Final rule.

**SUMMARY:** This action removes and establishes high altitude Alaskan compulsory reporting points in the vicinity of the United States (U.S.) and Canadian border. Specifically, the FAA is removing BORAN and establishing the TOVAD reporting point.

**DATES:** Effective date 0901 UTC, May 5, 2011. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace Regulation and ATC Procedures Group, Office of Mission Support Services, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**History**

The FAA was notified November 30, 2010, that Canadian Authorities had removed the BORAN intersection and established the TOVAD intersection as a compulsory reporting point on the U.S./Canada border effective November 18, 2010. This action is in response to those changes. Accordingly, since this is an

administrative change and does not affect the boundaries, altitudes, or operating requirements of the airspace, notice and public procedures under Title 5 U.S.C. 553(b) are unnecessary.

**The Rule**

The FAA amends Title 14 Code of Federal Regulations (14 CFR) part 71 by removing the BORAN reporting point and establishing the TOVAD Compulsory Reporting Point on the U.S./Canadian border.

Alaskan High Altitude Reporting Points are listed in paragraph 7005 of FAA Order 7400.9U dated August 18, 2010, and effective September 15, 2010, which is incorporated by reference in 14 CFR 71.1. The Reporting Points listed in this document will be revised subsequently in the Order.

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. Therefore, this 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 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 amends High Altitude Compulsory Reporting Points in Alaska.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with 311a, FAA Order 1050.1E, "Environmental