DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 71
[Docket No. FAA–2019–0627; Amendment No. 71–51]

RIN 2120–AA66

Airspace Designations; Incorporation by Reference Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, administrative correction.

SUMMARY: This action incorporates certain airspace designation amendments into FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019, for incorporation by reference.

DATES: Effective date 0901 UTC October 3, 2019. The Director of the Federal Register approves this incorporation by reference action under Title 1 CFR part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11D, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at http://www.faa.gov/airtraffic/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 7400.11D at NARA, email fedreg_legal@nara.gov or go to: https://www.archives.gov/federal-register/cfr/ibr-locations.html.


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 makes the necessary updates for airspace areas within the National Airspace System.

History

Federal Aviation Administration Airspace Order 7400.11, Airspace Designations and Reporting Points, incorporated by reference in 14 CFR 71.1, is published yearly. Amendments referred to as “effective date straddling amendments” were published under Order 7400.11C (dated August 13, 2018, and effective September 15, 2018), but became effective under Order 7400.11D (dated August 8, 2019, and effective September 15, 2019). This action incorporates these rules into the current FAA Order 7400.11D.

Accordingly, as this is an administrative correction to update final rule amendments into FAA Order 7400.11D, notice and public procedure under 5 U.S.C. 553(b) are unnecessary. Also, to bring these rules and legal descriptions current, I find that good cause exists, under 5 U.S.C. 553(d), for making this amendment effective in less than 30 days.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019. FAA Order 7400.11D is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11D lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

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

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by incorporating certain final rules into the current FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, which are depicted on aeronautical charts.

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 DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated economic 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.

Corrections

1. For Docket No. FAA–2018–0250; Airspace Docket No. 17–AGL–3 (84 FR 8414; March 8, 2019)

Correction

a. On page 8414, column 2, line 17, and line 30, under ADDRESSES, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

b. On page 8414, column 3, line 32, and line 34, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 8414, column 3, line 28, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 8414, column 3, line 28, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019...”.

§ 71.1 [Corrected]

■ e. On page 8415, column 1, line 40, under Amendmentary Instruction 2, “... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019...”.


Correction

a. On page 20257, column 2, line 49, and line 3, under ADDRESSES, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

b. On page 20257, column 3, line 61, and line 63, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 20257, column 3, line 47, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 20257, column 3, line 57, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019...”.

§ 71.1 [Corrected]

■ e. On page 22701, column 2, line 42, and line 44, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 22701, column 2, line 28, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 22701, column 2, line 38, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019...”.


Correction

a. On page 34051, column 1, line 45, and column 2, line 3, under ADDRESSES, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

b. On page 34051, column 1, line 8, and line 10, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 34051, column 2, line 53, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 34051, column 3, line 4, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D...”.


Correction

a. On page 22701, column 1, line 27, and line 10, under ADDRESSES, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”. 
to read "... FAA Order 7400.11D ...".

b. On page 35538, column 3, line 41, and line 43, under Availability and Summary of Documents for Incorporation by Reference, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

c. On page 35538, column 3, line 27, under History, "... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, ..." is corrected to read "... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019, ...".

d. On page 35538, column 3, line 37, under Availability and Summary of Documents for Incorporation by Reference, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

c. On page 36466, column 3, line 29, and line 32, under Availability and Summary of Documents for Incorporation by Reference, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

§ 71.1 [Corrected]

■ e. On page 35539, column 2, line 12, under Amendatory Instruction 2, "... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, ..." is corrected to read "... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, ...".


Correction

a. On page 35819, column 1, line 30, and line 43, under ADDRESSES, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

b. On page 35819, column 2, line 41, and line 43, under Availability and Summary of Documents for Incorporation by Reference, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

c. On page 39587, column 2, line 37, under Availability and Summary of Documents for Incorporation by Reference, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

d. On page 36466, column 3, line 26, under Availability and Summary of Documents for Incorporation by Reference, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, ...".

§ 71.1 [Corrected]

■ e. On page 36467, column 1, line 36, under Amendatory Instruction 2, "... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, ..." is corrected to read "... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, ...".


Correction

a. On page 36467, column 1, line 9, under ADDRESSES, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

b. On page 36467, column 3, line 45, and line 47, under Availability and Summary of Documents for Incorporation by Reference, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

c. On page 36467, column 3, line 31, under History, "... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, ..." is corrected to read "... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019, ...".

§ 71.1 [Corrected]

■ e. On page 37962 column 2, line 37, under Amendmentary Instruction 2, "... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, ..." is corrected to read "... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, ...".

c. On page 37961, column 3, line 51, and line 53, under Availability and Summary of Documents for Incorporation by Reference, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

b. On page 37961, column 3, line 46, and under ADDRESSES, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

c. On page 37961, column 3, line 37, under History, "... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, ..." is corrected to read "... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019, ...".


a. On page 37961, column 2, line 33, and line 46, under ADDRESSES, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

b. On page 37961, column 3, line 51, and line 53, under Availability and Summary of Documents for Incorporation by Reference, "... FAA Order 7400.11C ..." is corrected to read "... FAA Order 7400.11D ...".

c. On page 37961, column 3, line 37, under History, "... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, ..." is corrected to read "... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019, ...".

§ 71.1 [Corrected]

■ e. On page 37962 column 2, line 3, under Amendmentary Instruction 2, "... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, ..." is corrected to read "... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, ...".
§ 71.1 [Corrected]

b. On page 38865, column 2, line 46, and line 49, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 38865, column 2, line 33, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 38865, column 2, line 43, under Availability and Summary of Documents for Incorporation by Reference “... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019...”.

15. For Docket No. FAA–2018–0816; Airspace Docket No. 18–A WP–7 (84 FR 39177, August 9, 2019).

Correction

a. On page 39178, column 1, line 5, and line 18, under ADDRESSES, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

b. On page 39178, column 2, line 32, and line 35, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 39178, column 1, line 37, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 39178, column 2, line 28, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 41908, column 2, line 57, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 44908, column 2, line 57, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019...”.

§ 71.1 [Corrected]

Correction

a. On page 43042, column 1, line 41, and line 54, under ADDRESSES, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

b. On page 43042, column 2, line 58, and line 60, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 43042, column 2, line 44, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 43042, column 2, line 54, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 41908, column 2, line 57, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 44908, column 2, line 57, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019...”. 


Correction

a. On page 43042, column 1, line 41, and line 54, under ADDRESSES, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

b. On page 43042, column 2, line 58, and line 60, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 43042, column 2, line 44, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 43042, column 2, line 54, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C...” is corrected to read “... FAA Order 7400.11D...”.

c. On page 41908, column 2, line 57, under History, “... FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019...”.

d. On page 44908, column 2, line 57, under Availability and Summary of Documents for Incorporation by Reference, “... FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018...” is corrected to read “... FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019...”. 

§ 71.1 [Corrected]  
- e. On page 43043, column 1, line 12, under Amendatory Instruction 2, “. . . FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, . . .”.

§ 71.1 [Corrected]  
- e. On page 46878, column 2, line 56, under Amendatory Instruction 2, “. . . FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, . . .”.

Correction  
a. On page 46438, column 2, line 3, and line 5, under Availability and Summary of Documents for Incorporation by Reference, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11D . . .”.
  
b. On page 46438, column 1, line 49, under History, “. . . FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019 . . .”.
  
c. On page 46438, column 1, line 60, under Availability and Summary of Documents for Incorporation by Reference, “. . . FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019 . . .”.

Correction  
a. On page 47413, column 3, line 27, and line 40, under ADDRESSES, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11D . . .”.
  
b. On page 47414, column 1, line 46, and line 49, under Availability and Summary of Documents for Incorporation by Reference, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11D . . .”.
  
c. On page 47414, column 1, line 32, under History, “. . . FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019 . . .”.  
  
d. On page 47414, column 1, line 43, under Availability and Summary of Documents for Incorporation by Reference, “. . . FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, . . .”.

Correction  
a. On page 47415, column 1, line 31, and line 44, under ADDRESSES, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11D . . .”.
  
b. On page 47415, column 2, line 49, and line 51, under Availability and Summary of Documents for Incorporation by Reference, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11C . . .”.
  
c. On page 47415 column 2, line 35, under History, “. . . FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019 . . .”.

Correction  
a. On page 47416, column 1, line 6, under Amendatory Instruction 2, “. . . FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, . . .”.
  
b. On page 47417, column 2, line 25, under Amendment 2, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11C . . .”.
  
c. On page 47417, column 2, line 41, under History, “. . . FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019 . . .”.
  
d. On page 47417, column 2, line 25, under Amendment 2, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11C . . .”.  

Correction  
a. On page 48053, column 1, line 5, and line 18, under ADDRESSES, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11D . . .”.
  
b. On page 48053, column 2, line 15, and line 18, under Availability and Summary of Documents for Incorporation by Reference, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11D . . .”.
  
c. On page 48053, column 2, line 2, under History, “. . . FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019 . . .”.  
  
d. On page 48053, column 2, line 12, under Availability and Summary of  

Correction  
a. On page 47415, column 1, line 31, and line 44, under ADDRESSES, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11D . . .”.
  
b. On page 47415, column 2, line 49, and line 51, under Availability and Summary of Documents for Incorporation by Reference, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11C . . .”.
  
c. On page 47415 column 2, line 35, under History, “. . . FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019 . . .”.  
  
d. On page 47415, column 2, line 25, under Amendment 2, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11C . . .”.  

Correction  
a. On page 48053, column 1, line 5, and line 18, under ADDRESSES, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11D . . .”.  
  
b. On page 48053, column 2, line 15, and line 18, under Availability and Summary of Documents for Incorporation by Reference, “. . . FAA Order 7400.11C . . .” is corrected to read “. . . FAA Order 7400.11D . . .”.  
  
c. On page 48053, column 2, line 2, under History, “. . . FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, . . .” is corrected to read “. . . FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019 . . .”.  
  
d. On page 48053, column 2, line 12, under Availability and Summary of
Documents for Incorporation by Reference, “. . . FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018. . . ” is corrected to read “. . . FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019. . . ”.

§ 71.1 [Corrected]

D The rule making process could be completed.

For further information contact: If you have questions on this rule, call or email Lieutenant Jennae Cotton, Waterways Management, U.S. Coast Guard; telephone (415) 399–3585, email at SFWaterways@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

<table>
<thead>
<tr>
<th>CFR</th>
<th>Code of Federal Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>COTP</td>
<td>Captain of the Port San Francisco</td>
</tr>
<tr>
<td>DHS</td>
<td>Department of Homeland Security</td>
</tr>
<tr>
<td>§</td>
<td>Section</td>
</tr>
</tbody>
</table>

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking with respect to this rule because it is impracticable.

On September 21, 2019, the Coast Guard was informed of forecasted extreme environmental conditions occurring near three respective locations of California likely to exceed the maximum environmental limits of the 47-foot Motor Lifeboat employed by the Coast Guard as the primary rescue asset in each area. These three locations are: The Humboldt Bay Bar and Entrance Channel, near Eureka, CA; the Noyo River Entrance Channel, near Fort Bragg, CA; and the Crescent City Harbor Entrance Channel, near Crescent City, CA. The National Oceanic and Atmospheric Administration’s National Weather Service forecasts up to 19-foot breaking seas in the area from 25 September, 2019 through 26 September, 2019. This area is subject to extreme weather annually, but this year’s forecast of extreme weather starting in September is earlier than is typical. Last year’s comparable forecast of 24-foot breaking seas occurred in November, which is typically the month when the Coast Guard has historically established temporary safety zones in the navigable waters of the Humboldt Bay Bar and Entrance Channel, of Eureka, CA, Noyo River Entrance Channel, of Fort Bragg, CA, and Crescent City Harbor Entrance Channel, of Crescent City, CA. Due to the consistency of extreme environmental conditions typically observed between the months of November and March each winter, the Coast Guard is in the process of establishing a permanent regulation to account for intermittent periods of hazardous conditions, such as high wind or breaking surf. That regulation is expected to begin the notice and comment phase of public rulemaking shortly. Between now and the implementation of the permanent regulation, if enacted, these three safety zones are necessary to provide for the safety of mariners transiting the area due to the dangers posed by these extreme environmental conditions and the resulting limited availability of rescue assets. The Coast Guard learned of the extreme weather forecast on 21 September 2019, and must establish the three safety zones before 25 September 2019, and so lacks sufficient time to provide a reasonable comment period and to consider comments before issuing the rule.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause also exists for making this rule effective less than 30 days after publication in the Federal Register. For similar reasons as stated above, notice and comment procedures would be impracticable in this instance because the hazardous conditions associated with the extreme environmental conditions precipitating the rulemaking will occur before the full rulemaking process could be completed.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority 46 U.S.C. 70034 (previously 33 U.S.C. 1231). Notable hazards associated with the extreme environmental conditions have been observed in the Humboldt Bay Bar and Entrance Channel near Eureka, CA; the Noyo River Entrance Channel, near Fort Bragg, CA; and the Crescent City Harbor Entrance Channel, of Crescent City, CA. These safety zones establish temporary restricted areas on the navigable waters...