Federal Register / Vol. 86, No. 92 / Friday, May 14, 2021 / Rules and Regulations 26385

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 97
[Docket No. 31368; Amdt. No. 3955]

AGENCY: Federal Aviation Administration (FAA), DOT.

SUMMARY: This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments.

ACTION: Final rule.

DATES: This rule is effective May 14, 2021.


SUPPLEMENTARY INFORMATION: This rule amends 14 CFR part 97 by establishing, amending, suspending, or removing 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, 8260–15C, when required by an entry on 8260–15A, and 8260–15C.

Availability
All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at 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 Examination
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 or go to: https://www.archives.gov/federal-register/cfr/ibr-locations.html.

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.

**Lists of Subjects in 14 CFR Part 97**


Issued in Washington, DC on April 30, 2021.

Wade Terrell, 

**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 17 June 2021**

   Big Lake, AK, PACQ, RNAV (GPS) RWY 7, Amdt 2
   Big Lake, AK, PACQ, RNAV (GPS RWY 25, Amdt 2
   Big Lake, AK, PACQ, VOR RWY 7, Amdt 7B
   Venetie, AK, Venetie, Takeoff Minimums and Obstacle DP, Amdt 1
   Venetie, AK, Venetie, Venetie Three Graphic DP
   Bay Minette, AL, 1R8, RNAV (GPS) RWY 8, Amdt 2A
   Bay Minette, AL, 1R8, RNAV (GPS RWY 26, Orig-E
   Daytona Beach, FL, KDAB, RNAV (GPS) RWY 25L, Amdt 1D
   Cynthiana, KY, 0I8, RNAV (GPS) RWY 11, Orig-B
   Cynthiana, KY, 0I8, RNAV (GPS) RWY 29, Orig-B
   Beverly, MA, KBVY, LOC RWY 16, Amdt 8
   Beverly, MA, Beverly Rgnl, VOR RWY 16, Amdt 5E, CANCELLED
   Sanford, ME, KSFM, RNAV (GPS) RWY 32, Amdt 1
   Ennis, MT, Ennis-Big Sky, Ennis Two Graphic DP
   Ennis, MT, Ennis-Big Sky, Takeoff Minimums and Obstacle DP, Amdt 1
   Rochester, NH, KDAW, RNAV (GPS) RWY 33, Amdt 1
   Rochester, NH, KDAW, VOR/DME—A, Amdt 2A
   CANCELLED
   Schenectady, NY, KSCH, RNAV (GPS) RWY 4, Orig-D

   **Spartanburg, SC, KSPA, ILS OR LOC RWY 5, Amdt 2**
   **Spartanburg, SC, KSPA, RNAV (GPS) RWY 5, Amdt 1**
   **Dickson, TN, Dickson Muni, Takeoff Minimums and Obstacle DP, Amdt 3**
   **Houston, TX, KIAH, GLS RWY 27, Amdt 1C**
   **Medford, WI, KMDZ, RNAV (GPS) RWY 9, Amdt 1**
   **Medford, WI, KMDZ, RNAV (GPS RWY 27, Amdt 1**
   **RESCINDED:** On April 26, 2021 (86 FR 21932), the FAA published an Amendment in Docket No. 31366 Amdt No. 3953, to Part 97 of the Federal Aviation Regulations under section 97.29 and 97.33. The following entries for Gary, IN, effective June 17, 2021, are hereby rescinded in their entirety:
   **Gary, IN, KGYY, ILS OR LOC RWY 30, Amdt 7**
   **Gary, IN, KGYY, RNAV (GPS Y RWY 12, Amdt 3**
   **Gary, IN, KGYY, RNAV (GPS Y RWY 30, Amdt 2**
   **Gary, IN, KGYY, RNAV (RNP Z RWY 12, Amdt 2**
   **Gary, IN, KGYY, RNAV (RNP Z RWY 30, Amdt 2**

   **Spartanburg, SC, KSPA, MLS RWY 24, Amdt 3**

   **Bay Minette, AL, 1R8, RNAV (GPS) RWY 8, Amdt 2A**

   **Bay Minette, AL, 1R8, RNAV (GPS RWY 26, Orig-E**

   **Daytona Beach, FL, KDAB, RNAV (GPS) RWY 25L, Amdt 1D**

   **Cynthiana, KY, 0I8, RNAV (GPS) RWY 11, Orig-B**

   **Cynthiana, KY, 0I8, RNAV (GPS) RWY 29, Orig-B**

   **Beverly, MA, KBVY, LOC RWY 16, Amdt 8**

   **Beverly, MA, Beverly Rgnl, VOR RWY 16, Amdt 5E, CANCELLED**

   **Sanford, ME, KSFM, RNAV (GPS) RWY 32, Amdt 1**

   **Ennis, MT, Ennis-Big Sky, Ennis Two Graphic DP**

   **Ennis, MT, Ennis-Big Sky, Takeoff Minimums and Obstacle DP, Amdt 1**

   **Rochester, NH, KDAW, RNAV (GPS) RWY 33, Amdt 1**

   **Rochester, NH, KDAW, VOR/DME—A, Amdt 2A**

   **CANCELLED**

   **Schenectady, NY, KSCH, RNAV (GPS) RWY 4, Orig-D**

   **DEPARTMENT OF HOMELAND SECURITY**

   **Coast Guard**

   **33 CFR Part 165**

   **[Docket Number USCG–2021–0230]**

   **RIN 1625–AA00**

   **Safety Zone: Lower Mississippi River, Mile Marker 365, Natchez, MS**

   **AGENCY:** Coast Guard, Department of Homeland Security (DHS).

   **ACTION:** Temporary final rule.

   **SUMMARY:** The Coast Guard is establishing a temporary safety zone for all navigable waters of the Lower Mississippi River (LMR), Mile Markers 364.5 through 365.5. The safety zone is needed to protect persons, property, and the marine environment from the potential safety hazards associated with a fireworks display in the vicinity of Natchez, MS. Entry of persons or vessels into this zone is prohibited unless authorized by the Captain of the Port Sector Lower Mississippi River or a designated representative.

   **DATES:** This rule is effective from 4 p.m. through 7 p.m. on May 15, 2021.

   **ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to https://www.regulations.gov, type USCG–2021–0230 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

   **FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email MSTC Lindsey Swindle, U.S. Coast Guard; telephone 901–521–4813, email Lindsey.M.Swindle@uscg.mil.

   **SUPPLEMENTARY INFORMATION:**

   I. Table of Abbreviations

   CFR Code of Federal Regulations
   COTP Captain of the Port Sector Lower Mississippi River
   DHS Department of Homeland Security
   FR Federal Register
   NPRM Notice of proposed rulemaking
   § Section

   II. Background and Instruction and Regulatory History

   The Coast Guard is issuing this temporary 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 (NPRM) with respect to this rule because it is impracticable. Immediate action is needed to protect persons and property from the potential safety hazards associated with a fireworks display in the vicinity of Natchez, MS. The NPRM process would delay the establishment of the safety zone until after the date of the event and compromise public safety. We must establish this temporary safety zone immediately and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

   Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. Delaying the effective date of this rule would be contrary to the public interest because immediate action is needed to respond to the potential safety hazards associated with the fireworks display in the vicinity of Natchez, MS.

   III. Legal Authority and Need for Rule

   The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port Sector Lower Mississippi River (COTP) has determined that potential hazards