

military activity in the MOA cannot be provided by ATC. The guidance describing this procedure is published in FAA Order 7110.65, Air Traffic Control, and the Aeronautical Information Manual for controller and pilot awareness, respectively. Additionally, although pilots operating under visual flight rules (VFR) should exercise extreme caution while flying within a MOA when military activity is being conducted, MOAs are not restrictive to VFR aircraft, which opt to fly the same routing as a VOR Federal airway, at VFR altitudes, through an active MOA. Removing the SUA exclusionary language contained in the V-55 and V-169 legal descriptions, which is redundant to existing ATC procedures does not affect the operational use or services provided by ATC to aircraft operating on the airways.

Accordingly, since this amendment is administrative in nature, having no impact to the operational use or ATC services provided to pilots flying on V-55 and V-169, 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 part 71 by amending the legal descriptions of VOR Federal airways V-55 and V-169 in the vicinity of Devils Lake, ND. Specifically, the FAA amends the V-55 description by removing the exclusionary language associated with the Devils Lake East MOA and amends the V-169 description by removing the exclusionary language associated with the Devils Lake West MOA.

VOR Federal airways are listed in paragraph 6010 of FAA Order 7400.9W dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The VOR 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 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.

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 existing VOR Federal airways within the NAS.

#### 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 14 CFR 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 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, and effective September 15, 2012, is amended as follows:

*Paragraph 6010 VOR Federal Airways.*

(a) Domestic VOR Federal airways.

\* \* \* \* \*

#### V-55

From Dayton, OH; Fort Wayne, IN; Goshen, IN; Gipper, MI; Keeler, MI; Pullman, MI; Muskegon, MI; INT Muskegon 327° and Green Bay, WI, 116° radials; Green Bay; Stevens Point, WI; INT Stevens Point 281° and Eau Claire, WI, 107° radials; Eau Claire; Siren, WI; Brainerd, MN; Park Rapids, MN; Grand Forks, ND; INT Grand Forks 239° and Bismarck, ND, 067° radials; to Bismarck.

\* \* \* \* \*

#### V-169

From Tobe, CO; 69 MSL, Hugo, CO; 38 miles, 67 MSL, Thurman, CO; Akron, CO; Sidney, NE; Scottsbluff, NE; Toadstool, NE; Rapid City, SD; Dupree, SD; Bismarck, ND; to Devils Lake, ND.

Issued in Washington, DC, June 13, 2013.

**Gary A. Norek,**

*Manager, Airspace Policy and ATC Procedures Group.*

[FR Doc. 2013–14657 Filed 6–19–13; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2013–0081; Airspace Docket No. 12–AEA–5]

RIN 2120–AA66

#### Establishment of Area Navigation (RNAV) Routes; Washington, DC

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects a final rule published by the FAA in the **Federal Register** on May 21, 2013, that establishes five RNAV routes in support of the Washington, DC, Optimization of Airspace and Procedures in a Metroplex project. This correction changes the name of one waypoint (WP) in the legal descriptions of RNAV routes T-291 and T-295.

**DATES:** Effective date 0901 UTC, August 22, 2013. 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:** Paul Gallant, Airspace Policy and ATC Procedures Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783.

**SUPPLEMENTARY INFORMATION:**

## Background

On May 21, 2013, the FAA published a final rule in the **Federal Register** establishing five RNAV routes in the Washington, DC area (78 FR 29615). Subsequent to publication, it was determined that the name of the MORTY, MD WP (which is common to the legal descriptions of RNAV routes T-291 and T-295) needs to be changed due to its proximity to a similar sounding and spelled fix, MORTO. Potential safety concerns were identified due to the possibility for confusion of the points in radio communications and onboard Flight Management System data entry. To resolve this concern, the FAA is changing the name "MORTY, MD" to "BAABS, MD" in the descriptions of T-291 and T-295. This is a name change only. The latitude/longitude coordinates remain the same.

Area Navigation Routes are published in paragraph 6011 of FAA Order 7400.9W, dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The RNAV routes listed in this document will be published subsequently in the Order.

## Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, the name "MORTY, MD WP" as published in the **Federal Register** on May 21, 2013 (78 FR 29615; FR Doc. 2013-11969) for RNAV routes T-291 and T-295, is corrected under the descriptions as follows:

*Paragraph 6011—United States Area Navigation Routes*

\* \* \* \* \*

### T-291 [Corrected]

On page 29616, line 36, Remove "MORTY, MD WP (Lat. 39°19'51" N., long. 076°24'41" W.)" and insert "BAABS, MD WP (Lat. 39°19'51" N., long. 076°24'41" W.)"

### T-295 [Corrected]

On page 29616, Line 40, Remove "MORTY, MD WP (Lat. 39°19'51" N., long. 076°24'41" W.)" and insert "BAABS, MD WP (Lat. 39°19'51" N., long. 076°24'41" W.)"

Issued in Washington, DC, on June 13, 2013.

**Gary A. Norek,**

*Manager, Airspace Policy and ATC Procedures Group.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2012-0971; Airspace Docket No. 12-ASO-31]

RIN 2120-AA66

#### Modification of VOR Federal Airway V-537, GA

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies VHF omnidirectional range (VOR) Federal airway V-537 in Georgia due to the scheduled decommissioning of the Moultrie, GA, VOR/DME navigation aid which currently forms a point along the route.

**DATES:** Effective date 0901 UTC, August 22, 2013. 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:** Paul Gallant, Airspace Policy and ATC Procedures Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

#### History

On October 15, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to modify V-537 in Georgia (77 FR 62468). Interested parties were invited to participate in this rulemaking effort by submitting written comments on this proposal to the FAA. No comments were received.

Subsequently, a flight inspection was conducted to evaluate the usability of the proposed amended portion of V-537. That flight inspection found a portion of the originally proposed route amendment to be unsatisfactory. Specifically, a radial from the Macon, GA, VORTAC that had been planned to form an intersection along the route between the Greenville, FL, VORTAC and the Macon, GA, VORTAC, did not pass the expanded service volume validation. After considering other alternatives, the FAA opted to propose terminating V-537 at the Greenville VORTAC and eliminate the segment between Greenville and Macon. The FAA issued a supplemental NPRM (SNPRM) (78 FR 21856, April 12, 2013)

to reopen the comment period and solicit comments on the proposed further modification of V-537. No comments were received in response the SNPRM.

#### The Rule

The FAA is amending Title 14, Code of Federal Regulations (14 CFR) part 71 to modify VOR Federal airway V-537 due to the scheduled decommissioning of the Moultrie, GA, VOR/DME, which currently forms a point along the route. This action modifies V-537 by eliminating the route segments between the Greenville, FL, VORTAC and the Macon, GA, VORTAC. The modified V-537 extends between Palm Beach, FL, and Greenville, FL.

VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.9W signed August 8, 2012 and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airway listed in this document will be published 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 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.

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 a VOR Federal airway to enhance the efficiency of the National Airspace System in the southeast United