

## The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by establishing Class E en route domestic airspace extending upward from 1,200 feet above the surface, at the Phoenix VORTAC navigation aid, Phoenix, AZ, to accommodate IFR aircraft under control of Albuquerque Air Route Traffic Control Center (ARTCC) by vectoring aircraft from en route airspace to terminal areas. This action is necessary for the safety and management of IFR operations.

The FAA has determined 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 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 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 U.S. Code. Subtitle 1, Section 106 discusses 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 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 establishes controlled airspace at the Phoenix VORTAC navigation aid, Phoenix, AZ.

## Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 311a. 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 part 71.1 of the Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013 is amended as follows:

*Paragraph 6006 En Route Domestic Airspace Areas.*

\* \* \* \* \*

#### AWP AZ E6 Phoenix, AZ [New]

Phoenix VORTAC, AZ

(Lat. 33°25′59″ N., long. 111°58′13″ W.)  
That airspace extending upward from 1,200 feet above the surface within an area bounded by lat. 34°01′00″ N., long. 114°00′00″ W.; to lat. 33°33′12″ N., long. 111°51′21″ W.; to lat. 33°29′30″ N., long. 110°45′45″ W.; to lat. 33°52′30″ N., long. 108°45′00″ W.; to lat. 33°50′00″ N., long. 108°00′00″ W.; to lat. 33°35′00″ N., long. 107°36′00″ W.; to lat. 33°35′00″ N., long. 107°28′00″ W.; to lat. 32°25′00″ N., long. 108°00′00″ W.; to lat. 32°25′00″ N., long. 108°12′00″ W.; to lat. 31°20′00″ N., long. 108°12′00″ W.; to lat. 31°20′00″ N., long. 111°05′00″ W.; to lat. 32°06′00″ N., long. 113°30′30″ W.; to lat. 32°44′15″ N., long. 113°41′05″ W.; to lat. 32°41′00″ N., long. 114°00′00″ W., thence to the point of beginning.

Issued in Seattle, Washington, on July 7, 2014.

**Clark Desing,**

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

[FR Doc. 2014–16634 Filed 7–17–14; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

**Docket No. FAA–2013–0995; Airspace  
Docket No. 13–ASW–30**

#### Establishment of Class E Airspace; Truth or Consequences, NM

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at the Truth or Consequences VHF Omni-Directional Radio Range Tactical Air Navigation Aid (VORTAC), Truth or Consequences, NM, to facilitate vectoring of Instrument Flight Rules (IFR) aircraft under control of Albuquerque Air Route Traffic Control Center (ARTCC). This improves the safety and management of IFR operations within the National Airspace System.

**DATES:** Effective date, 0901 UTC, September 18, 2014. 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:** Bill Nugent, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203–4518.

#### SUPPLEMENTARY INFORMATION:

#### History

On December 26, 2013, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish controlled airspace at Truth or Consequences, NM (78 FR 78299). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment National Business Aviation Association was received in support of the recommended change.

Class E airspace designations are published in paragraph 6006, of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

#### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by establishing Class E en route domestic

airspace extending upward from 1,200 feet above the surface, at the Truth or Consequences VORTAC navigation aid, Truth or Consequences, NM, to accommodate IFR aircraft under control of Albuquerque Air Route Traffic Control Center (ARTCC) by vectoring aircraft from en route airspace to terminal areas. This action is necessary for the safety and management of IFR operations.

The FAA has determined 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 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 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 U.S. Code. Subtitle 1, Section 106 discusses 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 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 establishes controlled airspace at the Truth or Consequences, NM VORTAC navigation aid, Truth or Consequences, NM.

#### Environmental Review

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

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#### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR Part 71.1 of the Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013 is amended as follows:

*Paragraph 6006 En Route Domestic Airspace Areas*

\* \* \* \* \*

#### ASW NM E6 Truth or Consequences, NM [New]

Truth or Consequences VORTAC, NM  
(Lat. 33°16'57" N., long. 107°16'50" W.)

That airspace extending upward from 1,200 feet above the surface within an area bounded by lat. 33°38'15" N., long. 103°29'15" W.; to lat. 33°24'10" N., long. 103°41'30" W.; to lat. 33°23'00" N., long. 103°48'00" W.; to lat. 33°00'00" N., long. 103°48'00" W.; to lat. 32°28'00" N., long. 103°56'00" W.; to lat. 32°02'00" N., long. 103°48'00" W.; to lat. 31°39'00" N., long. 103°20'00" W.; to lat. 31°35'00" N., long. 103°07'00" W.; to lat. 31°17'00" N., long. 102°09'00" W.; to lat. 30°57'08" N., long. 102°58'33" W.; to lat. 30°17'54" N., long. 103°57'17" W.; to lat. 30°42'00" N., long. 105°00'00" W.; to lat. 31°45'00" N., long. 106°23'00" W.; to lat. 31°48'00" N., long. 106°32'00" W.; to lat. 31°47'00" N., long. 108°12'00" W.; to lat. 32°25'00" N., long. 108°12'00" W.; to lat. 32°25'00" N., long. 108°00'00" W.; to lat. 33°35'00" N., long. 107°28'00" W.; to lat. 33°35'00" N., long. 106°48'10" W.; to lat. 33°49'45" N., long. 106°45'20" W.; to lat. 33°49'30" N., long. 106°16'30" W.; to lat. 33°44'45" N., long. 106°04'00" W.; to lat. 34°17'00" N., long. 106°04'00" W.; to lat. 34°17'00" N., long. 105°51'00" W.; to lat. 33°58'00" N., long. 105°27'00" W.; to lat. 34°08'45" N., long. 105°09'00" W., thence to the point of beginning.

Issued in Seattle, Washington, on July 7, 2014.

**Clark Desing,**

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

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#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 15 CFR Part 922

[Docket No. 130813710–4485–02]

RIN 0648–BD60

#### Gray’s Reef National Marine Sanctuary Regulations and Management Plan

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Final rule.

**SUMMARY:** NOAA is updating the regulations and management plan for Gray’s Reef National Marine Sanctuary (GRNMS or Sanctuary). The regulations are revised to clarify the prohibition on anchoring and add an exemption to allow the use of weighted marker buoys that are continuously tended by vessel operators during otherwise lawful fishing or diving activities, not attached to a vessel, and not capable of holding a boat at anchor. An environmental assessment has been prepared that includes analysis of the consequences of this action. A revised management plan outlining management priorities for GRNMS for the next 5–10 years has also been prepared. No changes were made from the proposed to final rule.

**DATES:** Effective August 18, 2014.

**ADDRESSES:** Copies of the environmental assessment and final management plan described in this rule are available upon request to Gray’s Reef National Marine Sanctuary, 10 Ocean Science Circle, Savannah, GA 31411, Attn: Becky Shortland, Resource Protection Coordinator. These documents can also be viewed on the Web and downloaded at <http://graysreef.noaa.gov>.

**FOR FURTHER INFORMATION CONTACT:** Becky Shortland at (912) 598–2381 or [becky.shortland@noaa.gov](mailto:becky.shortland@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Background

##### A. Gray’s Reef National Marine Sanctuary

Gray’s Reef National Marine Sanctuary (GRNMS or sanctuary) off the coast of Georgia contains one of the largest nearshore, live-bottom reefs of the southeastern United States. Located 16 miles offshore from Sapelo Island, GRNMS is currently the only protected natural reef on the continental shelf off the Georgia coast and one of only a few marine protected areas in the ocean