

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.*

\* \* \* \* \*

**ACE KS E5 Elkhart, KS [Amended]**

Elkhart-Morton County Airport, KS  
(Lat. 37°00'03" N, long. 101°52'48"W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Elkhart-Morton County Airport.

Issued in Fort Worth, Texas, on January 4, 2021.

**Martin A. Skinner,**

*Acting Manager, Operations Support Group, ATO Central Service Center.*

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2020-0872; Airspace  
Docket No. 20-AGL-33]

**RIN 2120-AA66**

**Amendment of Class E Airspace;  
Prairie Du Chien, WI**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the Class E airspace extending upward from 700 feet above the surface at Prairie Du Chien Municipal Airport, Prairie Du Chien, WI. This action is the result of an airspace review caused by the decommissioning of the Waukon VHF omnidirectional range (VOR) navigation aid as part of the VOR Minimum Operational Network (MON) Program. The geographic coordinates of the airport are also being updated to coincide with the FAA's aeronautical database.

**DATES:** Effective 0901 UTC, April 22, 2021. The Director of the Federal Register approves this incorporation by reference action under Title 1 Code of Federal Regulations part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11E, Airspace Designations and Reporting

Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/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 7400.11E at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

**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 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 the Class E airspace extending upward from 700 feet above the surface at Prairie Du Chien Municipal Airport, Prairie Du Chien, WI, to support instrument flight rule operations at this airport.

**History**

The FAA published a notice of proposed rulemaking in the **Federal Register** (85 FR 67315; October 22, 2020) for Docket No. FAA-2020-0872 to amend the Class E airspace extending upward from 700 feet above the surface at Prairie Du Chien Municipal Airport, Prairie Du Chien, WI. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

**Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**The Rule**

This amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 amends the Class E airspace extending upward from 700 feet above the surface to within a 6.6-mile (decreased from a 9.3-mile) radius of Prairie Du Chien Municipal Airport, Prairie Du Chien, WI; removes the Waukon VORTAC and associated extension; adds an extension 1 mile each side of the 110° bearing from the airport extending from the 6.6-mile radius to 6.8 miles east of the airport; adds an extension 1 mile each side of the 140° bearing from the airport extending from the 6.6-mile radius to 10.4 miles southeast of the airport; adds an extension 1 mile each side of the 320° bearing from the airport extending from the 6.6-mile radius to 10.6 miles northwest of the airport; and updates the geographic coordinates of the airport to coincide with the FAA's aeronautical database.

This action is the result of an airspace review caused by the decommissioning of the Waukon VOR, which provided navigation information for the instrument procedures this airport, as part of the VOR MON Program.

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

**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, is non-controversial and unlikely to result in adverse or negative comments. 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. 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.

### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5–6.5.a. 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.

### Lists 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(f), 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 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### AGL WI E5 Prairie Du Chien, WI [Amended]

Prairie Du Chien Municipal Airport, WI  
(Lat. 43°01'09" N, long. 91°07'25" W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Prairie Du Chien Municipal Airport, and within 1 mile each side of the 110° bearing from the airport extending from the 6.6-mile radius to 6.8 miles east of the airport, and within 1 mile each side of the 140° bearing from the airport extending from the 6.6-mile radius to 10.4 miles southeast of the airport, and within 1 mile each side of the 320° bearing from the airport extending from the 6.6-mile radius to 10.6 miles northwest of the airport.

Issued in Fort Worth, Texas, on January 4, 2021.

**Martin A. Skinner,**

*Acting Manager, Operations Support Group,  
ATO Central Service Center.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 91

[Docket No.: FAA–2019–0451; Amdt. No. 91–362]

RIN 2120–AL30

### Special Flight Authorizations for Supersonic Aircraft

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

**ACTION:** Final rule.

**SUMMARY:** In consideration of the continuing development of a new generation of supersonic aircraft, FAA is modernizing the procedure for requesting a special flight authorization to operate in excess of Mach 1 over land in the United States. The renewed interest in development of supersonic airplanes caused FAA to review its application procedures that allow for flight tests of these aircraft. This final rule modifies the criteria for applying for these authorizations and moves the material from an appendix to a regulation to make it easier to find and understand. Outside the context of special flight authorizations under this final rule, the FAA continues generally to prohibit civil supersonic flight over land in the United States.

**DATES:** Effective February 16, 2021.

**ADDRESSES:** For information on where to obtain copies of rulemaking documents and other information related to this final rule, see "How To Obtain Additional Information" in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** For questions concerning this action, contact: Sandy Liu, Office of Environment and Energy, AEE–100, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (240) 267–4748; email [sandy.liu@faa.gov](mailto:sandy.liu@faa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Authority for This Rulemaking

FAA's authority to issue rules on 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 III, Section 44715 Controlling aircraft noise and sonic boom. Under that section, FAA is charged with prescribing regulations to measure and abate aircraft noise. This regulation is within the scope of that authority since it provides for certain operations of new supersonic aircraft in approved areas where the environmental impact of the operations has been assessed.

#### I. Overview of Final Rule

This rulemaking amends the administrative requirements for a special flight authorization originally published as appendix B to part 91, Authorizations to exceed Mach 1 (§ 91.817), of title 14 of the Code of Federal Regulations (14 CFR). This rulemaking is intended to streamline the application procedure for these special flight authorizations by clarifying the information that is needed for submission and specifying the program office within FAA that processes the applications. This rule sets forth the application criteria in a more user-friendly format. FAA is adopting the rule largely as it was proposed, with some minor changes to the regulatory text, as discussed in Section IV and the accompanying preamble discussion.

#### II. Background

In a notice of proposed rulemaking (NPRM) titled Special Flight Authorizations for Supersonic Aircraft (84 FR 30961, June 28, 2019), FAA proposed to modernize the procedures for requesting special flight authorizations that are needed to accomplish testing and development of new supersonic aircraft. The NPRM provided a brief history of FAA's regulation of civil supersonic aircraft beginning in the 1970s with the introduction of the Concorde, including the history of the application procedure for special flight authorizations that is the subject of this rulemaking.

FAA is clarifying the application procedure for requesting a special flight authorization to fly faster than Mach 1 following increased interest by industry to develop such aircraft. The revisions adopted here do not change the general prohibition against overland supersonic flight in the United States that has been in place since 1973 (14 CFR 91.817). This rule replaces the procedure described in part 91, appendix B, with regulatory text that clearly describes the