document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11H lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by modifying the Class E airspace designated as a surface area, modifying the Class E airspace extending upward from 700 feet or more above the surface, and modifying the administrative portions of the Class E airspace legal descriptions at Burley Municipal Airport, Burley, ID.

The Class E airspace designated as a surface area is oversized for the purpose of containing instrument flight procedures. The extensions to the northwest clockwise through the southeast are no longer needed and are removed. The central area is expanded to be within a 5-mile radius of the airport, with a southwest portion extending to the airport's 7-mile radius between the airport's 208° bearing clockwise to the 274° bearing to more appropriately contain IFR arrival operations while between the surface and 1,000 feet above the surface, and IFR departure operations while between the surface and the base of adjacent controlled airspace.

The existing Class E airspace extending upward from 700 feet above the surface is greatly reduced to more appropriately contain arriving IFR operations below 1,500 feet above the surface and departing IFR operations until they reach the next adjacent airspace. The west-to-northeast portion of the airspace is reduced to be within a 6.5-mile radius of the airport, from the airport's 274° bearing clockwise to the 074° bearing. The southeast portion of the airspace is reduced to be within a 5.6-mile radius of the airport, from the airport's 074° bearing clockwise to the 208° bearing. Lastly, the southwest portion of the airspace had been expanded to be within a 7-mile radius of the airport, from the airport's 208° bearing clockwise to the 274° bearing.

Finally, the FAA modified the administrative portions of Burley's Class E airspace legal descriptions. The Burley very high frequency omni-directional range/tactical air navigation (VORTAC) navigational aid (NAVAID) is no longer needed to describe the airspace at Burley and should be removed.

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 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).

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(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 JO 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, is amended as follows:

Paragraph 6002 Class E Airspace Areas Designated as a Surface Area.

* * * * *

ANM ID E2 Burley, ID [Amended]

Burley Municipal Airport, ID
(Lat. 42°32′33″ N, long. 113°46′18″ W)

That airspace extending upward from the surface within a 5-mile radius of the Burley Municipal Airport, and that airspace extending upward from the surface between a 5-mile radius to a 7-mile radius southwest of the airport, from the 208° bearing clockwise to the 274° bearing from the airport.

* * * * *

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ANM ID E5 Burley, ID [Amended]

Burley Municipal Airport, ID
(Lat. 42°32′33″ N, long. 113°46′18″ W)

That airspace extending upward from 700 feet above the surface within a 5.6-mile radius of the airport, and within a 6.5-mile radius of the airport between the 274° bearing clockwise to the 074° bearing, and within a 7-mile radius of the airport, from the 208° bearing clockwise to the 274° bearing; That airspace extending upward from 1,200 feet above the surface beginning at lat. 42°36′45″ N, long. 114°14′48″ W; to lat. 43°0′1″ N, long. 114°2′9″ W; to lat. 42°59′59″ N, long. 112°59′57″ W; to lat. 42°29′59″ N, long. 113°0′0″ W; to lat. 42°4′13″ N, long. 114°30′42″ W; lat. 42°36′20″ N, long. 114°14′35″ W; lat. 42°36′27″ N, long. 114°14′55″ W; thence to the point of beginning.

* * * * *

Issued in Des Moines, Washington, on September 6, 2023.

B.G. Chew,

Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2023–19597 Filed 9–14–23; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2022–1471; Airspace Docket No. 22–AAL–63]

RIN 2120–AA66

Modification of Class E Airspace; Ralph M. Calhoun Memorial Airport, Tanana, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies the Class E airspace designated as a surface area and modifies the Class E airspace extending upward from 700 feet above the surface at Ralph M. Calhoun Memorial Airport, Tanana, AK. Additionally, this action updates the administrative portion of the airport's Class E airspace legal descriptions. These modifications support the safety

and management of instrument flight rules (IFR) operations at the airport.

DATES: Effective date 0901 UTC, November 30, 2023. 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 JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11H, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Nathan A. Chaffman, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231–3460.

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 modifies Class E airspace to support IFR operations at Ralph M. Calhoun Memorial Airport, AK.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA–2022–1471 in the **Federal Register** (88 FR 30687; May 12, 2023), proposing to modify Class E airspace at Ralph M. Calhoun Memorial Airport, AK. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

Class E2 and E5 airspace areas are published in paragraphs 6002 and 6005, respectively, of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11H, dated August 11, 2023, and effective September 15, 2023. FAA Order JO 7400.11H is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11H lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by modifying the Class E airspace designated as a surface area and modifying the Class E airspace extending upward from 700 feet above the surface at Ralph M. Calhoun Memorial Airport, AK.

The Class E surface area airspace at the airport is increased from a 3.9-mile radius around the airport to a 5.1-mile radius to fully contain IFR arrival operations between the surface and 1,000 feet above the surface when executing the Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME) Runway (RWY) 7 approach or the Area Navigation (RNAV) (Global Positioning System [GPS]) RWY 7 approach. Additionally, the two westward extensions to the Class E surface area at the airport are removed, as they are no longer needed for containing IFR operations. Finally, the Class E surface area is extended 1.4 miles to the southwest to fully contain aircraft departing on the RWY 25 Obstacle Departure Procedure (ODP) between the surface and the base of adjacent controlled airspace.

The Class E airspace extending upward from 700 feet above the surface at the airport is also modified. The Class E airspace area extending upward from 700 feet above the surface that provided a procedure turn area east of the airport is no longer needed and is removed. Furthermore, the airspace radius is increased by 0.2 miles to more appropriately accommodate arriving IFR operations below 1,500 feet above the surface when executing the VOR/DME RWY 7 or RNAV (GPS) RWY 7 approaches. Lastly, the Class E airspace extending upward from 700 feet above the surface is extended to 10.5 miles east of the airport to fully contain departing IFR operations until they reach 1,200 feet above the surface while conducting the RWY 25 ODP.

Finally, the FAA is modifying the administrative text headers to the airport's legal descriptions. The geographic coordinates located on line three of both legal description text headers are updated to match the FAA's database. The Bear Creek nondirectional beacon was decommissioned on December 2, 2021, and reference to it is removed from both legal descriptions. Lastly, reference to the Tanana VOR/DME navigational aid is no longer needed and is removed from both legal descriptions.

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 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.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

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(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 part 71.1 of FAA Order JO 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, is amended as follows:

Paragraph 6002 Class E Airspace Areas Designated as a Surface Area.

* * * * *

AAL AK E2 Tanana, AK [Amended]

Ralph M. Calhoun Memorial Airport, AK
(Lat. 65°10′28″ N, long. 152°06′29″ W)

That airspace within a 5.1-mile radius of the airport, and within 3.6 miles each side of the airport's 214° bearing extending from the 5.1-mile radius to 6.5 miles southwest of the airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Air Missions. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

AAL AK E5 Tanana, AK [Amended]

Ralph M. Calhoun Memorial Airport, AK
(Lat. 65°10′28″ N, long. 152°06′29″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the airport, and within 1.9 miles each side of the airport's 082° bearing extending from the 6.6-mile radius to 10.5 miles east of the airport; that airspace extending upward from 1,200 feet above the surface within a 73-mile radius of the airport.

* * * * *

Issued in Des Moines, Washington, on August 31, 2023.

B.G. Chew,

Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2023–19295 Filed 9–14–23; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 89

[Docket No. FAA–2019–1100; Amdt. No. 89–2]

RIN 2120–AL31

Enforcement Policy Regarding Operator Compliance Deadline for Remote Identification of Unmanned Aircraft

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

ACTION: Notification of enforcement policy.

SUMMARY: For noncompliance with the remote identification operating requirements applicable to unmanned aircraft, which occurs on or before March 16, 2024, the FAA will consider all circumstances, in particular, unanticipated issues with the available supply and excessive cost of remote identification broadcast modules and unanticipated delay in the FAA's approval of FAA-recognized identification areas, when exercising its discretion in determining whether to take enforcement action.

DATES: This policy is effective September 15, 2023.

FOR FURTHER INFORMATION CONTACT: Ben Walsh, Flight Technologies and Procedures Division, Federal Aviation Administration, 800 Independence Ave. SW, Building 10A/8th Floor, Washington, DC 20591; telephone 1–844–FLY–MY–UA (1–844–359–6981); email: *UAShelp@faa.gov.*

SUPPLEMENTARY INFORMATION:

Electronic Access and Filing

A copy of this document may be viewed online at *https://www.regulations.gov* using the docket number listed above. A copy of this document will be placed in the docket. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at *https://www.federalregister.gov* and the Government Publishing Office's website at *https://www.govinfo.gov.*

Background

On January 15, 2021, the Remote Identification of Unmanned Aircraft final rule (RIN 2120–AL31) published in the **Federal Register**.[1] Unless otherwise authorized by the Administrator or as prescribed in 14 CFR 89.120, no person may operate an unmanned aircraft subject to the applicability in § 89.101 after September 16, 2023, outside the boundaries of an FAA-recognized identification area (FRIA) unless it is a standard remote identification unmanned aircraft or equipped with a remote identification broadcast module.[2] The application and approval process for FRIAs is set forth in 14 CFR 89 subpart C. The majority of the final rule became effective on April 21, 2021.[3]

In accordance with the final rule, standard remote identification unmanned aircraft and remote identification broadcast modules must be designed and produced to meet the requirements of Title 14 of the Code of Federal Regulations part 89 (14 CFR part 89). A person designing or producing a standard remote identification unmanned aircraft or remote identification broadcast module for operation in the United States must show that the unmanned aircraft or broadcast module meets the requirements of an FAA accepted means of compliance. A means of compliance describes the methods by which the person complies with the performance-based requirements for remote identification.

On September 12, 2022, the FAA published an Enforcement Policy indicating that the FAA would exercise its discretion in determining how to handle any apparent noncompliance with the manufacturing deadline set forth in the final rule, due to the delay in acceptance of the ASTM means of compliance.[4]

In recent months, the FAA has received significant public feedback regarding remote identification requirements, including multiple requests for an extension of the September 16, 2023, remote identification operational compliance date. Additionally, the FAA has

[1] *Remote Identification of Unmanned Aircraft* final rule, 86 FR 4390, January 15, 2021, *available at https://www.federalregister.gov/documents/2021/01/15/2020-28948/remote-identification-of-unmanned-aircraft.*

[2] 14 CFR 89.105.

[3] *Remote Identification of Unmanned Aircraft; Delay,* 86 FR 13629, March 10, 2021, *available at https://www.federalregister.gov/documents/2021/03/10/2021-04882/remote-identification-of-unmanned-aircraft-delay.*

[4] *Enforcement Policy Regarding Production Requirements for Standard Remote Identification Unmanned Aircraft,* 87 FR 55685, September 12, 2022, *available at https://www.federalregister.gov/documents/2022/09/12/2022-19644/enforcement-policy-regarding-production-requirements-for-standard-remote-identification-unmanned.*