

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2024-0197; Airspace Docket No. 24-ASO-04]

RIN 2120-AA66

#### Amendment of Class E Airspace; Ozark, AL and Columbus, GA

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

**ACTION:** Final rule.

**SUMMARY:** This action makes the editorial changes, updating the airport names of two Army Airfields (AAF) and replacing the term Notice to Airmen with Notice to Air Missions in the Class E description. This action does not change the airspace boundaries or operating requirements.

**DATES:** Effective 0901 UTC, May 16, 2024. 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:** This final rule may be viewed online at [www.regulations.gov](http://www.regulations.gov) using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours a day, 365 days a 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/](http://www.faa.gov/air_traffic/publications/). For further information, contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue,

College Park, GA 30337; telephone: (404) 305-6364.

#### 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 updates airport names and airspace descriptions. This update is an administrative change and does not change the airspace boundaries or operating requirements.

##### Incorporation by Reference

Class E airspace is published in paragraphs 6002 and 6004 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 FAA Order JO 7400.11 update. 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 amendment to 14 CFR part 71 amends Class E surface airspace and Class E airspace designated as an extension to a Class D surface area for Fort Novosel, Ozark, AL, and Fort Moore, Columbus, GA, by updating each airport's name (formerly Fort Rucker and Fort Benning, respectively), as well as updating the descriptions by making editorial changes, replacing the term Notice to Airmen with Notice to Air Missions in the appropriate descriptions. In addition, this action updates the geographic coordinates of CAIRNES VOR in the Class E airspace designated as an extension to a Class D

surface area for Fort Novosel. This action is an administrative change and does not affect the airspace boundaries or operating requirements; therefore, notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

#### 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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will 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 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances warrant the 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 Federal Aviation Administration 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 Surface Airspace.*  
\* \* \* \*

**ASO GA E2 Columbus, GA [Amended]**

Columbus Airport, GA  
(Lat 32°30'59" N, long 84°56'20" W)  
Lawson AAF (Fort Moore)  
(Lat 32°19'54" N, long 84°59'14" W)  
That airspace extending upward from the surface within a 4.4-mile radius of the Columbus Airport, and that airspace extending upward from the surface within a 5.2-mile radius of Lawson Army Airfield (Fort Moore), and that airspace within 1 mile each side of the 145° bearing from the AAF extending from the 5.2-mile radius to 6.8 miles southeast of the AAF. This Class E airspace 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 6004 Class E Airspace  
Designated as an Extension to Class D or  
Class E Surface Area.*  
\* \* \* \*

**ASO AL E4 Fort Novosel (Ozark), AL [Amended]**

Cairns Army Air Field (Fort Novosel), AL  
(Lat 31°16'33" N, long 85°42'48" W)  
Cairns VOR  
(Lat 31°16'08" N, long 85°43'35" W)  
That airspace extending upward from the surface within 3.5 miles on each side of Cairns VOR 231° radial, extending from the 5-mile radius of lat. 31°18'30" N, long. 85°42'20" W to 7 miles southwest of the VOR, and within 2 miles each side of Cairns Army Airfield Runway 36 extended centerline, extending from the 5-mile radius to 5 miles south of the runway end.  
\* \* \* \*

Issued in College Park, Georgia, on February 5, 2024.

**Andreese C. Davis, Manager,**  
*Airspace & Procedures Team South, Eastern Service Center, Air Traffic Organization.*  
[FR Doc. 2024-02610 Filed 2-8-24; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

**[Docket Number USCG–2024–0128]**

**RIN 1625-AA00**

**Safety Zones; Delaware River Dredging, Marcus Hook, PA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing two temporary safety zones on the waters of the Delaware River, in portions of Marcus Hook Range and Anchorage 7 off Marcus Hook Range. The safety zones temporarily restrict vessel traffic from transiting or anchoring in portions of the Delaware River while maintenance dredging is being conducted within the Delaware River. The safety zones are needed to protect personnel, vessels, and the marine environment from hazards created by dredging operations. Entry of vessels or persons into these zones is prohibited unless specifically authorized by the Captain of the Port (COTP) or his designated representatives.

**DATES:** This rule is effective without actual notice from February 9, 2024 through April 30, 2024. For the purposes of enforcement, actual notice will be used from February 6, 2024, through February 9, 2024

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2024–0128 in the search box, and click “Search.” Next, in the “Document Type” column, select “Supporting & Related Material.”

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, call or email Petty Officer Christopher Payne, Waterways Management Branch, U.S. Coast Guard Sector Delaware Bay; telephone (267) 515–7294, email [SecDelBayWWM@uscg.mil](mailto:SecDelBayWWM@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

COTP Captain of the Port  
CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

**II. Background Information and Regulatory History**

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 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 and contrary to the public interest. There is insufficient time to allow for a reasonable comment period prior to the start date for dredging operations. The rule must be in force by February 6, 2024 to serve its purpose of ensuring the safety of the public from hazards associated with dredging operations.

Under 5 U.S.C. 553(d)(3), the Coast Guard also finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register** for the same reasons discussed above.

**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 COTP has determined that there are potential hazards associated with dredging operations, such as submerged and floating pipelines, booster pumps, head sections, and support vessels with a restricted ability to maneuver. The purpose of this rulemaking is to ensure the safety of personnel, vessels, and the marine environment within a 250-yard radius of dredging operations and all associated pipeline and equipment.

**IV. Discussion of the Rule**

This rule establishes two safety zones, both of which will be in effect from February 6, 2024 through April 30, 2024. The safety zones are necessary to facilitate annual maintenance dredging of the Delaware River in the vicinity of Marcus Hook Range and Anchorage 7 off Marcus Hook Range. (The location of the anchorage is described in 33 CFR 110.157(a)(8).) Dredging will most likely be conducted with the dredge ESSEX, though other dredges may be used, along with the associated dredge pipeline and booster pumps. The pipeline consists of a combination of floating hoses immediately behind the dredge and submerged pipeline leading to upland disposal areas. Booster pumps, located between the dredge