



## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA-2023-0242; Airspace Docket No. 23-ASO-25]

RIN 2120-AA66

### Renaming of Restricted Areas R-2103A and R-2103B; Fort Rucker, AL

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

**ACTION:** Final rule.

**SUMMARY:** This action is an administrative change to rename restricted areas R-2103A and R-2103B, Fort Rucker, AL, and to update the using agency description to reflect the change. This action partially implements recommendations of the Commission on the Naming of Items (Naming Commission) of the Department of Defense (DoD) as established by section 370 of the Fiscal Year (FY) 2021 National Defense Authorization Act (NDAA).

**DATES:** Effective date 0901 UTC, January 25, 2024.

**ADDRESSES:** A copy of this final rule, and all background material 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 each day, 365 days each year.

**FOR FURTHER INFORMATION CONTACT:** Brian Vidis, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

#### 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 updates the information in the airspace descriptions of restricted areas R-2103A and R-2103B.

## **Background**

The FY 2021 NDAA directed the DoD to establish a commission relating to assigning, modifying, or removing of names, symbols, displays, monuments, and paraphernalia to assets of the DoD that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America.<sup>1</sup> In January 2023, the Secretary of Defense directed all DoD organizations to begin full implementation of the Naming Commission's recommendations. As approved by the Secretary of Defense, the name "Fort Rucker, AL" is changed to "Fort Novosel, AL". Consequently, this rulemaking action implements the requisite changes to part 73 by updating the airspace descriptions of restricted areas R-2103A and R-2103B to reflect the new name.

## **The Rule**

This action amends 14 CFR part 73 by updating the airspace titles and using agency descriptions for restricted areas R-2103A and R-2103B by removing the name "Fort Rucker, AL" and replacing it with "Fort Novosel, AL". Additionally, the FAA added the word "statute" to the part 73 description to clarify the unit of measurement for the radius of each volume of airspace. This action consists of administrative name changes only and does not affect the boundaries, altitudes, time of designation, or activities conducted in the airspace. Therefore, notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

## **Regulatory Notices and Analyses**

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<sup>1</sup> Pub. L. 116–283, 134 Stat. 3388, Jan. 1, 2021.

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 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.

### **Environmental Review**

The FAA has determined that this action of making administrative name changes to restricted areas R-2103A and R-2103B, which do not alter the boundaries, altitudes, or time of designation, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph 5-6.5d - Modification of the technical description of special use airspace (SUA) that does not alter the dimensions, altitudes, or times of designation of the airspace (such as changes in designation of the controlling or using agency, or correction of typographical errors). In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary

circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

### List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

### The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

### PART 73—Special Use Airspace

1. The authority citation for 14 CFR part 73 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.

### § 73.21 Alabama [Amended]

2. Section 73.21 is amended as follows:

\* \* \* \* \*

### R-2103A Fort Rucker, AL [Removed]

### R-2103B Fort Rucker, AL [Removed]

### R-2103A Fort Novosel, AL [New]

**Boundaries.** A circular area with a radius of 4 statute miles centered at lat. 31°26'56"N., long. 85°47'45"W.

**Designated altitudes.** Surface to but not including 10,000 feet. MSL.

**Time of designation.** Continuous.

**Controlling agency.** U.S. Army, Cairns Approach Control.

**Using agency.** Commanding General, U.S. Army Aviation Center, Fort Novosel, AL.

### R-2103B Fort Novosel, AL [New]

**Boundaries.** A circular area with a radius of 4 statute miles centered at lat. 31°26'56"N., long. 85°47'45"W.

**Designated altitudes.** 10,000 feet MSL to 15,000 feet MSL.

**Time of designation.** By NOTAM 6 hours in advance.

**Controlling agency.** FAA, Jacksonville ARTCC.

**Using agency.** Commanding General, U.S. Army Aviation Center, Fort Novosel, AL.

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