

[4910-1]



This document is scheduled to be published in the Federal Register on 04/08/2024 and available online at <https://federalregister.gov/d/2024-07243>, and on <https://govinfo.gov>

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2023-2204; Airspace Docket No. 23-AEA-20]

RIN 2120-AA66

#### Amendment of Class D and Class E Airspace; Wallops Island, VA

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class D airspace, Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface for Wallops Flight Facility, Wallops Island, VA. This action eliminates the Snow Hill VORTAC from the airspace descriptions for this airport, as well as updating the airport name, geographic coordinates, and description headers.

**DATES:** Effective 0901 UTC, July 11, 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:** 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](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/).

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:** 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 amends Class D and Class E airspace for Wallops Island, VA. An airspace evaluation determined that this update is necessary to support IFR operations in the area.

##### **History**

The FAA published a notice of proposed rulemaking for Docket No. FAA 2023-2204 in the *Federal Register* (88 FR 87382; December 18, 2023), proposing to amend Class D airspace, Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface for Wallops Flight Facility, Wallops Island, VA. 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 D and E airspace designations are published in Paragraphs 5000, 6002, and 6005 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 amending Class D airspace and Class E surface airspace by removing Snow Hill VORTAC from the descriptions as it is unnecessary in describing the airspace, as well as updating the airport's geographic coordinates to coincide with the FAA's database. In addition, this action updates the airport name to Wallops Flight Facility (formerly NASA Wallops Flight Facility). This action also replaces the terms Notice to Airmen with Notice to Air Missions and Airport/Facility Directory with Chart Supplement in the airspace descriptions. In addition, the Class E airspace extending upward from 700 feet above the surface is updated by replacing the city name under the header with Wallops Island (formerly Chincoteague) and removing the city name from the next line of the description, identifying the airport. Also, the geographic coordinates of this airspace are updated to coincide with the FAA's database. Finally, this action clarifies the Class D description

by adding the words ‘and including’ referring to the airspace ceiling. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

### **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 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 5-6.5a.

This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that 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 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 5000. Class D Airspace.

\* \* \* \* \*

**AEA VA D Wallops Island, VA [Amended]**

Wallops Flight Facility, VA  
(Lat 37°56'25" N, long 75°27'59" W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.4-mile radius of Wallops Flight Facility and within 1.8 miles each side of the 001° bearing of the airport, extending from the 4.4-mile radius to 4.7 miles north of the airport. This Class D 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 published continuously in the Chart Supplement.

\* \* \* \* \*

Paragraph 6002. Class E Surface Airspace.

\* \* \* \* \*

**AEA VA E2 Wallops Island, VA [Amended]**

Wallops Flight Facility, VA  
(Lat 37°56'25" N, long 75°27'59" W)

That airspace extending upward from the surface within a 4.4-mile radius of Wallops Flight Facility and within 1.8 miles each side of the 001° bearing of the airport, extending from the 4.4-mile radius to 4.7 miles north 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 published continuously in the Chart Supplement.

\* \* \* \* \*

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

\* \* \* \* \*

**AEA VA E5 Wallops Island, VA [Amended]**  
Wallops Flight Facility, VA  
(Lat 37°56'25" N, long 75°27'59" W)

That airspace extending upward from 700 feet above the surface within a 7.1-mile radius of the Wallops Flight Facility.

\* \* \* \* \*

Issued in College Park, Georgia, on April 2, 2024

**PATRICK YOUNG,**  
**Manager, Airspace & Procedures Team North,**  
**Eastern Service Center, Air Traffic Organization.**

[FR Doc. 2024-07243 Filed: 4/5/2024 8:45 am; Publication Date: 4/8/2024]