



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2024-0269; Airspace Docket No. 24-ASW-2]

RIN 2120-AA66

Amendment of Class D and Class E Airspace; Beaumont/Port Arthur, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the Class D and Class E airspace at Beaumont/Port Arthur, TX. This action is the result of airspace reviews conducted due to the decommissioning of the Beaumont very high frequency omnidirectional range (VOR) as part of the VOR Minimum Operational Network (MON) Program. This action also updates the name and geographic coordinates of various airports. This action brings the airspace into compliance with FAA orders and supports instrument flight rule (IFR) operations.

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 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: 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 D airspace, Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface at Jack Brooks Regional Airport, Beaumont/Port Arthur, TX, and the Class E airspace extending upward from 700 feet above the surface at Beaumont Municipal Airport, Beaumont, TX, and Orange County Airport, Orange, TX, (Contained within the Beaumont/Port Arthur, TX, airspace legal description.) to support instrument flight rule operations at these airports.

History

The FAA published an NPRM for Docket No. FAA-2024-0269 in the *Federal Register* (89 FR 14000; February 26, 2024) proposing to amend the Class D and Class E airspace at Beaumont/Port Arthur, TX. 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 amendment to 14 CFR part 71:

Modifies the Class D airspace at Jack Brooks Regional Airport, Beaumont/Port Arthur, TX, by updating the name of the airport (previously Jefferson County Airport) to coincide with the FAA's aeronautical database; updates the header of the airspace legal description to Beaumont/Port Arthur, TX (previously Beaumont, TX) to coincide with the FAA's aeronautical database; removes the city associated with the airport in the airspace legal description to comply with changes to FAA Order JO 7400.2P, Procedures for Handling Airspace Matters; and replaces the outdated terms "Notice to Airmen" and "Airport/Facility Directory" with "Notice to Air Missions" and "Chart Supplement";

Modifies the Class E surface airspace at Jack Brooks Regional Airport by updating the name of the airport (previously Jefferson County Airport) to coincide with the FAA's aeronautical database; updates the header of the airspace legal description to Beaumont/Port Arthur, TX (previously Beaumont, TX) to coincide with the FAA's aeronautical database; removes the city associated with the airport in the airspace legal description to comply with changes to FAA Order JO 7400.2P; and replaces the outdated terms "Notice to Airmen" and "Airport/Facility Directory" with "Notice to Air Missions" and "Chart Supplement";

And modifies the Class E airspace extending upward from 700 feet above the surface to within a 7.5-mile (decreased from a 7.7-mile) radius of Jack Brooks Regional Airport; removes the extension northwest of Beaumont Municipal Airport, Beaumont, TX, from the airspace legal description as it is no longer needed; within a 6.5-mile (decreased from a 6.6-mile) radius of

Orange County Airport, Orange, TX; updates the name of Jack Brooks Regional Airport (previously Southeast Texas Regional Airport) to coincide with the FAA's aeronautical database; updates the geographic coordinates of Beaumont Municipal Airport and Orange County Airport to coincide with the FAA's aeronautical database; updates the header of the airspace legal description to Beaumont/Port Arthur, TX (previously Beaumont, TX) to coincide with the FAA's aeronautical database; and removes the cities associated with the airports in the airspace legal description to comply with changes to FAA Order JO 7400.2P.

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 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 5000. Class D Airspace.

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ASW TX D Beaumont/Port Arthur, TX [Amended]

Jack Brooks Regional Airport, TX
(Lat 29°57'03"N, long 94°01'15"W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 5-mile radius of Jack Brooks Regional 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 dates and times will thereafter be continuously published in the Chart Supplement.

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

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ASW TX E2 Beaumont/Port Arthur, TX [Amended]

Jack Brooks Regional Airport, TX
(Lat 29°57'03"N, long 94°01'15"W)

Within a 5-mile radius of Jack Brooks Regional 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 dates and times will thereafter be continuously published in the Chart Supplement.

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

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ASW TX E5 Beaumont/Port Arthur, TX [Amended]

Jack Brooks Regional Airport, TX

(Lat 29°57'03"N, long 94°01'15"W)

Beaumont Municipal Airport, TX

(Lat 30°04'13"N, long 94°12'54"W)

Orange County Airport, TX

(Lat 30°04'06"N, long 93°48'14"W)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Jack Brooks Regional Airport; and within a 6.4-mile radius of Beaumont Municipal Airport; and within a 6.5-mile radius of Orange County Airport.

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Issued in Fort Worth, Texas, on May 1, 2024.

Steven T. Phillips,

Acting Manager, Operations Support Group,

ATO Central Service Center.

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