

**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 5–6.5a. 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).

**Adoption of 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 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, effective September 15, 2015, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

**ASO FL D Orlando, FL [Amended]**

Orlando Executive Airport, FL

(Lat. 28°32'44" N., long. 81°19'59" W.)

That airspace extending upward from the surface, to but not including 1,600 feet MSL, within a 4.2-mile radius of Orlando Executive Airport, excluding that portion within the Orlando, FL, Class B airspace area. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

*Paragraph 6002 Class E Surface Area Airspace.*

\* \* \* \* \*

**ASO FL E2 Orlando, FL [Amended]**

Orlando Executive Airport, FL  
(Lat. 28°32'44" N., long. 81°19'59" W.)

Within a 4.2-mile radius of Orlando Executive Airport excluding that portion within the Orlando, FL Class B airspace area.

*Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.*

\* \* \* \* \*

**ASO FL E4 Gainesville, FL [Amended]**

Gainesville Regional Airport, FL  
(Lat. 29°41'24" N., long. 82°16'18" W.)

Gators VORTAC  
(Lat. 29°41'32" N., long. 82°16'23" W.)

That airspace extending upward from the surface within 2.4 miles each side of the Gators VORTAC 53° radial, extending from the 4.9-mile radius of Gainesville Regional Airport to 7 miles northeast of the VORTAC.

\* \* \* \* \*

**ASO FL E4 Orlando, FL [Amended]**

Orlando Executive Airport, FL  
(Lat. 28°32'44" N., long. 81°19'59" W.)

Orlando VORTAC  
(Lat. 28°32'34" N., long. 81°20'06" W.)

That airspace extending upward from the surface within 3.6 miles each side of the Orlando VORTAC 254° radial extending from the 4.2-mile radius of Orlando Executive Airport, to 8.1 miles west of the Orlando VORTAC; excluding that portion within the Orlando, FL, Class B airspace area.

Issued in College Park, Georgia, on June 8, 2016.

**Ryan W. Almasy,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2016–14373 Filed 6–20–16; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA–2015–7203; Airspace Docket No. 15–ASO–14]

**Establishment of Class D Airspace: Destin, FL; Duke Field, Eglin AFB, FL; Revocation of Class D Airspace; Eglin AF Aux No 3 Duke Field, FL; and Amendment of Class D and E Airspace; Eglin Air Force Base, FL; Eglin Hurlburt Field, FL; and Crestview, FL**

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class D airspace at Destin, FL, providing the controlled airspace required for the Air Traffic Control Tower at Destin Executive Airport, (formerly Destin-Fort Walton Beach Airport). Additionally, this action removes Eglin AF Aux No 3 Duke Field from the Class D designation, and establishes Duke Field, Eglin AFB, FL in its place. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at the airport. This action also changes the existing Class D airspace designation at Duke Field, Eglin Air Force Base (AFB), FL, and adjusts the geographic coordinates of Eglin AFB, Destin Executive Airport, Duke Field, and Hurlburt Field, to stay in concert with the FAA's database.

**DATES:** Effective 0901 UTC, July 21, 2016. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9Z and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.9Z, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at <http://www.faa.gov/airtraffic/publications/>. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202–267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.9Z at NARA, call 202–741–6030, or go to [http://www.archives.gov/federal-register/code\\_of\\_federal-regulations/ibr\\_locations.html](http://www.archives.gov/federal-register/code_of_federal-regulations/ibr_locations.html). FAA Order 7400.9Z, Airspace Designations

and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; 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 establishes Class D airspace at Destin Executive Airport, Destin, FL, and Duke Field Eglin AFB, FL; and removes Class D airspace at Eglin AF Aux No 3 Duke Field; and amends Class D and Class E airspace at Eglin Air Force Base, FL.

**History**

On March 3, 2016, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish Class D airspace at Destin Executive Airport, Destin, FL, and Duke Field Eglin AFB, FL; and remove Class D airspace at Eglin AF Aux No 3 Duke Field; and amend Class D and Class E airspace at Eglin Air Force Base, FL (81 FR 11136). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D and E airspace designations are published in paragraphs 5000, 6002, and 6005, respectively, of FAA Order 7400.9Z dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

**Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as

listed in the **ADDRESSES** section of this document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes Class D airspace up to and including 1,600 feet within a 4.4 mile radius of Destin Executive Airport, Destin, FL, providing the controlled airspace required to support the Air Traffic Control Tower. Additionally, this action removes the Class D designator for Eglin AF Aux No 3 Duke Field, FL, and replaces it with Duke Field, Eglin AFB, FL. This action also adjusts the geographic coordinates in Class D airspace, Class E surface area airspace, and Class E airspace extending upward from 700 feet above the surface for Eglin Air Force Base, FL, Destin Executive Airport, Duke Field, and Hurlburt Field, to stay in concert with the FAA's database. Also, Destin-Fort Walton Beach Airport is changed to Destin Executive Airport.

**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, is non-controversial and unlikely to result in adverse or negative comments. 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 5-6.5a. 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).

**Adoption of 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 Federal Aviation Administration Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, effective September 15, 2015, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

**ASO FL D Destin, FL [New]**

Destin Executive Airport, FL  
(Lat. 30°24'00" N., long. 86°28'17" W.)  
Eglin Air Force Base, FL  
(Lat. 30°29'00" N., long. 86°31'34" W.)

That airspace extending upward from the surface to and including 1,600 feet MSL within a 4.4-mile radius of Destin Executive Airport, excluding that portion north of the triangle beginning at lat. 30°23'39" N., long. 86°23'13" W., to lat. 30°27'00" N., long. 86°30'19" W., to lat. 30°20'54" N., long. 86°31'56" W. This Class D airspace is effective during the operating hours of the Destin Executive Airport tower published in the Airport/Facility Directory. The airspace is incorporated into the Eglin Air Force Base, FL Class D airspace when the tower is closed.

**ASO FL D Eglin Air Force Base, FL [Amended]**

Eglin Air Force Base, FL  
(Lat. 30°29'00" N., long. 86°31'34" W.)  
Destin Executive Airport  
(Lat. 30°24'00" N., long. 86°28'17" W.)  
Duke Field  
(Lat. 30°38'55" N., long. 86°31'19" W.)  
Hurlburt Field  
(Lat. 30°25'44" N., long. 86°41'20" W.)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 5.5-mile radius of Eglin AFB, and within a 4.4-mile radius of Destin Executive Airport, excluding the portion north of a line connecting the 2 points of intersection within a 5.2-mile radius centered on Duke Field; excluding the portion southwest of a line connecting the 2 points of intersection within a 5.3-mile radius of Hurlburt Field; excluding a portion east of a line beginning at lat. 30°30'43" N., long. 86°26'21" W. extending

east to the 5.5-mile radius of Eglin AFB. When the tower at Destin Executive Airport is operational, it excludes Destin's Class D airspace defined as that airspace south of the triangle beginning at lat. 30°23'39" N., long. 86°23'13" W. to lat. 30°27'00" N., long. 86°30'19" W. to lat. 30°20'54" N., long. 86°31'56" W. from the surface to and including 1,600 feet MSL.

**ASO FL D Eglin AF Aux No 3 Duke Field, FL [Removed]**

**ASO FL D Duke Field Eglin AFB, FL [New]**

Duke Field, FL

(Lat. 30°38'55" N., long. 86°31'19" W.)

Crestview, Bob Sikes Airport

(Lat. 30°46'44" N., long. 86°31'20" W.)

Eglin AFB

(Lat. 30°29'00" N., long. 86°31'34" W.)

That airspace extending upward from the surface to and including 2,700 feet MSL within a 5.2-mile radius of Duke Field; excluding the portion north of a line connecting the 2 points of intersection with a 4.2-mile radius circle centered on Bob Sikes Airport; excluding the portion south of a line connecting the 2 points of intersection with a 5.5-mile radius circle centered on Eglin AFB. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

**ASO FL D Eglin Hurlburt Field, FL [Amended]**

Eglin, Hurlburt Field, FL

(Lat. 30°25'44" N., long. 86°41'20" W.)

Eglin AFB

(Lat. 30°29'00" N., long. 86°31'34" W.)

That airspace extending upward from the surface, to and including 2,500 feet MSL within a 5.3-mile radius of Hurlburt Field; excluding the portion northeast of a line connecting the 2 points of intersection with a 5.5-mile radius circle centered on Eglin AFB. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

*Paragraph 6002 Class E Surface Area Airspace.*

\* \* \* \* \*

**ASO FL E2 Crestview, FL [Amended]**

Bob Sikes Airport, FL

(Lat. 30°46'44" N., long. 86°31'20" W.)

Duke Field, Eglin AFB

(Lat. 30°38'55" N., long. 86°31'19" W.)

Within a 4.2-mile radius of Bob Sikes Airport; excluding the portion south of a line connecting the 2 points of intersection with a 5.2-mile radius circle centered on Duke Field. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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

\* \* \* \* \*

**ASO FL E5 Eglin Air Force Base, FL [Amended]**

Eglin Air Force Base, FL

(Lat. 30°29'00" N., long. 86°31'34" W.)

Destin Executive Airport

(Lat. 30°24'00" N., long. 86°28'17" W.)

Duke Field

(Lat. 30°38'55" N., long. 86°31'19" W.)

Hurlburt Field

(Lat. 30°25'44" N., long. 86°41'20" W.)

Fort Walton Beach Airport

(Lat. 30°24'23" N., long. 86°49'45" W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Eglin Air Force Base, and within a 7.8-mile radius of Destin Executive Airport, and within a 7-mile radius of Duke Field, and within a 7-mile radius of Hurlburt Field, excluding a 1.5-mile radius of Fort Walton Beach Airport.

Issued in College Park, Georgia, on June 9, 2016.

**Ryan W. Almsay,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

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**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 93**

**[Docket No. FAA-2007-29320]**

**Operating Limitations at John F. Kennedy International Airport**

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

**ACTION:** Notice of amendment to order.

**SUMMARY:** This action amends the Order Limiting Operations at John F. Kennedy International Airport (JFK) published on January 18, 2008, as amended, and most recently extended on May 24, 2016. This action replaces an obsolete statement concerning the Order's expiration date with the correct expiration date of October 27, 2018. The Order remains effective until October 27, 2018.

**DATES:** This amendment is effective on June 21, 2016.

**ADDRESSES:** Requests may be submitted by mail to Slot Administration Office, AGC-240, Office of the Chief Counsel, 800 Independence Avenue SW., Washington, DC 20591, or by email to: [7-awa-slotadmin@faa.gov](mailto:7-awa-slotadmin@faa.gov).

**FOR FURTHER INFORMATION CONTACT:** For questions concerning this Order contact: Susan Pflugstler, System Operations

Services, Air Traffic Organization, Federal Aviation Administration, 600 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-6462; email [susan.pflugstler@faa.gov](mailto:susan.pflugstler@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Availability of Rulemaking Documents**

You may obtain an electronic copy using the Internet by:

(1) Searching the Federal eRulemaking Portal (<http://www.regulations.gov>);

(2) Visiting the FAA's Regulations and Policies Web page at [http://www.faa.gov/regulations\\_policies/](http://www.faa.gov/regulations_policies/); or

(3) Accessing the Government Printing Office's Web page at <http://www.gpoaccess.gov/fr/index.html>.

You also may obtain a copy by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-9680. Make sure to identify the amendment number or docket number of this rulemaking.

**Background**

From 1968, the FAA limited the number of arrivals and departures at JFK during the peak afternoon demand period (corresponding to transatlantic arrival and departure banks) through the implementation of the High Density Rule (HDR).<sup>1</sup> By statute enacted in April 2000, the HDR's applicability to JFK operations terminated as of January 1, 2007.<sup>2</sup> Using AIR-21 exemptions and the HDR phase-out, U.S. air carriers serving JFK significantly increased their domestic scheduled operations throughout the day. This increase in operations resulted in significant congestion and delays that negatively impacted the National Airspace System (NAS). In January 2008, the FAA placed temporary limits on scheduled operations at JFK to mitigate persistent congestion and delays at the airport.<sup>3</sup> With a temporary schedule limit order in place, the FAA proposed a long-term rule that would limit the number of scheduled and unscheduled operations

<sup>1</sup> 33 FR 17896 (Dec. 3, 1968). The FAA codified the rules for operating at high density traffic airports in 14 CFR part 93, subpart K. The HDR required carriers to hold a reservation, which came to be known as a "slot," for each takeoff or landing under instrument flight rules at the high density traffic airports.

<sup>2</sup> Aviation Investment and Reform Act for the 21st Century (AIR-21), Public Law 106-181 (Apr. 5, 2000), 49 U.S.C. 41715(a)(2).

<sup>3</sup> 73 FR 3510 (Jan. 18, 2008), as amended by 73 FR 8737 (Feb. 14, 2008).