

1. 1.18 V_{SR} ; and
2. A speed that provides the maneuvering capability specified in § 25.143(h).

(g) In icing conditions with the “Final Takeoff Ice” accretion defined in appendix C to part 25, V_{FTO} may not be less than—

1. The V_{FTO} speed determined in non-icing conditions.

2. A speed that provides the maneuvering capability specified in § 25.143(h).

5. In lieu of §§ 25.121(b)(2)(ii)(A), 25.121(c)(2)(ii)(A), and 25.121(d)(2)(ii), the following apply:

§ 25.121 Climb: One-Engine Inoperative

(b) Takeoff; landing gear retracted. In the takeoff configuration existing at the point of the flight path at which the landing gear is fully retracted, and in the configuration used in § 25.111, but without ground effect,

* * * * *

2. The requirements of subparagraph (b)(1) of this section must be met:

* * * * *

(ii) In icing conditions with the “Takeoff Ice” accretion defined in appendix C of part 25, if in the configuration of § 25.121(b) with the “Takeoff Ice” accretion:

(A) The V_2 speed scheduled in non-icing conditions does not provide the maneuvering capability specified in § 25.143(h) for the takeoff configuration; or

(c) Final takeoff. In the en route configuration at the end of the takeoff path determined in accordance with § 25.111:

* * * * *

2. The requirements of subparagraph (c)(1) of this section must be met:

* * * * *

(ii) In icing conditions with the “Final Takeoff Ice” accretion defined in appendix C of part 25, if:

(A) The V_{FTO} speed scheduled in non-icing conditions does not provide the maneuvering capability specified in § 25.143(h) for the en route configuration; or

(d) Approach. In a configuration corresponding to the normal all-engines operating procedure in which VSR for this configuration does not exceed 110 percent of the VSR for the related all-engines-operating landing configuration:

* * * * *

2. The requirements of sub-paragraph (d)(1) of this section must be met:

* * * * *

(ii) In icing conditions with the “Approach Ice” accretion defined in appendix C to part 25, in a configuration

corresponding to the normal all-engines-operating procedure in which V_{MIN1g} for this configuration does not exceed 110% of the V_{MIN1g} for the related all engines-operating landing configuration in icing, with a climb speed established with normal landing procedures, but not more than 1.4 V_{SR} (V_{SR} determined in non-icing conditions).

6. In lieu of § 25.123(b)(2)(i), the following applies:

§ 25.123 En Route Flight Paths

(b) The one-engine-inoperative net flight path data must represent the actual climb performance diminished by a gradient of climb of 1.1 percent for two-engine airplanes, 1.4 percent for three-engine airplanes, and 1.6 percent for four-engine airplanes.

* * * * *

2. In icing conditions with the “En route Ice” accretion defined in appendix C to part 25 if:

(i) The minimum en route speed scheduled in non-icing conditions does not provide the maneuvering capability specified in § 25.143(h) for the en route configuration, or

7. In lieu of § 25.125(b)(2)(ii)(B) and § 25.125(b)(2)(ii)(C), the following applies:

§ 25.125 Landing

(b) In determining the distance in (a):

* * * * *

2. A stabilized approach, with a calibrated airspeed of not less than V_{REF} , must be maintained down to the 50-foot height.

* * * * *

(ii) In icing conditions, V_{REF} may not be less than:

(A) The speed determined in subparagraph (b)(2)(i) of this section;

(B) A speed that provides the maneuvering capability specified in § 25.143(h) with the “Landing Ice” accretion defined in appendix C to part 25.

8. In lieu of § 25.143(j), the following applies:

§ 25.143 General

(j) For flight in icing conditions before the ice protection system has been activated and is performing its intended function the following requirements apply:

(1) If activating the ice protection system depends on the pilot seeing a specified ice accretion on a reference surface (not just the first indication of icing), the requirements of § 25.143 apply with the ice accretion defined in part II(e) of appendix C to part 25.

(2) For other means of activating the ice protection system, it must be

demonstrated in flight with the ice accretion defined in part II(e) of appendix C to part 25 that:

(i) The airplane is controllable in a pull-up maneuver up to 1.5 g load factor or lower if limited by angle of attack protection; and

(ii) There is no reversal of pitch control force during a pushover maneuver down to 0.5 g load factor.

9. In lieu of § 25.207, “Stall warning,” to read as the requirements defined in Part I of these special conditions.

Issued in Kansas City, Missouri, on March 5, 2024.

James David Foltz,

Manager, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service.

[FR Doc. 2024-05043 Filed 3-8-24; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2023-2362; Airspace Docket No. 23-AEA-25]

RIN 2120-AA66

Amendment of Class D and Class E Airspace and Revocation of Class E Airspace; Clarksburg, WV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the Class D and Class E airspace and revokes Class E airspace at Clarksburg, WV. This action is the result of a biennial airspace review. This action brings the airspace into compliance with FAA orders to support instrument flight rule (IFR) operations.

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: 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 and Class E airspace extending upward from 700 feet above the surface and revokes the Class E airspace designated as an extension to Class D airspace at North Central West Virginia Airport, Clarksburg, WV, to support IFR operations at this airport.

History

The FAA published an NPRM for Docket No. FAA-2023-2362 in the **Federal Register** (88 FR 88550; December 22, 2023) proposing to amend the Class D and Class E airspace and revoke Class E airspace at Clarksburg, WV. 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, 6004, 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 extending upward from the surface up to and including 3,700 feet MSL to within a 7.1-mile (increased from 4.1-mile) radius of the North Central West Virginia Airport, Clarksburg, WV, excluding that airspace within a 1-mile radius of Wade F. Maley Field, Shinnston, WV; and updates the outdated terms "Notice to Airmen" and "Airport Facility Directory" to "Notice to Air Missions" and "Chart Supplement";

Revokes the Class E airspace designated as an extension to Class D airspace at North Central West Virginia Airport as it is no longer required;

And modifies the Class E airspace extending upward from 700 feet above the surface to within a 9.6-mile (increased from an 8.9-mile) radius of North Central West Virginia 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. 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.

* * * * *

AEA WV D Clarksburg, WV [Amended]

North Central West Virginia Airport, WV
(Lat. 39°17'52" N, long. 80°13'39" W)
Wade F. Maley Field, WV
(Lat. 39°24'22" N, long. 80°16'37" W)

That airspace extending upward from the surface up to and including 3,700 feet within a 7.1-mile radius of North Central West Virginia Airport excluding that airspace within a 1-mile radius of Wade F. Maley Field. This Class D airspace area is effective during 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.

* * * * *

Paragraph 6004 Class E Airspace Areas Designates as an Extension to a Class D or Class E Surface Area.

* * * * *

AEA WV E4 Clarksburg, WV [Remove]

* * * * *

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

* * * * *

AEA WV E5 Clarksburg, WV [Amended]

North Central West Virginia Airport, WV
(Lat. 39°17'52" N, long. 80°13'39" W)

That airspace extending upward from 700 feet above the surface within an 9.6-mile radius of North Central West Virginia Airport.

* * * * *

Issued in Fort Worth, Texas, on March 6, 2024.

Martin A. Skinner,

Acting Manager, Operations Support Group,
ATO Central Service Center.

[FR Doc. 2024-05077 Filed 3-8-24; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2024-0154]

RIN 1625-AA00

Safety Zone; Indian Island, Port Townsend Bay, WA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters West of Indian Island in Port Townsend Bay, Washington. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by a naval exercise. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Puget Sound.

DATES: This rule is effective from 7 a.m. on March 12, 2024, through 7 p.m. March 14, 2024.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2024-0154 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 LTJG Kaylee Lord, Sector Puget Sound, Waterways Management Division, U.S. Coast Guard; telephone 206-217-6051, email SectorPugetSoundWWM@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port of Sector Puget Sound
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 under authority in 5 U.S.C. 553(b)(B). This statutory 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." 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 contrary to the public interest to publish a notice of proposed rulemaking regarding the movement of United States Navy vessels undergoing national security exercises in advance, as some of the movements are classified. It is impracticable for the Coast Guard to publish an NPRM because we must establish this safety zone by March 12, 2024 and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

Also, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because immediate action is needed to respond to potential safety hazards associated with the naval exercise.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port Sector Puget Sound (COTP) has determined that potential hazards associated with the naval exercise starting March 12, 2024, will be a safety concern for anyone within a 100-yard radius of the exercise area. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the exercise is being conducted.

IV. Discussion of the Rule

This rule establishes a safety zone from 7 a.m. on March 12, 2024 through 7 p.m. on March 14, 2024. The safety zone will cover all navigable waters bounded by the following coordinates: commencing west of Indian Island at latitude 48°4'13.3" N, longitude 122°46'37.5" W; thence northerly to latitude 48°5'43.6" N, longitude 122°47'4.1" W; thence easterly to latitude 48°5'43.6" N, longitude 122°44'49.3" W; thence south easterly to latitude 48°5'17.7" N, longitude 122°44'40.5" W; thence south westerly

to latitude 48°4'51.8" N, longitude 122°45'19.1" W; thence south easterly to latitude 48°2'43.8" N, longitude 122°44'41.6" W; thence westerly to latitude 48°2'37.1" N, longitude 122°45'33.5" W; thence northerly to latitude 48°3'35.6" N, longitude 122°45'50" W to the point of beginning.

The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while the exercise is being conducted. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a "significant regulatory action," under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, and duration of the safety zone. The regulated area consists of all navigable waterways within 100 yards of the established area in Port Townsend Bay, WA as previously listed. The safety zone will be enforced for a maximum of 36 hours total and thus is limited in time and scope. Although persons and vessels will not be able to enter, transit through, anchor in, or remain within the safety zone without authorization from the COTP or a designated representative, vessel traffic will be able to safely transit around this safety zone and the rule will allow vessels to seek permission to transit the zone.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and