

*See correction*

[Docket No. 14777; Amdt. No. 93-04]

**PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS**

**Subpart I—Locations at Which Special VFR Weather Minimums Do Not Apply**

**RESTORATION OF SPECIAL VFR AT OAKLAND, CALIFORNIA**

The purpose of this amendment to Part 93 of the Federal Aviation Regulations is to amend § 93.113 to allow special VFR operations in the Oakland, California, control zone.

This amendment is based upon a notice of proposed rule making (Notice No. 75-30) issued on June 30, 1975, and published in the FEDERAL REGISTER on July 8, 1975 (40 FR 28629). Interested persons have been afforded the opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

Section 91.113 prohibits the operation of fixed-wing aircraft within certain designated control zones, including Oakland, under the special VFR weather minimums prescribed in § 91.107. As stated in the notice, a review of operations in the Oakland control zone indicated that the continued prohibition of special VFR at that location appeared to

be unwarranted. The configuration of the airport runways and the presence of two control towers permit a natural geographic division between IFR and VFR operations using separate portions of the airport. Additionally, there has been a reduction in the volume of air carrier and other traffic using the Oakland control zone, so that the two control towers have the capability of handling any increase in traffic that may result from eliminating the prohibition of special VFR at Oakland.

Comments were received from industry representatives, general aviation users, pilot organizations, business concerns, and an aeronautical consultant. One commenter, assuming the absence of a precise plan of operation, suggested that a decision in the matter should be deferred for 180 days during which time ATC and certain airspace users could continuously monitor the weather and air traffic conditions in the areas affected by the proposed action, and prepare a specific and precise plan of operation comprising contingency provision to avoid interference between IFR and special VFR traffic. ATC provides separation conflicts that may arise from particular local conditions. Contrary to the assumption of the commenter, the FAA does have an orderly method of handling special VFR traffic. ATC provides separation between special VFR aircraft, and between IFR and special VFR aircraft. If it should appear that safe separation cannot be provided to special VFR traffic without interfering with IFR traffic or otherwise affecting the safety of other operations, special VFR clearances will not be issued. The FAA believes that present procedures for handling special VFR traffic are adequate and that a further evaluation of weather and traffic conditions at Oakland is unnecessary. Special VFR flights are now conducted in the vast majority of control zones without derogation of safety. Consideration of that broad issue does not appear to be needed in connection with this action.

The FAA believes that a continuation of the current prohibition against the use of special VFR is an unnecessary burden on the users of Metropolitan Oakland International Airport. Accordingly, Oakland, Calif., is deleted from the listing of control zones in § 93.113, thereby allowing the special VFR weather minimums of § 91.107 to be applied to appropriate operations in that control zone.

**AUTHORITY:** Sections 307(c), and 313(a) of the Federal Aviation Act of 1958 (49 U.S.C. §§ 1348(c), 1354(a)); and Section 6(c) of the Department of Transportation Act (49 U.S.C. § 1655(c)).

**§ 93.113 [Amended]**

In consideration of the foregoing, § 93.113 of Part 93 of the Federal Aviation Regulations is amended, effective May 10, 1976, by deleting the words "25. Oakland, Calif. (Metropolitan Oakland International Airport)" and by inserting the words "[25. Reserved.]" in place thereof.

Issued in Washington, D.C., on March 31, 1976.

**JOHN McLUCAS,**  
*Administrator.*

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[Docket No. 14777; Amdt. No. 93-34]

**PART 93—SPECIAL AIR TRAFFIC RULES  
AND AIRPORT TRAFFIC PATTERNS**

**Subpart I—Locations at Which Special VFR  
Weather Minimums Do Not Apply**

*Correction*

Restoration of Special VFR at Oakland, California; Correction

In FR Doc. 76-10033, appearing at page 14879, in the issue of Thursday, April 8, 1976, make the following change; on page 14880 in the first column, remove the first full paragraph and insert the following:

Comments were received from industry representatives, general aviation users, pilot organizations, business concerns, and an aeronautical consultant. One commenter, assuming the absence of a precise plan of operation, suggested that a decision in the matter should be deferred for 180 days during which time ATC and certain airspace users could continuously monitor the weather and air traffic conditions in the areas affected by the proposed action, and prepare a specific and precise plan of operation comprising contingency provisions to avoid interference between IFR and special VFR aircraft, and to avoid traffic conflicts that may arise from particular local conditions. Contrary to the assumption of the commenter, the FAA does have an orderly method of handling special VFR traffic. ATC provides separation between special VFR aircraft, and between IFR and special VFR aircraft. If it should appear that safe separation cannot be provided to special VFR traffic without interfering with IFR traffic or otherwise affecting the safety of other operations, special VFR clearances will not be issued. The FAA believes that present procedures for handling special VFR traffic are adequate and that a further evaluation of weather and traffic conditions at Oakland is unnecessary. Special VFR flights are now conducted in the vast majority of control zones without derogation of safety. Consideration of that broad issue does not appear to be needed in connection with this action.