

[Docket No. 8522; Amdt. 93-11]

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

**Valparaiso Special Rule**

The purpose of this amendment is to place the communications requirement now existing for the Valparaiso, Fla., terminal area on a continuous basis.

By letter of August 3, 1967, the U.S. Air Force (USAF) requested that the Special Air Traffic Rule for the Valparaiso, Fla., terminal area be made applicable on a continuous basis rather than from sunrise to sunset, Monday through Saturday.

Recognizing that a potentially hazardous condition existed in the airspace separating Restricted Areas R-2914 and R-2915 due to the high speed USAF test flights operating between these areas, the FAA adopted Amendment 93-5, effective December 10, 1964, which added Subpart F—Valparaiso, Fla., terminal area.

Substantively, the regulation requires that unless otherwise authorized flights may not be conducted in the airspace between Restricted Areas R-2914 and R-2915 A and B during daylight hours, Monday through Saturday, unless communications with ATC have been established for purposes of receiving ATC advisories concerning operations being conducted in the area.

The USAF contends that, due to an increase in general testing programs in the Eglin Complex, it is no longer feasible to schedule military crossings of the corridor between the restricted areas only during the periods between sunrise and sunset, Monday through Saturday.

The Air Traffic Division, Federal Aviation Administration (FAA) Southern Region investigated the matter and determined that the high volume of test activities and the unpredictable defense requirements require night and Sunday operations. They further determined that the Eglin Radar Approach Control and the Crestview Flight Service Station are capable of providing advisory service to aircraft using the corridor 24 hours a day, 7 days a week.

On November 3, 1967, a notice of proposed rule making was issued which proposed to amend Part 93 of the FARs as indicated above.

Four comments were received in response to the notice. The Air Line Pilots Association (ALPA) and Air Transport Association of America (ATA) interposed no objections to the proposed action.

The Aircraft Owners and Pilots Association (AOPA) commented that it is not clear how the interests of safety could be accomplished by merely advising aircraft that a military aircraft will be traversing the corridor at supersonic speed. They feel it would be more practicable to provide airspace in which to operate, and recommend that all military test flights be excluded from airspace in the corridor below 2,000 feet mean sea level. This recommendation is not feasible since the Air Force occasionally must use 500 feet for a crossing altitude.

The fourth comment, from a pilot, interposed no objection to extending the communication requirement through the hours of darkness, recommending that the communication requirement be continuous except for daylight hours on Sundays and Federal holidays. However, the USAF has shown a requirement to cross the corridor on Sundays and holidays as well as weekdays; therefore, the desirability of providing procedures for segregating high speed military aircraft and nonparticipating aircraft in this area would be no less valid on Sundays or holidays than any other day.

In consideration of the foregoing, Subpart F—Valparaiso, Fla., Terminal Area, of Part 93 of the Federal Aviation Regulations is amended, effective April 26, 1968, as follows:

In § 93.81 "between sunrise and sunset, Monday through Saturday," is deleted.

(Secs. 307, 313(a), Federal Aviation Act of 1958; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on March 19, 1968.

WILLIAM F. McKEE,  
Administrator.

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8:45 a.m.]

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