

**Title 14—Aeronautics and Space**  
**CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION**

[Docket No. 13284 Amdt. 95-255]

**PART 95—IFR ALTITUDES**

**Exception to Western United States Mountainous Area**

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to add an additional exception to that portion of the Western United States described in § 95.15(a) and designated as a mountainous area under § 95.11. The area that is added as an exception is in the vicinity of Puget Sound in the northwest portion of the State of Washington.

Interested persons have been afforded an opportunity to participate in the making of this amendment by a notice of proposed rule making (Notice 73-28) issued on October 17, 1973, and published in the *FEDERAL REGISTER* on November 1, 1973 (38 FR 30109). Due consideration has been given to all comments presented in response to the notice. Except for minor editorial changes, and except as specifically discussed hereinafter, these amendments and the reasons therefor are the same as those in Notice 73-28.

All public comments received in response to the notice favored the adoption of the proposed exception which will provide additional operational altitudes in this area.

The import of an area being designated as a mountainous area is reflected in §§ 91.119, 91.195, 121.657, and 135.91. Section 91.119(a)(2)(i) prescribes in pertinent part, that no person may operate a aircraft under IFR over an area designated as a mountainous area in Part 95 (where no minimum altitudes are prescribed for that area in Parts 95 and 97), unless an altitude of at least 2,000 feet is maintained above the highest obstacle within a horizontal distance of five statute miles from the course to be flown. Sections 91.195(a)(2) and 135.91(a)(2) provide similar requirements for VFR night operations conducted under Subpart D of Part 91 and Part 135, and § 121.657(c) provides, in pertinent part, a similar requirement for night VFR, IFR, and over-the-top operations conducted under Part 121. With respect to those operations not conducted over designated mountainous areas, under §§ 91.119(a)(2)(ii), 91.195(a)(2), 121.657(c), and 135.91(a)(2), the requirements are similar except that a limitation of 1,000 feet is required in place of a limitation of 2,000 feet as is required for areas designated as mountainous areas.

As explained in Notice 73-28, the weather considerations that are the basis

for designating an area as a mountainous area are not applicable to the Puget Sound Area where weather is characteristically homogenous. In addition, the area has excellent weather reporting facilities and is free of precipitous terrain and those weather phenomena associated with other designated mountainous areas. The FAA believes that the need exists in this area for additional operational altitudes, and that safety will not be adversely affected by the addition of an exception to § 95.15(b) covering the area described in Notice 73-28.

This amendment also substitutes a revised map, which incorporates the new exception, for the map entitled "Designated Mountainous Terrain" that is presently included in Part 95.

(Sec. 307, 313(a), 601, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), and 1421); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

In consideration of the foregoing, Part 95 of the Federal Aviation Regulations is hereby amended, effective February 13, 1975, as follows:

1. By amending the diagram in Subpart B of Part 95 entitled "Designated Mountainous Terrain" to pictorially reflect the exception in new § 95.15(b)(2) as follows:

2. By amending paragraph (b) of § 95.15 by redesignating the present language of that paragraph as subparagraph (b)(1) and by adding a new subparagraph (b)(2) to read as follows:

§ 95.15 Western United States Mountainous Area.

\* \* \* \* \*

(b) *Exceptions.* \* \* \*

(2) Beginning at latitude 49°00' N., longitude 122°21' W.; thence to latitude 48°34' N., longitude 122°21' W.; thence to latitude 48°08' N., longitude 122°00' W.; thence to latitude 47°12' N., longitude 122°00' W.; thence to latitude 46°59' N., longitude 122°13' W.; thence to latitude 46°52' N., longitude 122°16' W.; thence to latitude 46°50' N., longitude 122°40' W.; thence to latitude 46°35' N., longitude 122°48' W.; thence to latitude 46°35' N., longitude 123°17' W.; thence to latitude 47°15' N., longitude 123°17' W.; thence to latitude 47°41' N., longitude 122°54' W.; thence to latitude 48°03' N., longitude 122°48' W.; thence to latitude 48°17' N., longitude 123°15' W.; thence North and East along the United States and Canada boundary to latitude 49°00' N., longitude 122°21' W., point of beginning.

Issued in Washington, D.C. on January 3, 1975.

ALEXANDER P. BUTTERFIELD,  
Administrator.

# DESIGNATED MOUNTAINOUS AREAS

