

## RULES AND REGULATIONS

[Docket No. 15384; Amdt. No. 93-35]

**PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS****Jacksonville, Fla., Navy Airport Traffic Area**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This amendment establishes the Jacksonville, Fla., Navy airport traffic area and prescribes special air traffic rules for operating aircraft in that area. The purpose of this amendment is to make more effective use of the improved capabilities of air traffic control, which eliminate the need for a restricted area to provide for the safe and efficient use of the navigable airspace in that area.

EFFECTIVE DATE: December 1, 1977.

FOR FURTHER INFORMATION CONTACT:

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**SUPPLEMENTARY INFORMATION:**

The purpose of this amendment of Part 93 of the Federal Aviation Regulations (14 CFR Part 93) is to establish the Jacksonville, Fla., Navy airport traffic area and to prescribe special air traffic rules for operating aircraft within this area.

**HISTORY AND BACKGROUND**

This amendment is based upon a notice of proposed rulemaking (Notice No. 76-3) published in the FEDERAL REGISTER on February 19, 1976 (41 FR 7518). 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.

As stated in the notice, a restricted area has, for years, been designated for the Jacksonville and Cecil Naval Air Stations to accommodate the heavy concentration of naval aircraft operating in the area. This traffic frequently created an operational environment within which aircraft unknown to ATC, or transient aircraft unfamiliar with the area (or the nature of the military operations in progress) could not operate without creating an unacceptable risk to air safety if there were no restricted area.

The FAA now operates a terminal radar approach control facility (TRACON) capable of providing a traffic advisory and control service that can assure a safe level of flight operations in the area. However, to provide an effective advisory and separation service during periods of high density air traffic, the FAA proposed an enlarged airport traffic area in which each pilot would be

required to (1) notify the TRACON that he intends to operate in the airport traffic area before entering that airspace; and (2) maintain two-way radio communications with the TRACON, while operating within the area. The usual requirements of §§ 91.85 and 91.87, applicable to all airport traffic areas, would be applicable to this area, except that two-way radio communications would be established with the TRACON, instead of the tower. Under the proposal contained in the notice, the restricted area would be revoked, concurrently, in a separate airspace action.

**COMMENTS ON THE RULE**

Nine comments were received in response to the notice. Except as discussed below, the public response supported this proposal.

Three commenters representing glider soaring interests objected to the proposal based upon its probable impact upon glider operations at Herlong Airport just outside the boundaries of the proposed airport traffic area. A public meeting was held with interested persons, and these objections were withdrawn after an agreement was reached that the northern boundary of the proposed area would be modified to provide more airspace around Herlong Airport.

The Florida Department of Transportation recommended that Restricted Area R-2903A be retained and expanded to include OLF Whitehouse on the basis that a restricted area has proven to be the best deterrent to mid-air collisions. Furthermore, it was stated that the proposed requirement to communicate with the TRACON would not enhance safety, because of the increased cockpit workload that results from radar vectoring, and code and frequency changes. The present restricted area does not require such cockpit workload because all nonmilitary aircraft must avoid the area.

The capabilities of air traffic control in the area have improved to the extent that the restricted airspace is no longer required for air traffic safety. The TRACON can provide an air traffic control capability, including advisory and separation services within the proposed area, that will result in a safe level of flight operation without relying upon restricted airspace. Therefore, the FAA believes it is in the best interest of the public to revoke R-2903A since the continued designation of that restricted area can no longer be justified.

Several comments suggested that the expanded airport traffic area should be depicted on aeronautical charts to alert the flying public to the existence of a nonstandard airport traffic area and the special air traffic rules. This will be done.

The U.S. Navy recommended that the name "Navy Jacksonville, Fla., Terminal Area" be changed to "Jacksonville, Fla., Navy Terminal Area" to avoid possible confusion. This area contains two navy

airports in addition to the one commonly referred to as "Navy Jacksonville" by local users. This comment is accepted in part, although the term "airport traffic area" is used to more accurately state the legal status of the airspace involved.

In the notice it was stated that there would be no requirement for aircraft to obtain a clearance before entering the airport traffic area or any restriction on altitudes or courses to be flown; however, ATC may give traffic advisories on operations in progress, and suggest alternative routes that would assure adequate separation for safety. The notice further stated that the usual requirements of §§ 91.85 and 91.87, applicable to all airport traffic areas, would be applicable to this area, except that two-way radio communications would be maintained with the TRACON instead of any individual tower. These statements have caused some confusion because § 91.85(b) provides, in part, that unless otherwise authorized or required by ATC, no person may operate an aircraft within an airport traffic area except for the purpose of landing at, or taking off from, an airport within that area.

The intent in the proposal was to describe one expanded airport traffic area, neither more nor less restrictive than any other airport traffic area, that would supersede the three existing traffic areas. Since pilots, desiring to operate their aircraft through this airport traffic area, will look to the specific operational rule in § 93.175 and not to § 91.87(b) for communications instructions, the words "and receives authorization from" have been added to § 93.175(a) to clarify the intent of the rule, and to be consistent with § 91.85. In this connection, it should be noted that the TRACON may designate one of the military airport traffic control towers in place of the TRACON with which the communications requirement should be maintained.

As stated previously, a minor reduction is made in the size of the airport traffic area to provide additional airspace for Herlong Airport. This amendment also clarifies the requirement for an ATC authorization for aircraft to transit the area. Airspace Docket No. 77-WA-2, effective concurrently with this action, revokes Restricted Area R-2903A.

**DRAFTING INFORMATION**

The principal authors of this document are John P. Watterson, Air Traffic Service, and Richard W. Danforth, Office of the Chief Counsel.

**ADOPTION OF THE AMENDMENT**

Accordingly, Part 93 of the Federal Aviation Regulations (14 CFR Part 93) is amended, effective December 1, 1977, by adding a new Subpart O to read as follows:

**Subpart O—Jacksonville, Fla., Navy Airport  
Traffic Area**

Sec.

- 93.171 Applicability.  
93.173 Description of area.  
93.175 Aircraft operations.

**Subpart O—Jacksonville, Florida, Navy  
Airport Traffic Area**

**§ 93.171 Applicability.**

This subpart prescribes the Jacksonville, Fla., Navy airport traffic area, and special air traffic rules applicable to the operation of aircraft within that area.

**§ 93.173 Description of area.**

The Jacksonville, Fla., Navy airport traffic area is designated as that airspace extending upward from the surface to, but not including, 3,000 feet MSL, bounded by a line beginning at Lat. 30°25'22" N., Long. 81°52'30" W., thence clockwise along the arc of a 5 statute mile radius circle centered on OLF Whitehouse (Lat. 30°21'01" N., Long. 81°52'39" W.) to Lat. 30°16'45" N., Long. 81°51'39" W.; to Lat. 30°15'30" N., Long. 81°50'00" W.; to Lat. 30°16'00" N., Long. 81°45'00" W.; thence clockwise along the arc of a 5 statute mile radius circle centered on NAS Jacksonville (Lat. 30°14'00" N., Long. 81°40'32" W.) to Lat. 30°14'00" N., Long. 81°35'20" W.; to Lat. 30°06'45" N., Long. 81°35'20" W.; thence clockwise along the connecting arcs of 10 statute mile radius circles centered on NAS Jacksonville, and NAS Cecil (Lat. 30°13'15" N., Long. 81°52'50"

W.) to Lat. 30°09'45" N., Long. 82°-02'00" W.; to Lat. 30°25'30" N., Long. 82°02'00" W.; thence to the point of beginning.

**§ 93.175 Aircraft operations.**

No person may operate an aircraft, in flight, within the airport traffic area described in § 93.173 unless—

(a) Before entering that area, that person establishes two-way radio communications with, and receives authorization from, the FAA Jacksonville Terminal Radar Approach Control (TRACON) facility; and

(b) While operating in flight within that area, that person maintains two-way radio communications with the FAA Jacksonville TRACON facility, or with the military airport traffic control tower designated by the TRACON.

(Secs. 307 and 313(a), Federal Aviation Act of 1958, as amended (49 U.S.C. §§ 1348 and 1354(a)); and Sec. 6(c), Department of Transportation Act (49 U.S.C. § 1655(c)).)

*NOTE.*—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on September 13, 1977.

QUENTIN S. TAYLOR,  
*Acting Administrator.*

[FR Doc. 77-27250 Filed 9-21-77; 8:45 am]

As published in

FEDERAL REGISTER, VOL. 42, NO. 184—THURSDAY, SEPTEMBER 22, 1977

U.S. DEPARTMENT OF TRANSPORTATION

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