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FEDERAL AVIATION AGENCY
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Civil Air Regulations Amendment 60-21
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[Reg. Docket No. 375; Civil Air Regs. Amdt. 60-21]

PART 60—AIR TRAFFIC RULES

Definition of Controlled Airspace

Draft Release No. 60-8, published in the FEDERAL REGISTER on May 7, 1960, (25 F.R. 4083) gave notice that the Federal Aviation Agency proposed to adopt an alternate amendment to Part 60 for the revision of the base of controlled airspace and, in a separate action, to rescind Amendments 60-14 and 60-14A. The reasons for the rescission of the amendments and the adoption of a substitute amendment were set forth in detail in the draft release. The majority of the comments received in response to the draft release either endorsed the proposed rescission of Amendments 60-14 and 60-14A or posed no objection to such action. Amendments 60-14 and 60-14A were subsequently rescinded effective June 30, 1960, (25 F.R. 6015).

After reviewing comments received in response to the draft release, the Agency concluded that it was necessary to provide the public the opportunity to present additional oral comments regarding the proopsal. Accordingly, an informal public hearing was held on August 10, 1960, (25 F.R. 6706). In their written comments and at the hearing certain organizations within the aviation industry recommended the adoption of the proposal as contained in Draft Release 60-8. Other interests recommended adoption of the proposal with certain revisions, while a third group voiced emphatic opposition to the proposed rule. However, the majority endorsed its general concepts, although various recommendations were offered relative to the method and timing of the implementing airspace actions.

After considering both the written and the oral comments received, the Agency has concluded that:

1. Any increase in the size of control zones should be held to a minimum consistent with the requirements of instrument flight rules operations.

2. Transition areas should be established to extend upward from 700 feet above the surface when designated to overlie uncontrolled airports for which an instrument approach procedure has been prescribed.

3. Transition areas should be established to extend upward from 1,200 feet above the surface when designated to complement control zones.

4. Transition areas should be established to extend upward from 1,200 feet or higher above the surface when designated between airway route structures or route segments.

5. Unless otherwise limited, transition areas should extend upwards to the base of overlying controlled airspace.

6. Control areas should be established at least 500 feet below the Minimum En Route Altitude (MEA) and not below 1,200 feet above the surface. In some cases, however, it may not be feasible or practical to directly associate the floor of a control area with the MEA. Sufficient flexibility should be provided to permit alternate designation through appropriate airspace actions in such cases.

The preamble to Draft Release 60-8 stated that it would be necessary to increase the radius of control zones from the current five miles to approximately nine miles. Exact lateral dimensions of control zones would be derived from appropriate aircraft climb and approach criteria. Some industry representatives objected to an increase in the size of the control zone while others maintained that it should be as large as necessary to serve IFR requirements.

In recognizing a responsibility to accommodate the needs of both the VFR and IFR airspace user, the Agency agrees that the increase in the size of the control zone should be held to a minimum. However, some increase appears necessary due to the raising of the floor of controlled airspace. Therefore the basic circular area of control zones will normally be 5 statute miles in radius with extensions where necessary to encompass the flight paths of instrument approach and departure operations. Aircraft climb criteria specifically designed for use in determining the size of control zone extensions will be developed for use in analyzing individual airspace cases. The size of control zone extensions will be dependent on the individual airport requirements, however, only that controlled airspace required by IFR terminal operations will be designated as control zones. It may prove necessary at a future date to amend the definition of control zone to increase or decrease its normal size if so determined by the completed aircraft climb criteria.

The draft release also proposed that the floors of transition areas be established at 1,200 feet or higher above the surface, with VFR corridors as required and as possible. This action would raise the base of controlled airspace at those uncontrolled airports having a prescribed instrument approach procedure. To recognize the requirements of the IFR user operating at such airports, the floor of transition areas at such uncontrolled airports will be established at 700 feet above the surface. Lateral dimensions of such airspace will be limited to that airspace required to contain the flight paths of IFR aircraft as determined by the application of appropriate criteria.

The base of those transition areas serving controlled airports will normally be established at 1,200 feet above the surface. However, in certain exceptional cases it may be more appropriate to establish the base at a higher level to accommodate specific requirements. This concept will provide for a standard floor, rather than a segmented floor as proposed in Draft Release 60-8, and will simplify charting. As in the case of control zones, the size of transition areas as determined by the aircraft climb criteria will be contingent upon IFR requirements but will be established so as to include only airspace necessary to accommodate such requirements. In addition, at least a 300 foot buffer zone will be provided between VFR and IFR oper-

ations since air traffic control will not assign an altitude less than 1,500 feet above the surface.

Floors of those transition areas designated between different airway route structures or segments will be established with a base at 1,200 feet or more above the surface. For example, it may prove necessary to designate a transition area between two route segments for use of IFR flights at altitudes of 8,000 feet or more above the surface. In such a case, the transition area floor might be established at 7,500 feet or lower, if appropriate. In no case, however, would the floors of such transition areas be less than 1,200 feet above the surface.

The draft release also proposed that the floors of control areas (airway) be designated at 500 feet below a cardinal altitude level as determined from the lowest altitude normally used by IFR flights. It has been contended that this action would result in the loss of many lower IFR altitudes and would impose an undue hardship on some IFR airspace users. Control area floors will therefore in most cases be established at least 500 feet below the MEA and, in all cases, not below 1,200 feet above the surface. Implementation of this portion of the regulation will not result in the loss of lower IFR altitudes except when necessary to raise the MEA to provide for a 500 foot buffer between IFR and VFR operations. The floor of control areas may be established by reference either to the surface or to the minimum en route altitudes.

It may, however, be necessary on occasion to designate the floor of a control area above an established MEA. When action of this nature is necessary, it shall be done in accordance with the Administrative Procedure Act and the public will be afforded an opportunity to comment on the proposed rule making action. To dispel any ambiguity regarding the term "MEA," a new definition is added to this part.

A study is currently underway to determine the present and future airspace needs of helicopter operations. While this rule is not specifically designed to meet their requirements, it may prove necessary to designate control area below 1,200 feet for this purpose. The definition of "control area" would permit the processing of such an airspace rule making case. It is anticipated, however, that, if the results of the study indicate an airspace requirement for helicopters, a proposal specifically addressed to this problem wil be published.

The Agency reaffirms its policy that provision of obstruction free airspace to insure the safe use of the navigable airspace by both the VFR and the IFR user shall remain a major factor in the consideration of airspace proposals regarding the erection of high obstructions. In further recognition of its responsibility in this matter, the Agency has proposed a new Part 626 of the regulations of the Administrator, "Notice of Construction or Alteration; Criteria, Procedures and Rules for Determination of the Effect Upon the Use of the Navigable Airspace of Obstructions to Air Navigation" (Airspace Docket 60-WA-159; 25 F.R. 8911.) This regulation would establish the criteria for the determination of what proposed structurrs would constitute hazards to air commerce by reason of their location or height.

Standardizing, insofar as possible, the floor of controlled airspace at 1,200 feet above the surface will reduce the complexities of charting, thus increasing the ability of the pilot to make maximum use of uncontrolled airspace. Except during flight in the vicinity of controlled airports and those uncontrolled airports with a prescribed instrument approach procedures, the pilot will have only to maintain an altitude of 1,200 feet or less above the surface to insure that he remains clear of controlled airspace.

Implementation of the provisions of this regulation is a task of considerable magnitude. Preparation of detailed airspace rule making proposals will require considerable time and effort. Implementation will be accomplished as rapidly as possible. Revisions will be accomplished on an area basis. Since unanticipated difficulties might complicate implementation in certain areas, establishment of a mandatory completion date provision in this regulation is not considered feasible.

This amendment also affects § 60.30 and this section is being amended to incorporate the term "transition area" and to provide for the conduct of VFR flight outside controlled airspace "clear of clouds" below 1,200 feet. Section 60.60 is also amended to add the new definitions "transition area" and "MEA" and to revise the definitions of "control area", "control zone" and "controlled airspace."

In consideration of the foregoing, Part 60 of the Civil Air Regulations (14 CFR, Part 60) is hereby amended as follows:

1. By amending § 60.30(a)(2) by changing the phrase "700 feet" in the two places it occurs to read "1,200 feet."

2. By amending § 60.30(b) by redesignating subparagraph (3) as subparagraph (4) and by adding a new subparagraph (3) to read as follows:

§ 60.30 Basic VFR minimum weather conditions.

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(b) *Visibility within controlled airspace.* * * *

(3) *Transition area.* When the flight visibility is less than three miles, no person shall operate an aircraft VFR within a transition area. * * *

3. By amending § 60.30(c) by changing the phrase "700 feet" in the second sentence to read "1,200 feet."

4. By amending the "Basic VFR Minimum" chart contained in this part by adding the words "AND TRANSITION AREA" following the words "CONTROL AREA" in the first column; by changing the headings "700 feet or BELOW" and "ABOVE 700 feet" in the "DISTANCE FROM CLOUDS" column to read "1,200 feet or BELOW" and "ABOVE 1,200 feet" respectively; by changing the phrase "700 feet" in footnote 2 to read "1,200 feet."

5. By amending § 60.60 by deleting the definitions "continental control area," "control area," "control zone" and "controlled airspace" and by adding in proper alphabetical order the following new definitions:

§ 60.60 Definitions.

* * * * *

Controlled airspace. Airspace of defined dimensions designated in Part 601 of this title as continental control area, control area, control zone or transition area, within which air traffic control is exercised.

(1) *Continental control area.* The continental control area is an area designated by the Administrator which includes that airspace within the continental United States at and above 24,000 feet (mean sea level), exclusive of prohibited and restricted areas.

(2) *Control area.* Unless otherwise provided in appropriate cases, control areas extend upward from 700 feet above the surface until designated from 1,200 feet above the surface or from at least 500 feet below the MEA, whichever is higher, to the base of the continental control area.

(3) *Control zone.* Control zones extend upward from the surface. A control zone may include one or more airports and is normally a circular area of 5 statute miles in radius with extensions where necessary to include instrument approach and departure paths.

(4) *Transition area.* Transition areas extend upward from 1,200 feet or higher above the surface when designated to complement control zones; from 700 feet above the surface when designated in conjunction with an airport with no control zone but for which an instrument approach procedure has been prescribed; or from 1,200 feet or higher above the surface when designated in conjunction with airway route structures or segments. Unless otherwise limited, transition areas terminate at the base of the overlying controlled airspace.

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MEA. The minimum en route IFR altitude applicable to a particular route or route segment, from radio fix to radio fix, as specified in Part 610 of this title.

This amendment shall become effective on February 21, 1961.

Issued in Washington, D.C., on January 16, 1961.

(Secs. 313(a), 307, 72 Stat. 752, 749; 49 U.S.C., 1354(a), 1348)

JAMES T. PYLE,
Acting Administrator.

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