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January 26, 2017

Mr. Leslie Swann
Airspace Policy Group Manager, AJV-11
Mission Support Services
Federal Aviation Administration
800 Independence Avenue S.W.
Washington, DC 20591

RE: Request for Review of Cincinnati/Northern Kentucky International Airport Class B Airspace

Dear Mr. Swann,

The Aircraft Owners and Pilots Association (AOPA), the world's largest aviation membership association, request the FAA review the validity of Class B airspace designation for Cincinnati/Northern Kentucky International Airport (CVG). This airport, as identified by the RTCA Tactical Operations Committee (TOC) in the "Class B Airspace: Designation, Design and Evaluation" final report, is noted, like many other large airports, to "have seen their status as a primary hub removed and scheduled traffic drop precipitously." The continued designation of CVG as Class B airspace causes an undue hardship and a negative financial impact on General Aviation. AOPA respectfully requests the FAA initiate a pilot program to transition CVG Class B airspace to Class C airspace in order to pioneer a pathway to downgrading Class B airspace for those airports that no longer qualify.

CVG No Longer Meets Class B Criteria

The minimum criteria for designation of Class B airspace is found within FAA Order 7400.2K, Procedures for Handling Airspace Matters. The criteria requires that (1) the primary airport serves at least 5 million passengers enplaned annually; (2) the primary airport has a total airport operations count of 300,000 (of which at least 240,000 are air carriers and air taxi); and (3) the Class B designation will contribute to the efficiency and safety of operations, and is necessary to correct a current situation or problem that cannot be solved without a Class B designation. AOPA argues CVG no longer meets any of these criteria.

Regarding the enplanements and airport operations count, CVG has not met the minimum threshold for at least five years. The airport operations count dropped nearly 70% between 2000, when the count was 864,232, and 2012, when the count was just 281,319. This airport has had a continuously declining traffic count due to their loss of airline hub status with a resulting five straight years of a traffic count below the minimum threshold. Enplanements have also dropped precipitously with seven straight years of passenger enplanements being less than 5 million. The passenger count is now nearly half the minimum amount stated by FAA criteria for Class B airspace. Notably, the Terminal Area Forecast is projecting the enplanements and airport operations to remain below the Class B threshold for decades to come.

The third criterion notes Class B airspace should only be provided if safety of operations will be improved and there is a problem that only Class B could resolve. CVG was upgraded from Class C to Class B airspace on July 15, 1999, following seven years of public meetings, ad hoc committee proceedings, and the regulatory process. We believe the same safety concerns that prompted regulatory action, i.e., concerns for midair collisions, have been overcome by events, namely the substantial decrease in commercial traffic at CVG. Since 2012, when the annual operations count at CVG first went below 300,000, there have been only three ASRS reports filed related to an airborne conflict or NMAC near or within the Class B airspace that reference one of the public use airports in the area. The location for all three ASRS reports occurred outside the boundary of Class B airspace. The volume of air traffic at CVG has reduced to a level that the safety concerns are limited, and the data does not point to Class B being the only solution.

The final criterion also notes the airspace must contribute to the efficiency of operations. The Association has received numerous complaints from General Aviation pilots in the Cincinnati area detailing the adverse impact the Class B airspace is having on their freedom to fly. According to NFDC data, there are 70 private and public airports and heliports within the CVG Mode C veil, excluding CVG. According to the latest traffic count by this same database, these airports and heliports account for 640 based civil aircraft and over 220,000 annual aircraft operations. It is significant that the underlying airports account for about the same number of operations as the primary airport. The financial and operational impacts of the CVG Class B airspace on these local pilots include:

- a) Mandatory ADS-B equipage for aircraft operating within the Mode C veil, which for an average single-engine piston aircraft can cost more than \$3,000 (14 CFR 91.225)
- b) A Mode C transponder is required for an aircraft to be based within the Mode C veil or to transit the airspace; a transponder has an average cost of \$2,000 and requires inspection every 24 months (14 CFR 91.131 and 91.413)
- c) SVFR is not allowed at CVG which is an operational limitation that may no longer be warranted given the decrease in traffic and is a restriction that would not be necessary with Class C airspace (14 CFR 91 App D)
- d) An ATC clearance is required for airspace entry, including for an airspace transition, which discourages many pilots from flying into the airspace and instead they fly around incurring higher operating costs (14 CFR 91.131)
- e) Greater visibility and clearance from cloud requirements in Class B compared to G airspace impose an unnecessary restriction in those areas where Class G may be acceptable (14 CFR 91.155)
- f) For IFR operations, an operable VOR or TACAN receiver or an operable and suitable RNAV system is required for operating in Class B airspace; this is a requirement not applicable to Class C airspace and it imposes an expensive equipage requirement (14 CFR 91.131)
- g) Student pilots have limitations on operating in Class B airspace which results in a large area around CVG negatively impacting flight training operations (14 CFR 91.131)
- h) Speed restrictions under Class B airspace of 200 knots impacts the efficiency of several underlying airports like LUK (14 CFR 91.117)
- i) Aerobatic flight or glider towing operations are not allowed within the lateral boundaries designated for CVG; Class C would considerably reduce the lateral boundaries allowing safe and unique operations to take place in more areas (14 CFR 91.303 and 91.309)

AOPA contends the existing Class B airspace at CVG is causing a lack of efficiency in this airspace, creating an unnecessary financial burden, and imposing operational requirements that are not necessary for safety given the decrease in volume of air traffic.

Conclusion

Following the decline of airport operations at CVG and the projected further decrease, AOPA believes Class C airspace is appropriate and that CVG now fits within that category per FAA Order 7400.2. It is important the FAA act quickly to eliminate the widespread impacts the unnecessary Class B airspace is having in the Cincinnati area.

The FAA should move quickly to adopt the RTCA TOC Recommendation 15, develop criteria to identify where Class B airspace should be revoked, and Recommendation 16, outline a process for revoking Class B airspace. Both of these recommendations received FAA concurrence and their implementation will foreseeably see a reduction in costs to the agency and to General Aviation. Knowing the revocation of Class B airspace has never been done, we believe it is important the FAA not delay the initiation of a downgrade at CVG for the completion of a comprehensive new airspace policy, as the lessons learned from CVG could assist with the writing of a more complete airspace policy. Given the immediate benefits of transitioning CVG to Class C airspace, particularly before the ADS-B mandate goes into effect in 2020, we strongly request the FAA initiate a pilot program to seek this airspace's downgrade.

Thank you in advance for your support and we welcome the opportunity to provide additional information and input. We appreciate your continuing efforts to improve safety and the operational efficiency of the NAS. Please feel free to contact me at 202-509-9515 if you have any questions.

Sincerely,



Rune Duke
Director, Airspace and Air Traffic

The Aircraft Owners and Pilots Association (AOPA) is a not-for-profit individual membership organization of General Aviation Pilots and Aircraft Owners. AOPA's mission is to effectively serve the interests of its members and establish, maintain and articulate positions of leadership to promote the economy, safety, utility and popularity of flight in General Aviation aircraft. Representing two thirds of all pilots in the United States, AOPA is the largest civil aviation organization in the world.