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Mr. John Warner
Manager, Operations Support Group
Western Service Center
U.S. Department of Transportation
Docket Operations, M-30
West Building Ground Floor, Room W12-140
1200 New Jersey Avenue, SE.
Washington, D.C. 20590

Re: FAA Docket No. FAA-2011-0496, Airspace Docket No. 11-AWP-6, Notice of Proposed Rulemaking to establish Class D airspace at Los Angeles, CA

Mr. Warner,

The Aircraft Owners and Pilots Association (AOPA), representing more than 400,000 members nationwide, submits the following comments in response to the Federal Aviation Administration's (FAA) Notice of Proposed Rulemaking (NPRM) to establish Class D airspace over Los Angeles, CA. AOPA believes that the FAA's proposal, to establish two sectors of Class D airspace to the north and south of Los Angeles International Airport (LAX) "for containment of potential missed approaches," amounts to a quick-fix that does not address the full complexity of the containment issue and falls outside of the FAA's guidance in Order 7400.2 for the modification of airspace. AOPA requests that the FAA withdraw this NPRM and pursue non-rulemaking options including a review and modification of missed approach procedures at LAX in preparation for a full review of the entire Los Angeles Basin including a redesign of the LAX Class B airspace.

Better solution for Los Angeles airspace is needed

According to the NPRM, Class D airspace is being proposed for "containment of potential missed approaches at Los Angeles International Airport," and "would further enhance the safety and management of aircraft operations at the airport". However, upon a review of the published procedures for LAX, all of the published missed approach procedures are currently contained within the existing Class B airspace boundaries. According to LAX Tower Controllers, the published missed approach procedures are not used because they conflict with other aircraft and operations. Since guidance contained in FAA Order 7400.2 stipulates that all non-rulemaking options must be exhausted prior to issuing an NPRM, AOPA questions why the FAA has not shared the details of any such efforts. How often are aircraft exiting the Class B airspace because of ATC assigned missed approach instructions and why is there no effort to modify the published missed approaches to deconflict with other traffic? If Air Traffic Control (ATC) assigned missed approach instructions are causing aircraft to exit the Class B airspace, a review and modification to these ad-hoc procedures must be accomplished prior to any airspace rulemaking actions.

Class D airspace would not relieve ATC from the requirement to alert pilots that they are exiting and re-entering Class B airspace. This adds to radio congestion, and increases pilot and controller workload during a critical phase of flight. While Class D airspace requires two-way radio communications, this is only a partial solution to the larger issue of containment for aircraft performing a missed approach at LAX.

The proposed Class D airspace is a temporary solution. AOPA questions the prudence in completing a rulemaking process that will be supplanted in a few short years by a full-scale Class B review and modification, which is already underway. The Los Angeles area Optimization of Airspace and Procedures in a Metroplex review will begin in August and will likely result in changes to instrument procedures within the Southern California airspace area and LAX, potentially requiring modified Class B airspace boundaries for containment.

When the FAA withdrew an NPRM to establish terminal airspace over Long Beach, CA in 1991, the administration stated that "…the establishment of the Long Beach ARSA would increase the overall airspace complexity in the Los Angeles Basin. Currently, the Los Angeles Basin airspace is composed of 1 terminal control area, 6 airport radar service areas, 25 control tower facilities, and 4 military facilities. The amount and complexity of this airspace dictate a need to modify the entire Los Angeles Basin airspace to make it more compatible with the increasing amount of general aviation and air carrier activity." The establishment of Class D airspace around LAX amounts to a temporary, band-aid solution to an issue that should be addressed through other means.

Class D NPRM circumvents established procedures

There are currently 14 Class B airspace areas around the country at various stages in the airspace redesign/modification process. Nearly all of the modifications being discussed or proposed are a result of containment issues. In many cases, aircraft routinely enter and exit the Class B airspace when flying published instrument procedures. The issue of containment at LAX is not limited to the north and south side of the airport where Class D is proposed. There are multiple areas of the LAX Class B where aircraft routinely enter and exit the Class B airspace. However, by itself, an aircraft exiting the Class B airspace, as in the case of ATC assigned missed approaches at LAX, is not an emergency and does not require an immediate rulemaking action to expand the airspace boundaries. The airspace proposed for Class D designation already falls within the 30 nm Mode C transponder veil ensuring that any traffic outside of the Class B airspace is visible to controllers.

AOPA fears that the establishment of Class D airspace around LAX will set a precedent that this course of action is an acceptable alternative to the full review and re-design process of Class B airspace under the FAA's Order 7400.2. AOPA supports the documented Class B modification process which is carefully designed to solicit input from the general public multiple times, involve representatives of the various airspace user groups in the design and modification, and is a holistic solution to address all of the issues affecting the Class B airspace.

Summary

AOPA is requesting that this NPRM be withdrawn in favor of non-rulemaking options to mitigate the containment concerns until a complete review of the entire Los Angeles area can be completed or at a minimum, an evaluation of the Los Angeles Class B airspace is conducted. Prior to rulemaking options, the FAA should evaluate changes to ad-hoc missed approach instructions. Los Angeles is not unique in having aircraft exit the Class B airspace. However, at 14 other airports across the country, this issue is being addressed with a review and modification of procedures and/or the Class B airspace boundaries in accordance with FAA Order 7400.2.

We appreciate the opportunity to submit comments on the FAA's NPRM to establish Class D airspace around the Los Angeles International Airport.

Sincerely,

Tom Kramer

Tom Kramer
Manager, Air Traffic Services