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May 18, 2017

Mr. Rodger Dean
Manager, Airspace Policy Group (AJV-11)
Federal Aviation Administration
800 Independence Ave., S.W.
Washington, DC 20591

Ms. Heather Hemdal
Director, Air Traffic Procedures (AJV-8)
Federal Aviation Administration
600 Independence Ave., S.W.
Washington, DC 20597

Re: *Proposed Change to the Aeronautical Information Manual and Pilot/Controller Glossary*

Dear Mr. Dean and Ms. Hemdal,

The Aircraft Owners and Pilots Association (AOPA), the world's largest aviation membership association, propose the following changes to the Aeronautical Information Manual (AIM), dated April 4, 2017, Chapter 3, Section 4: the addition of language specific to temporary Military Operations Areas (MOAs) and temporary Restricted Areas, and clarifying language on how to determine Special Use Airspace (SUA) activation status. The Pilot/Controller Glossary (PCG) should be updated to define temporary MOAs and temporary Restricted Areas. The current language in the AIM and PCG and AOPA's proposed language for the applicable sections are attached.

Temporary Restricted Areas are not discussed in pilot guidance

AOPA has noted a troubling trend of requests for temporary Restricted Areas to support military activities. As you are aware, temporary Restricted Areas are not charted but contain the same hazardous activities and enforcement potential that a permanent Restricted Area has. As the AIM states, "penetration of restricted areas without authorization from the using or controlling agency may be *extremely hazardous* to the aircraft and its occupants." The lack of charting for this type of SUA has an adverse impact on aviation safety. For the reasons provided below, we believe the FAA must address the lack of pilot guidance on this topic and should review their existing temporary Restricted Area policies.

1. Nowhere in the FAA guidance provided to pilots is the definition of a temporary Restricted Area detailed. The existing Restricted Area guidance for pilots is, in fact, contrary to how a temporary Restricted Area will be distributed to pilots. Per the AIM: "restricted airspace is depicted on the en route chart appropriate for use at the altitude or flight level being flown." The intentional lack of charting of temporary Restricted Areas is counter to this message that all Restricted Areas are depicted. It is concerning that pilots are taught to have certain expectations and then are blindsided by contrary actions by the FAA.
2. A temporary Restricted Area has not been used in the National Airspace System (NAS) in decades. General Aviation's lack of awareness of this type of SUA exacerbates the potential for an inadvertent airspace incursion. The likelihood of an incursion occurring is high in the low-

altitude areas that the temporary Restricted Areas are proposed for. The increased risk of an incursion is unacceptable for participating and non-participating aircraft. Given the infrequent utilization of this SUA, ignorance will be very high.

3. The NOTAM that will be published for the temporary Restricted Area is issued by the overlying ARTCC and will have that facility's accountability identifier, i.e., ZLA. Most VFR pilots flying point-to-point or remaining in the local area do not check ARTCC NOTAMs so are at high risk of missing this important NOTAM. Most ARTCCs have dozens of NOTAMs active at the same time so the chance of missing this NOTAM is further increased.
4. The NOTAM itself uses latitude and longitude to define the temporary Restricted Area. Pilots do not regularly plot latitude/longitude areas as all Temporary Flight Restrictions (TFRs), which previously had required plotting, are now provided graphically via various FAA websites and FIS-B. The need to plot latitude/longitude will result in many pilots plotting the area only to find out it is not along their route of flight, therefore, they will be hesitant in the future to plot other areas given the manual workload it requires.
5. There is not a process for temporary Restricted Areas to be provided by FIS-B and to then be electronically depicted on a moving map. Airspace incursions have dropped dramatically with the proliferation of moving map technology and the facilitation of TFR depiction electronically. Activating temporary Restricted Areas without the process in place for third party vendors to depict them electronically for pilots is counter to safety and our joint efforts to reduce incursions.
6. The NOTAM will identify the Restricted Area in number form, e.g., R-2509. Pilots have become accustomed to seeing the Restricted Area identifier and to then look for that area on the chart along their route of flight. Given the current guidance in the AIM, the pilot has a high likelihood of ignoring the NOTAM as they will not see the Restricted Area charted along their route of flight. Many pilots will assume the Restricted Area is in another area or otherwise not along their route of flight and could mistakenly fly into extremely hazardous activity.
7. The Notices to Airmen Publication (NTAP) is noted as one method of increasing pilot awareness of temporary Restricted Areas. This is a publication where graphical notices are provided, but General Aviation pilots simply do not use this resource on any routine basis. Several different committees with FAA and industry participation have noted the deficiencies of the NTAP and have recommended it either be improved or discontinued given this current lack of usefulness for the civil aviation community. Please find attached AOPA's letter to the FAA's NOTAM policy manager that prompted consensus that a safety panel should be formed to evaluate the phased removal of this publication.

Conclusion

AOPA has submitted comments to several proposed temporary Restricted Areas over the past two years highlighting the hazard to flight these uncharted areas create. We strongly believe the FAA must review their policy regarding temporary Restricted Areas to determine if these areas are compatible and safe for all users of the NAS. Until that review is complete, we believe a moratorium on temporary Restricted Areas to be essential. Regardless, pilots must be informed of this type of airspace prior to its utilization.

In consideration of current FAA policy to allow temporary Restricted Areas, AOPA proposes the FAA update the AIM and PCG to acknowledge this class of SUA, and other unrecognized temporary SUA, to

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alert pilots of their presence. This update is critical should the FAA permit the issuance of the presently proposed temporary Restricted Areas.

Furthermore, the AIM should be updated to provide pilots clear guidance on how to determine the real-time and scheduled status of SUA. Important guidance is not provided in other sections of the AIM, such as Flight Service and Air Traffic Control, so it is important pilots are made aware of the resources available to them so that they can flight plan effectively as it relates to SUA. One addition that we believe is important is discussion of the Alaskan Special Use Airspace Information Service (SUAIS). SUAIS is an important program but it is not widely known or understood. Acknowledging this program in the AIM will increase visibility and inform pilots as to its purpose.

Thank you for reviewing our proposal on this important issue. We look forward to your response and would welcome the opportunity to collaborate on the final language. 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.

AIM OLD

3-4-1. General

a. Special use airspace consists of that airspace wherein activities must be confined because of their nature, or wherein limitations are imposed upon aircraft operations that are not a part of those activities, or both. Except for controlled firing areas, special use airspace areas are depicted on aeronautical charts.

Paragraph b.

c. Warning areas, military operations areas (MOAs), alert areas, and controlled firing areas (CFAs) are nonregulatory special use airspace.

Paragraph d.

e. Special use airspace (except CFAs) are charted on IFR or visual charts and include the hours of operation, altitudes, and the controlling agency.

3-4-3. Restricted Areas

Title thru a – b.

c. Restricted airspace is depicted on the en route chart appropriate for use at the altitude or flight level being flown. For joint-use restricted areas, the name of the controlling agency is shown on these charts. For all prohibited areas and nonjoint-use restricted areas, unless otherwise requested by the using agency, the phrase “NO A/G” is shown.

AIM NEW

3-4-1. General

a. Special use airspace consists of that airspace wherein activities must be confined because of their nature, or wherein limitations are imposed upon aircraft operations that are not a part of those activities, or both. Except for controlled firing areas, **temporary military operations areas (MOAs), and temporary restricted areas,** special use airspace areas are depicted on aeronautical charts.

No change

c. Warning areas, **MOAs**, alert areas, and controlled firing areas (CFAs) are nonregulatory special use airspace.

No change

e. Special use airspace (except CFAs, **temporary MOAs, and temporary restricted areas**) are charted on IFR or visual charts and include the hours of operation, altitudes, and the controlling agency.

3-4-3. Restricted Areas

No change

c. **Permanent** restricted airspace is depicted on the en route chart appropriate for use at the altitude or flight level being flown. **Temporary restricted areas are not charted. The dimensions for temporary restricted airspace can be found in the Federal Register and by NOTAM.** For joint-use restricted areas, the name of the controlling agency is shown on these charts. For all prohibited areas and nonjoint-use restricted areas, unless otherwise requested by the using agency, the phrase “NO A/G” is shown.

3-4-5. Military Operations Areas

Title thru a – c.

d. MOAs are depicted on sectional, VFR Terminal Area, and Enroute Low Altitude charts.

Add

Add

Add

Add

3-4-5. Military Operations Areas

No change

d. **Permanent** MOAs are depicted on sectional, VFR Terminal Area, and Enroute Low Altitude charts. **Temporary MOAs are not charted. The dimensions for temporary MOAs are provided via NOTAM.**

3-4-9. Obtaining Airspace Status

a. Pilots can request the status of special use airspace by contacting the using or controlling agency. The frequency for the controlling agency is tabulated in the margins of the applicable VFR sectional chart. Other frequencies or phone numbers that can be used to request airspace status or scheduling data will be charted near the applicable special use airspace area.

b. Special Use Airspace Information Service (SUAIS) (Alaska Only). The SUAIS is a 24-hour service operated by the military that provides civilian pilots, flying VFR, with information regarding military flight operations in the MOAs and restricted airspace within central Alaska, so they may better coordinate their flights through and around the special use airspace. The service provides “near real time” information on military flight activity in the interior Alaska MOA and restricted area complex. SUAIS also provides information on artillery firing, known helicopter operations, and unmanned aerial vehicle operations. Pilots flying VFR through this special use airspace complex are encouraged to use SUAIS and to provide their route of flight to allow enhanced traffic awareness. See the Alaska Chart Supplement for hours of operation, phone numbers, and radio frequencies.

c. Special use airspace scheduling data for preflight planning is available via the FAA’s special use airspace Website. Pilots may also

call Flight Services or access the Direct User Access Terminal System (DUATS) via the internet for airspace schedule information.

PCG OLD

PCG NEW

Special Use Airspace

Special Use Airspace

Title to b.

No change

c. Military Operations Area (MOA)– A MOA is airspace established outside of Class A airspace area to separate or segregate certain nonhazardous military activities from IFR traffic and to identify for VFR traffic where these activities are conducted.
(Refer to AIM.)

c. Military Operations Area (MOA)– A MOA is airspace established outside of Class A airspace area to separate or segregate certain nonhazardous military activities from IFR traffic and to identify for VFR traffic where these activities are conducted. **A temporary MOA is not charted and is defined by a NOTAM.**
(Refer to AIM.)

Paragraph d.

No change

e. Restricted Area– Airspace designated under 14 CFR Part 73, within which the flight of aircraft, while not wholly prohibited, is subject to restriction. Most restricted areas are designated joint use and IFR/VFR operations in the area may be authorized by the controlling ATC facility when it is not being utilized by the using agency. Restricted areas are depicted on en route charts. Where joint use is authorized, the name of the ATC controlling facility is also shown.
(Refer to 14 CFR Part 73.)
(Refer to AIM.)

e. Restricted Area– Airspace designated under 14 CFR Part 73, within which the flight of aircraft, while not wholly prohibited, is subject to restriction. Most restricted areas are designated joint use and IFR/VFR operations in the area may be authorized by the controlling ATC facility when it is not being utilized by the using agency. **Permanent** restricted areas are depicted on en route charts. **Temporary restricted areas are not charted. The dimensions for temporary restricted airspace can be found in the Federal Register and by NOTAM.** Where joint use is authorized, the name of the ATC controlling facility is also shown.
(Refer to 14 CFR Part 73.)
(Refer to AIM.)

Note: AIM, 3-1-1(a)(2), needs to be updated to correct the paragraph reference.