



421 Aviation Way
Frederick, Maryland 21701

T. 301-695-2000
F. 301-695-2375

www.aopa.org

August 28, 2009

Mr. Ken McElroy
Airspace and Rules Group
Office of System Operations Airspace and AIM
Federal Aviation Administration
800 Independence Ave, SW
Washington, DC 20591

Mr. Ken McElroy:

Re: FAA Docket FAA-2009-0490; Airspace Docket No. 09-AWP-3

The Aircraft Owners and Pilots Association (AOPA) is a not-for-profit individual membership organization of more than 415,000 pilots. AOPA's mission is to effectively represent the interests of its members as aircraft owners and pilots concerning the economy, safety, utility, and popularity of flight in general aviation (GA) aircraft. Representing two thirds of all pilots in the United States, AOPA is the largest civil aviation organization in the world.

AOPA objects to the proposed establishment of Restricted Area R-2502A at Fort Irwin, CA. The proposed restricted area would negatively affect general aviation pilots currently flying through this busy airspace and does not take any noticeable measures to decrease the effect of the proposed restricted area on current users of the airspace.

No Justification Provided for Continuous Designation

The proposed restricted area is in the immediate vicinity of eight restricted areas. Of these eight, six immediately adjoin the proposed restricted area and two others are in the nearby vicinity. Seven of these restricted areas are charter has having unlimited altitude and continuous operations.

Before the FAA allows the establishment of another restricted area the utilization rates for the eight existing restricted areas must be reviewed. The FAA should review whether the existing restricted areas are returned to the National Airspace System (NAS) when they are not in use. The existing eight restricted areas should be utilized for the overwhelming majority of their chartered hours of operations and returned to the NAS when not in use before the FAA considers the establishment of any additional restricted area.

Safety of Aircraft Already Using the Airspace is Paramount

The proposed restricted area lies in the busy airspace between Los Angeles, CA and Las Vegas, NV. AOPA has heard from many pilots that the establishment of this restricted area

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raises safety concerns. Many of these concerns are echoed by the FAA Los Angeles Air Route Traffic Control Center and are listed in the notice of proposed rulemaking.

AOPA member pilots that fly in this area are concerned that the proposed restricted area does not provide a wide even buffer around victor airway 394 and restricts aircraft to a very small corridor in busy airspace. Should pilots flying through this area need to deviate for any reason, including congestion or weather, the proposed restricted area could limit their options. Pilots could be put in the position of maintaining the safety of their aircraft and passengers or violating a restrict area and possibly disrupting a military training mission.

Summary

AOPA understands the Army's needs to properly train. AOPA also understands that removing airspace from the NAS and precluding civilian use in busy airspace is a decision that affects many current users of the NAS. The establishment of any new restricted area in the Los Angeles and Las Vegas areas should only be done after the FAA has determined the current restricted areas are used for the overwhelming majority of these charted hours of operations and returned to the NAS when not in use. The FAA should also demonstrate that ATC can appropriately handle both IFR and VFR traffic in this busy corridor without creating delays or negatively effecting safety during convective weather when wide deviations are sometimes required by aircraft.

Sincerely,



Robert E. Hackman
Senior Director
Regulatory Affairs