



EAA CHAPTER

Number 569

■ A LOCAL CHAPTER OF THE EXPERIMENTAL AIRCRAFT ASSOCIATION — BOX 229, HALES CORNERS, WISCONSIN 53130 ■

Lincoln, Nebraska

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APRIL 1988 NEWSLETTER

Before our usual first item of business of announcing the next meeting, please notice that a very important news item is included in this newsletter regarding proposed FAA action that will affect you. Read on and then get out your stationery and get ready to write some letters. More below. . .

APRIL MEETING: The next meeting of EAA Chapter 569 will be held on Tuesday, April 5th at 7:30 P.M. We will meet in the meeting room at the Cobbler Inn (Shoemaker's Truck Stop, NW 48th and West "O", Lincoln). We have a special program lined up for this meeting. Tom Doryland will be the guest speaker for the evening.

For April, the refreshment committee members will be Richard Hanson (in charge), Ed Garner, Dale Greene, Wilbur Hanson and Terry Holsclaw. For the May meeting the refreshment committee will be Bob Hoppens (in charge), Rick Hunger, Janice Jackson, and Michael Jiskra.

DUES ARE DUE: Would you believe overdue if you have not paid your '88 dues yet. Please see Dick Miller, treasurer, at the next meeting or mail your dues to Dick at his address above. We need to update our current member roster for '88 so if your dues are not paid after the next meeting, this is the last newsletter you will receive. Please help us verify our records. If our records show your '88 dues are not paid, a colored mark will appear on your mailing label. No mark indicates you are paid up. If there is any discrepancy between our records and your paid up status, please contact Dick Miller as soon as possible.

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SECRETARIES' REPORT:

EAA Chapter 569 Minutes of March 1988 Meeting

The meeting was called to order by President Bob Dinkel.

The FAA has proposed to replace the Lincoln Terminal Radar Service Area (TRSA) by designating Lincoln as an Airport Radar Service Area (ARSA). A meeting is to be held on April 6, 1988 at 7:00 P.M. in the second floor meeting room at Duncan Aviation to receive local input and suggestions. Actually we really don't need the TRSA we have now, especially with Continental Airlines pulling out of Lincoln.

Also the FAA has issued a "Notice of Proposed Rulemaking" (NPRM) under NPRM Docket No. 25531 which states:

1. All aircraft operating above 6000 feet AGL must have a Mode C transponder.

2. All aircraft operating within 40 miles of an airport that has radar service must have a Mode C transponder. The FAA list some 255 of these airports which almost cover the country with their 40 mile radius (see maps).

3. A floor of 1200 feet AGL will be established all over the United States as the base for controlled airspace. This means that the minimum visibility of one mile for VFR operations in uncontrolled airspace is eliminated and the uniform minimum of three miles visibility will now be uniform throughout the United States.

The FAA has a **deadline of March 28, 1988** for comments on this NPRM. This is a very short notice and as a result the airlines and associated organizations (Big Business or Big Money) will respond and the average private pilot will not be aware of it until it becomes law. As a result, get letters off to your congressmen and senators with a carbon copy to Mr. J. James Exon who is Chairman of the Subcommittee on Surface Transportation, 428 Senate Hart Building, Washington D. C., 20510-6125 immediately.

Comments may be mailed to:

Federal Aviation Administration
Office of Chief Council
Attn: Rules Docket (AGC-204) Docket 25531
800 Independence Ave. S. W.
Washington, D. C. 20591

Congress:

Honorable Douglas Bereuter
1045 K Street
Lincoln, Nebraska 68508

Senate:

Honorable J. James Exon
100 Centennial Mall North
Lincoln, Nebraska 68508

Honorable David K. Karnes
294 Federal Building
100 Centennial Mall North
Lincoln, Nebraska 68508

Don't forget to send carbon copies of your letters to Mr. Exon as well as one to him. Also if you are up town, hand deliver it to their respective

office. You might catch them in and you could give them your opinion verbally as well as written. Included are maps and articles which you may send to our congressmen and senators of what we now have and what is proposed. Remember, time is of the essence!

Bill Hamilton discussed the problems involved and reported that a celebration is being planned for May 20-21 "Lindberg Day" to commemorate Charles Lindberg's flight in 1927 across the Atlantic Ocean. It is planned to have the Air Guard make a pass over the ridge on Calvert Street between 13th and 27th streets where the airport was when Lindberg learned to fly. Mr. Hamilton also stated that Charles Lindberg was a general aviation pilot and that could be mentioned in your letters to the congressmen and senators and the federal government should not curtail today's pilots that parallel Charles Lindberg.

Also there is to be a fly-in at Brown's Airport, Weeping Water, Nebraska to honor Mr. Buzz Brown who is still active in aviation. A few months back I think he told me he would be 80 years old this spring. Watch for more information on date and time.

Jeff Clausen reported that the zoning laws are progressing nicely and that we will have something that we will be able to live with. I know Jeff and Bill Hamilton are putting their best into it.

It was voted that \$50 be allocated for a memorial for any member or spouse of a member in the future.

New towers are going up without notice. There is a new one near Eagle to the south. Mr. Hamilton reported that the FAA has no control over towers except in the airport control areas. The erecting of towers is regulated by local government.

Jeff Clausen gave a very good talk on what an instructor goes through to be recertified. He gave a question and answer session on what we all should know along with reports of actual incidents and how they could have been avoided or how to handle them if they couldn't have been avoided. We need more of this to keep us on our toes and the FAA out of our hair.

There were 33 in attendance.

Mr. Dinkel closed the meeting at 9:50 P.M.

Since this newsletter is coming out early, mark your calendar for the next meeting April 5th. As announced earlier Mr. Tom Doryland is the guest speaker. He should have a lot of experiences to relate.

Dick Miller

We thank the AOPA for it's permission to reprint the article; FAA: Are You Really Listening?



Commentary

FAA: Are You Really Listening?

"Standby — Remain clear of the ARSA." These words are only too familiar to many would-be users of the Airport Radar Service Area.

The ARSA concept started out with a lot of promises. Sadly, through changes and modifications from the original "Model B" concept, it has become a thorn in the side of many pilots. In the beginning, the only ARSA requirement was intended to be radio contact by aircraft with the approach controller. If the controller knew the position, altitude and intention of the pilot, then air safety would be enhanced. Unfortunately, the subsequent implementation has resulted in de facto TCAs. Until the controller decides he can handle your aircraft, you will be advised to stay clear.

The result has been unacceptable delays for too many users. The delays are mainly caused by frequency saturation, traffic congestion or controller workload. Consequently, pilots are choosing to avoid ARSAs and are skirting the perimeters. This has created a hazardous compression of traffic at ARSA boundaries in many areas.

AOPA and others cautioned that more ATC personnel and equipment would be needed to handle the increased control applied to traffic in the ARSA. The FAA said present staffing was adequate even with a higher workload. Unfortunately, we were right.

The underlying basis to our objections against ARSAs is the fact that the standardized airspace configuration is not applicable in all instances. Perfectly round, measurable ARSAs do not always fit the practical aspects in our world. Each proposed area should begin with a standardized model and then be adjusted as needed on local topography, existing airspace, traffic flow and user need. The FAA should not try to fit "square pegs into round holes."

The Islip, N.Y., ARSA is a classic example of the "force-fit" phenomenon. Continual complaints have been received concerning safety, frequency congestion and delays. The Long Island Pilots Association (LIPA) submitted a petition to the FAA to help alleviate these problems. It was published in the *Federal Register* and public comments were invited. An AOPA check of the responses revealed overwhelming support for the petition; however, the FAA denied it.

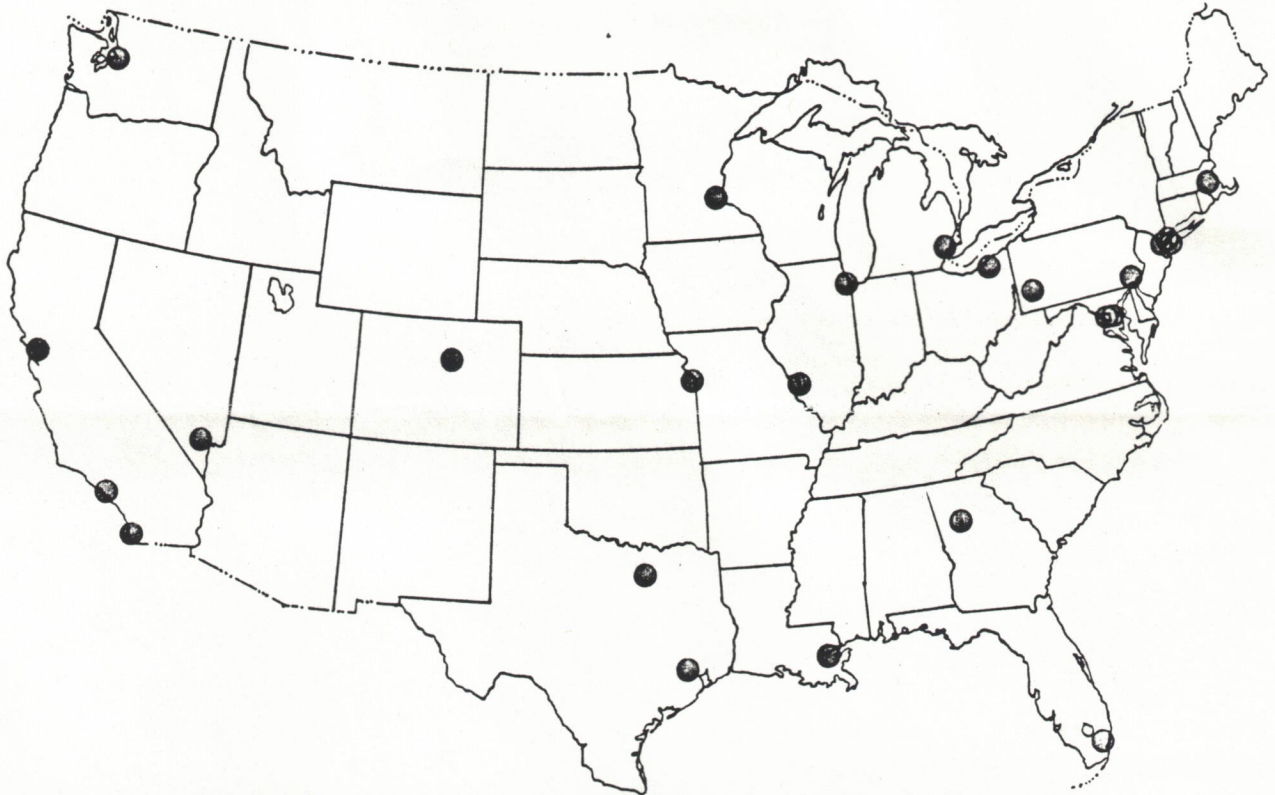
In retrospect, it seems that the bureaucratic element in the FAA had intended all along to implement ARSAs no matter what, although they would go through the motions and provide "lip service" to the users during informal airspace meetings. Somewhere along the way, the FAA forgot that it manages the airspace for the users, it doesn't own it.

If you encounter a safety problem while in or around ARSA airspace, notify the local facility manager within 14 days and submit a NASA Aviation Safety Reporting System (ASRS) form. Nothing will be changed until users make it clear they are concerned that the present situation is not in the best interest of aviation safety and ... the FAA opens its ears to the users.

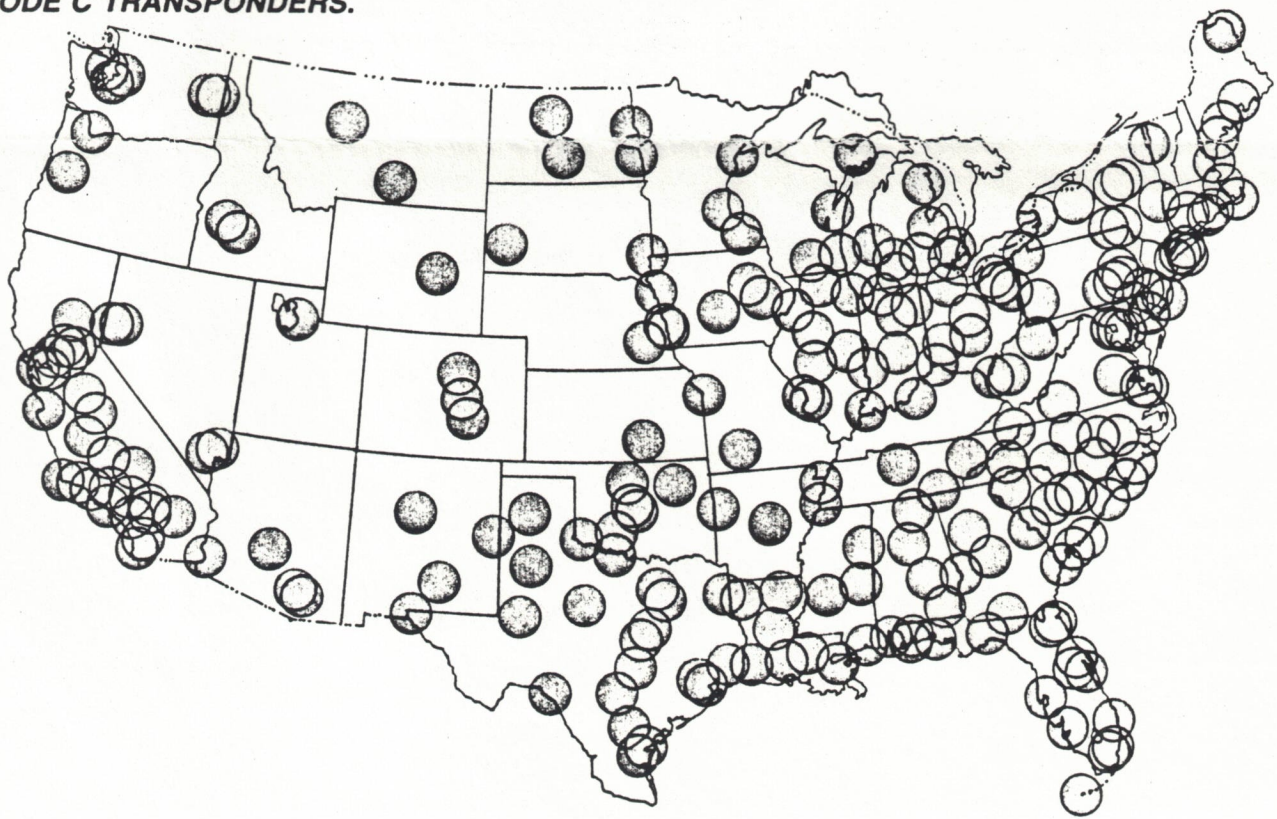
Martin W. Shuey
Senior Director
Airspace and ATC Dept.

THE PROPOSAL

THE FAA HAS ISSUED A NPRM WHICH WOULD MASSIVELY INCREASE THE NUMBER AND SIZE OF TERMINAL AREAS IN WHICH MODE C TRANSPONDERS WOULD BE REQUIRED, FROM THE CURRENT 23 TCA'S . . .



. . . TO THIS INCREDIBLE MUTILATION OF THE NATION'S AIRSPACE. OVER 250 CYLINDERS OF AIRSPACE, EACH 92 MILES WIDE, WOULD BE CENTERED OVER ALL THE NATION'S CIVIL AND MILITARY AIRPORTS THAT HAVE BEEN DESIGNATED AS TRSA'S, ARSA'S AND TCA'S. MODE C WOULD BE REQUIRED IN THESE CYLINDERS FROM THE GROUND UP TO INFINITY, EFFECTIVELY GROUNDING ALL AIRCRAFT BASED WITHIN THEM THAT ARE NOT EQUIPPED WITH MODE C TRANSPONDERS.



On Friday, February 12, the FAA issued a Notice of Proposed Rule Making (NPRM) entitled **Transponder With Automatic Altitude Reporting Capability Requirement and Controlled Airspace Common Floor** (Docket No. 25531, Notice No. 88-2). It contained three provisions that, if adopted, will affect all who fly in the airspace of the United States.

1. Mode C transponders would be required in all aircraft flying at 6,000 feet (and higher) above the surface of the entire United States, Puerto Rico, the U. S. possessions and its territorial waters. In mountainous areas, the Mode C floor would be 6,000 feet AGL or 12,000 feet MSL, whichever is lower.

2. In addition, all aircraft operating at any altitude within 46.06 statute miles (40 nautical miles) of an airport at which

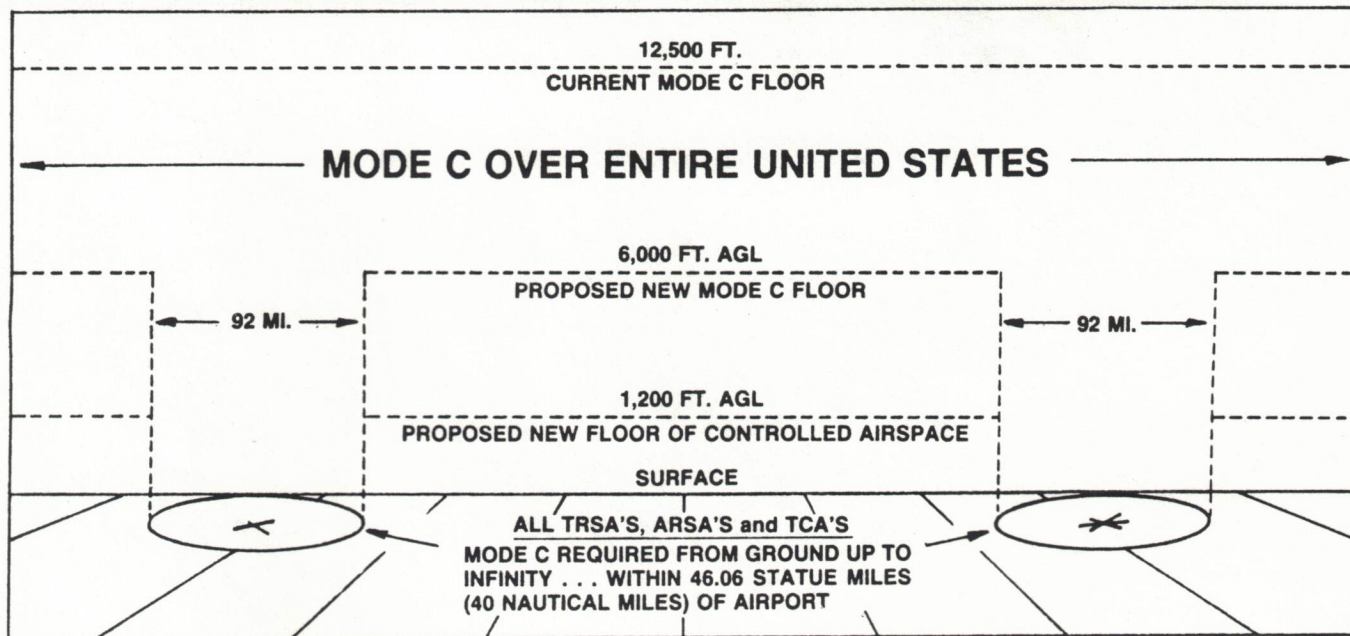
(Note: Ultralights are not classified as aircraft by FAA and thus do not come under the provisions of this NPRM.)

This NPRM came about as a direct result of two federal laws passed by Congress and signed by the President in the waning days of 1987. First, the **FY 1988 Continuing Resolution** (Public Law 100-202) provided that FAA would issue regulations requiring Mode C transponders (1) "in terminal airspace where ATC radar service is provided, and (2) in all other controlled airspace above a minimum altitude determined by the FAA." It further required that FAA should issue such a rule by December 22, 1988 and make it effective "at the earliest feasible date."

Second, **The Airport and Airways Safety and Capacity Expansion Act of 1987** (Public Law 100-223) provided that the FAA would require a Mode C

the specific limits of terminal airspace, so FAA took full advantage of that oversight and interpreted it to mean the entire area around an airport in which radar service is provided for separation of aircraft . . . which is 46.06 statute (40 nautical) miles from the center of the airport. (Beyond 46 miles, radar service is normally provided by enroute ATC, if available.) By this wild flight of extrapolation, FAA proposes to require Mode C from the ground up within the over 250 cylinders of airspace you see on the accompanying map, each over 92 miles across!

Predictably, the agency also took full advantage of its *carte blanche* mandate to require Mode C over the entire U. S. "above a minimum altitude determined by the FAA" by pushing it all the way down from the current 12,500 feet to just 6,000 feet. This was justified in the



terminal radar approach control service has been established would have to have a Mode C transponder. These are the airports, **over 250 at present**, that have been designated as TRSA's, ARSA's and TCA's.

3. The floor of controlled airspace would be set at 1,200 feet above the surface of the entire United States, Puerto Rico, the U. S. possessions and its territorial waters. At and above this 1,200 foot floor a 3 mile visibility minimum would be required. This airspace would henceforth be known as the **U. S. Control Area**.

Public comment on the NPRM must be received by FAA at its offices in Washington **on or before March 28, 1988**. A final rule must be issued by June 30, 1988 and the rule will become the law of the land on December 30, 1990.

transponder in "designated terminal airspace where radar service is provided for separation of aircraft." A final rule would be issued by FAA by June 30, 1988 and would become effective no later than December 30, 1990. This law specifically stated that "access to designated airspace other than TCA's and ARSA's may be granted to non-equipped aircraft if such access will not interfere with normal traffic flow."

Since the two laws were not identical in their language, FAA reconciled their differences, adopting, for example, the compliance, deadlines of **The Airport and Airway Act** because they were earlier or more specific than those of the **Continuing Resolution**. In their interpretation of the other provisions, however, FAA went far beyond what EAA believes was the intent of Congress. For example, neither law defined

NPRM on the basis that since FAA has the ultimate goal of achieving radar coverage of the U. S. at and above 6,000 feet, it was only logical that the Mode C floor be at the same level . . . even though FAA will not be able to achieve the radar coverage until sometime in the "mid-1990s."

Similarly, the FAA justified creating a uniform floor of controlled airspace at 1,200 feet AGL by claiming it would simplify the current airspace structure by encompassing, and thereby eliminating, individual transition areas, additional control areas, Federal airways, etc. This is just another way of saying that FAA wants to reconfigure the nation's airspace totally in accord with the requirements for IFR flying. It takes little imagination to anticipate FAA's next step: eliminate all VFR flying.