Westchester Aviation Association

P.O. Box 447

Purchase, NY 10577-0447

November 9, 2022

Re: Westchester Tower Study Proposal for Establishment of Class C Airspace

Mr. Curtis Brewington
Interim Air Traffic Manager
Westchester County Airport Tower
91 Tower Road
White Plains, NY 10604

Dear Mr. Brewington:

As a member of the Board of Trustees of the Westchester Aviation Association (the "WAA"), I write to provide our preliminary WAA comments on the Westchester Tower's June 2022 study proposal of establishment of Class C airspace centered on Westchester County Airport ("HPN").

We appreciate the thoughtful preparation and presentation of the study proposal, with detailed operational reasons for it. We also appreciate your invitation for WAA to put forward its initial comments on the proposal as a way to foster a cooperative environment that allows for prospective user input well before any formal rule-making process that hardens positions. This cooperative approach is more akin to the negotiated rulemaking process that FAA has used in certain circumstances and which allows for significant input from stakeholders before formal processes are instituted.

After some background, we have some observations and suggestions based on the study in key areas that are provided below. While we do not at this early stage take a position on whether HPN Class C airspace is a concept that WAA can ultimately endorse, we are grateful for the opportunity to put forward these comments for the FAA"s consideration without prejudice to any position later to be taken by WAA.

1. Background.

Several decades ago, but after HPN was no longer an approach control facility, pilots arriving at HPN were instructed by the Airport/Facility Directory (the "A/FD") entry for HPN to

contact approach control on 126.4 for sequencing. That was the expectation and the procedure for many years, without establishment of TRSAs, ARSAs or currently Class C airspace. Tower routinely sent arriving aircraft that contacted it directly back to approach for a transponder code and sequencing. It was an unusual event, when approach was unreachable, that Tower would accept such arrivals. VFR traffic was heavier then than today with more active flight schools on the field (Panorama and Westair) and many more based light GA aircraft. Airline traffic was heavier than today.

At some point, that A/FD entry was deleted for reasons that we are not privy to. The 126.4 frequency became often unstaffed and we understand that to be indicative of chronic understaffing at the N90 Tracon facility.. While 126.4 is supposed to be heard by the 120.8 controller, 120.8 is often quite busy with LaGuardia ("LGA") arrivals and transients and it is basically unusable below 3,000' more than 20 nm north of HPN due to radio limitations.[1] On an initial callup on 126.4, the approach controller on 120.8 then must tell the aircraft calling on 126.4 to change to his/her frequency, and more frequency time is consumed for no operational purpose.

Because of these issues, HPN Tower began the process of routinely handling VFR arrivals, who call the Tower directly, that are not first identified and sequenced by approach. This was accompanied around the same time with additional HPN Tower authority to vector aircraft outside of its Class D airspace to a limited degree. Tower taking VFR arrivals directly was an understandable reaction to the frequently unavailable services to pilots on 120.8, and yet it has fostered a group of pilots who contact Tower directly when arriving and add directly to the Tower workload with the Local controller needing to issue transponder codes, identify the aircraft thereafter, and then provide sequencing.

In light of this background, we believe that many (but not all) of the potential salutary effects of Class C rules on the airspace around HPN – at least with respect to VFR arrivals from any direction -- has been brought about by a combination of (a) the removal of the A/FD language with respect to arriving VFR aircraft, (b) the understaffing at N90 in LGA Area, notably the lack of regular use and availability of 126.4, and (c) HPN Tower's understandable work-around of the foregoing staffing problem by handling VFR arrivals directly.

Because of this, Class C airspace may not be necessary but a reversion to prior practices, with adequate N90 LGA Area staffing, would take care of any arriving VFR traffic issues.

2. Size/Shape of Proposed Class C Airspace.

We have reviewed the Class C airspace proposed diagram as Figure 1-31 in the study and offer the following comments.

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[1] Previously, the 126.4 control position was staffed most days and evenings and only combined with the 120.8 position at night and in very quiet times.

As a general matter, we encourage FAA to use Class C boundaries that following geographical features of the land below so that arriving, departing and transiting VFR pilots know without reference to electronics whether they are in or outside of the Class C airspace. None of the boundaries of the Class C charted area being proposed do so, even if we were to accept the premise that Class C airspace is necessary to protect IFR aircraft from VFR aircraft in the vicinity of HPN. Keeping pilot eyes outside of the aircraft and not focused on panel screens or iPads to remain clear of Class C airspace is essential for safety. In this regard, we see those Class C areas that make their shape conform to shorelines, easily seen roads and other physical features to be better designed than those that use shapes that are not so constructed. It is not just helicopter pilots who need these physical boundaries to see where they are relative to the airspace, the same is true of fixed wing pilots as well. We see the Islip/Long Island/MacArthur ("ISP") Class C airspace as being better designed than the norm.

More specifically, to the West of the airport, we advocate that the western boundary of the Class C airspace be the eastern shoreline of the Hudson River. The river is a major VFR flyway for fixed wing and helicopter pilots who are not arriving or departing at HPN, and aircraft who remain over the river do not conflict with IFR arrivals on final approach to Runway 16. Nearly all IFR arrivals to that runway are vectored to the final approach course from the east (see section 3 below). Nearly all turbojet and propjet departures from both main HPN runways are climbing through 3,000' by the east shoreline of the river with many within the New York Class B airspace as they reach 3,000' and above. The river itself is a major north/south flyway that keeps aircraft well away from HPN arrivals and departure. Combined with our observation about IFR arrivals from the west in section 3 below, we believe that the eastern Hudson shoreline is a more appropriate Class C boundary than that shown in Figure 1-31 of the Tower's Study document.

To the north, care must be taken not to abut the proposed Class C airspace against the Danbury (DXR) Class D airspace. There is high terrain to the south and southwest of DXR that blocks radio communications for DXR arrivals below 1,500' – 2,000', and the effect of the Class C should not be to require Class C handling for all DXR arrivals from that direction. See our comments on the base altitude for the Class C in this sector in section 3 below.

To the southeast and south of HPN, there is little in the way of geographical features that would serve to delineate the boundaries of the Class C airspace of reasonable size. We do urge that the south-south western boundary of the Class C be co-located with the edge of the Class B shelf that has a floor of 1,500' in that area, rather than having two airspace boundaries at slightly different locations in that area. As stated below in section 3, we believe that the floor of the Class C in that area should be no lower than the 1,500' floor of the Class B airspace adjacent to it.

3. Minimum Class C Altitudes.

As stated above in section 2, the WAA urges that if the Hudson River is within the Class C boundary to the west of HPN, its minimum altitude be no lower than 2,000' to allow for the substantial VFR north/south traffic along the river. These VFRs at or below 2,000' do not affect HPN IFR traffic: turbojet and turboprop departures are climbing through 3,000' over the east shoreline of the river, and IFR arrivals are similarly at 3,000' until at least the east shoreline when they may be vectored for either a left downwind to Runway 34 or a right based for Runway 16 approaches.

There are comparatively very few IFR arrivals from the west on a V39 BREZY routing. There are no IFR arrival routings of any frequent use from V39 BREZY counterclockwise to the Runway 34 final approach course. While the proposal at pages 17-18 speaks of arrivals from the west for a visual approach being vectored toward the left downwind over the Hudson River, we have not seen this to be a usual ATC practice at all: turbojet or turboprop arrivals for Runway 16 for a visual approach are on a base to final turn either a few miles outside of CZIMR (the final approach fix for Runway 16) or on a visual approach at CZIMR, and arrivals to Runway 34 are vectored for a visual approach as stated in the preceding paragraph.

For these reasons we urge that the Class C floor to the west of the airport be no lower than 2,000'.

To the east of the airport, this airspace includes the IFR arrivals on the RICED and BUONO arrivals at 3,000'. Only once Runway 16 arrivals are being vectored for the final approach course are they descended to 2,000', and the 2,000' altitude is given to Runway 34 arrivals only when south of the Long Island shoreline (aircraft on the Sound Visual 34 have similar altitude restrictions). We agree that these IFR arrivals can and often do conflict with VFR arrivals at and departures from HPN. HPN VFR departures (heavily turboprop Part 135 operators) eastbound climb through the arrival STAR routings. Those aircraft similarly arriving from the east at HPN VFR typically descend through 4,000' when abeam Bridgeport (BDR). Piston traffic can also cause such conflicts but at a slower rate of speed and farther out from HPN. It was for these reasons that WAA had programs to educate pilots to the potential for such conflicts via a pilot education session with HPN Tower at a WAA meeting, and through a video on our website that calls attention to conflicts to the east as well as elsewhere in the HPN vicinity. https://youtu.be/ijPoAdbqvUU

With these conflicts with IFR arrivals, and where they occur, in mind, we urge that any Class C airspace east of HPN (and outside of the Class C surface area) have a floor of no more than 2,500'. This would allow some flight training to occur outside of Class C airspace east of the field (as well as over Long Island Sound) while de-conflicting it from HPN IFR arrivals.[2] This base altitude also works to the northeast of HPN, until approximately RYMES intersection when the Runway 16 arrivals may be descended to 2,000'. This will also allow for VFR aircraft to fly into the DXR Class D airspace at an altitude at or above the DXR traffic pattern altitude

[2] The Class C proposal would of necessity cause increased flight training costs to the HPN flight schools as more of their training over Long Island Sound would be pushed further east to at least Norwalk.

and at an altitude that provides additional clearance from the higher terrain and charted obstacle (greater than 1,000') just northeast of the Carmel (CMK) VOR.

To the south-southwest of HPN, we urge than where the proposed Class C comes close to or abuts the 1,500' base shelf of the LGA Class B airspace, the minimum Class C altitude be no lower than that 1,500' Class B floor so that pilots are less likely be confused as they fly from underneath the Class B into the footprint of the HPN Class C.

We agree that due to the Long Island north-side shoreline traffic passing just south of HPN on east/west routings would support a 1,200' Class C floor in the vicinity of the THEEO Runway 34 final approach fix and outside of THEEO.

4. Staffing.

The HPN Class C proposal at page 60 anticipates no additional staffing at HPN Tower (or, assumedly at N90/LGA Area). We disagree.

As stated in section 1 above, the elimination of the use of the 126.4 control position has put great strain on the 120.8 control positon in LGA Area to the point that HPN Tower has handled a great deal with incoming HPN VFR traffic without Tracon inbound identification and sequencing. This is a bad development for airspace users and HPN Tower personnel, and often does not allow Tracon to provide VFR services to aircraft transitioning the HPN area. We acknowledge the good service from LGA Area controllers who try to provide radar advisories but workload can preclude that in busy times. VFR aircraft are dissuaded from asking for flight following from Approach due to the heavy radio traffic and this contributes to non-participating VFR aircraft passing just outside of CZIMR or THEEO and conflicting with IFR approaching aircraft.

Moreover, having all VFR aircraft leaving HPN being required to contact Clearance Delivery (or Ground) for a transponder code before taxi will greatly increase the HPN ATC facility workload. WAA is concerned that the frequent combination of Ground and Data positions, even in busy periods, will no longer be tenable with an HPN Class C in place – the workload and delays on frequency will be unacceptable for both ATC and pilots.

For these reasons, the HPN Class C proposal should be further considered *only* if there are simultaneous guarantees that, if adopted, additional N90/LGA Area and HPN Tower facility staffing will be immediately put in place to handle the increased workload that the Class C airspace will require. Having watched FAA lurch from one ATC staffing crisis to the next, and knowing the workloads/lack of days off/overtime required of ATC employees, WAA is concerned about FAA staffing practices and strongly suspicious whether such additional staffing will in fact materialize. We cannot state strongly enough, however, that without the necessary increased staffing at both facilities there should be no HPN Class C airspace imposed on users.

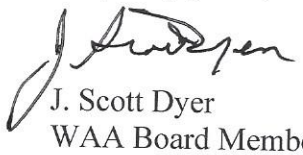
5. Conclusion.

WAA has offered the foregoing comments, suggestions and criticisms in a constructive manner as part of FAA's further consideration of the HPN Tower's Class C study proposal. We are grateful for the opportunity to have had this study shared with us, and for the opportunity to put forward our ideas after Tower personnel advised our membership at the August 23 WAA/ATC meeting of its proposal.

We do encourage further and mutually beneficial communications about this proposal with HPN Tower and other FAA organizations considering the Class C proposal. WAA stands ready to put forward its concerns and those of its members, which include all facets of General Aviation, from light aircraft through the largest business jets in use at our airport.

Please do not hesitate to contact us if you have any questions or if we may be of any assistance. I can be reached at [redacted]

Very truly yours,



J. Scott Dyer
WAA Board Member
WAA/ATC Liaison