Federal Aviation Administration

Memorandum

Date: ***Jun 27, 2016 (Original signed document on file)***

To: [redacted], Director, Air Traffic Operations, Western Service Area, AJT-WS

From: [redacted], Director, Air Traffic Procedures, AJV-8

Subject: Southern California TRACON (SCT) Request for Interpretation of JO 7110.65, Paragraph 5-5-9, Separation from Obstructions

We are in receipt of your request for an interpretation of Federal Aviation Administration (FAAO) 7110.65, paragraph 5-5-9b, Separation from Obstructions.

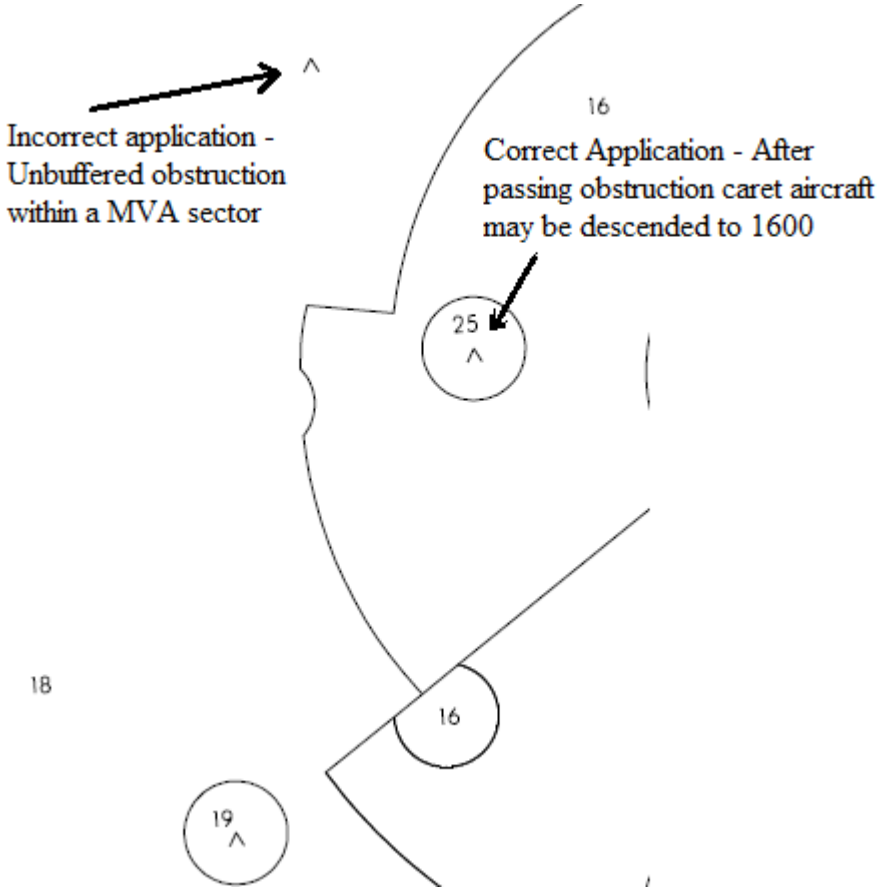
Three questions were asked:
1. If an aircraft is on radar vectors and has passed the depicted obstacle for that particular MVA, what can ATC descend to?
2. If an aircraft is on a radar vector and has passed the depicted obstacle for that particular MVA, can ATC use the altitude of the next lower MVA for which the aircraft is vectored towards?
3. In 5-5-9b states vertical separation may be discontinued after passing a depicted obstruction. If the obstruction is depicted in the MVA sector, when an aircraft passes that obstruction what vertical separation must then be applied to?

The answer to question 1 first requires that the aircraft be observed to be overflying or passing abeam the depicted obstacle and the obstacle is buffered from adjacent airspace by a depicted 3/5 NM MVA buffer area. This buffer requirement depicts the obstacle as controlling and accounts for surrounding terrain of like altitude. The obstacle itself must be a prominent man-made obstruction. When these conditions are met, the aircraft may be descended to the adjacent lower MVA altitude.

The answer to question 2 is yes, provided the conditions in the answer to question 1 are met.

The answer to question 3 requires that the depicted obstacle be contained within a 3/5 NM MVA buffer area. Simply depicting an obstruction, un-buffered within an MVA sector, passing it and then descending, is a misapplication of paragraph 5-5-9b. When a portion of an obstacle buffer is inclusive of the MVA sector boundary, and the obstacle is depicted, the aircraft may be descended to the adjacent lower MVA altitude.

The graphic below shows both the correct and incorrect application of 5-5-9b.



In August of 2003, Paragraph 5-5-9 was changed substantially. The previous iteration of the paragraph required the obstruction be a prominent obstruction displayed as a permanent echo. The explanation of change stated there was no definition of prominent obstruction at the time, and therefore it was removed. Also at the time, with the installations of the full digital display it was no longer possible to observe a permanent echo which was possible with the older analog displays. In March 2011, the definition of prominent obstacle was introduced to the Pilot/ Controller glossary.

Please direct any questions to [redacted], Manager, Terminal Air Traffic Standards and Procedures at [redacted].