



Federal Aviation Administration

Memorandum

Date: April 18, 2011

To: ACO-1, ACO-100, Regional and Airports District Managers and Compliance Specialists

From: Kevin C. Willis, Manager Airport Compliance and Field Operations, ACO-100

Prepared by: Kathleen Brockman, Airport Compliance Specialist

Subject: ACTION: Compliance Guidance Letter 2011-1 (Interim Action)

Interim Guidance for Standards and Procedures for Parachute Operations at Federally-Funded Airports

This compliance guidance letter provides notice that the Federal Aviation Administration (FAA) is conducting a comprehensive review of its standards and procedures for parachute jump zones located on federally-obligated airports. The Airport Compliance Manual, FAA Order 5190.6B (Sept. 14, 2010), Chapter 14, "Restrictions Based on Safety and Efficiency Procedures and Organization," outlines guidance and standard methodology for making agency determinations on safety and efficiency. The agency also recognizes that guidance from the United States Parachute Association has been in common use. However, due to safety and efficiency concerns and a lack of uniform and consistent federal guidance, many airport operators are reluctant to allow parachute jump zones to be located on their airports.

At this time, there are several airport sponsors that are denying proposals to establish parachute jump zones on their airports due to safety and/or efficiency concerns.¹ Sport parachuting, also called "skydiving," continues to increase in popularity and is an FAA-recognized aeronautical activity² even though parachutists are not certificated airmen. Because sport parachuting is an aeronautical activity, it must normally be accommodated on airports that have received federal financial assistance. Among other things, any restriction or ban on sport parachuting must be

¹ Under Federal law and policy, an airport sponsor has no unilateral authority to restrict or ban aeronautical activities. The FAA has preempted the entire field of aviation safety. 49 U.S.C. § 40103. Any such restriction or ban must be coordinated with, and approved by, the FAA. See, FAA Airport Compliance Manual, FAA Order 5190.6B (Sept. 14, 2010), Chapter 14, "Restrictions Based on Safety and Efficiency Procedures and Organization" ("In all cases, the FAA is the final arbiter regarding aviation safety." § 14.3). See also, *Id.*, Appendix A, p. 39.

² See, FAA Order 5190.6B, Appendix C, p. 25.

consistent with the grant assurances, especially grant assurance No. 22, "Economic Nondiscrimination," which requires an airport sponsor to:

... make the airport available as an airport for public purposes on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.

In cases where complaints are filed with FAA, the Office of Airports generally consults with the Flight Standards Division and Air Traffic Organization for assistance in determining the reasonableness of the sponsor's restriction or ban, which is usually based upon safety and/or efficiency concerns. In all cases, the FAA makes the final determination of the reasonableness of the airport owner's restriction on sport parachuting. See, Airport Compliance Manual, FAA Order 5190.6B (Sept. 14, 2010), Chapter 14, "Restrictions Based on Safety and Efficiency Procedures and Organization."

Until the FAA revises its standards and procedures for parachuting on federally-obligated airports, an airport sponsor may, as of the date of this CGL, deny the establishment of a new parachute jump zone on the airport based upon safety and/or efficiency reasons. The FAA will require, however, the sponsor to provide a written justification to support its decision to temporarily deny a jump zone based on safety or efficiency until the FAA completes its review of standards and procedures on or about September 30, 2011. Additionally, the Regional office or the Airports District Office must coordinate with ACO-100 before approving the denial.

If an airport sponsor has no objections to the establishment of a parachute jump zone on its airport, it may permit the jump zone with appropriate safety evaluations as needed. This Compliance Guidance Letter does not affect existing parachute jump zones on airports. Any changes to existing parachuting jump zones will be evaluated by the Flight Standards Division in coordination with the Office of Airports and the Air Traffic Organization (as necessary), if requested by the sponsor.

Any questions on this procedure should be directed to the Airport Compliance Division in Washington, D.C.

A handwritten signature in black ink, reading "Kevin C. Willis". The signature is written in a cursive style with a long, sweeping underline that extends to the left.