



U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

MAY 14 2008

Exemption No. 9695
Regulatory Docket No. FAA-2007-28302

Colonel Allen S. Baker
Aeronautical Services Agency
U.S. Department of the Army
9325 Gunston Road, Suite N319
Fort Belvoir, VA 22060

Dear Col. Baker:

This letter is to inform you that we have granted your request for exemption. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

The Basis for Our Decision

On May 18, 2007, you petitioned the Federal Aviation Administration (FAA) on behalf of the United States Army Special Operations Command (USASOC) for an exemption from §§ 105.17 and 105.19(a) and (b) of Title 14, Code of Federal Regulations (14 CFR). That petition for exemption, if granted, would allow USASOC to conduct day and night parachute operations using parachutes with no illumination, through clouds, outside of restricted areas, at or below 1,500 feet above ground level (AGL). Those operations would be conducted in Class B, C, D, or E airspace at Department of Defense (DOD) controlled/contracted drop zones, or DOD controlled airports.

On August 10, 2007, the FAA received supplemental information from you, as requested, identifying the specific locations USASOC needed to accomplish its training/exercises and intended to be covered by this exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested exemption would not set a precedent, and any delay in acting on this petition would be detrimental to USASOC.

E-2007-0947

The FAA has issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 8256, later re-issued as Exemption No. 9294 in 2007, the FAA found that the petition was unique and provided mitigating factors for consideration. The FAA determined that by operating solely over established drop zones with airspace surveillance being accomplished by airborne, control tower, and drop zone observers, and by having command and control procedures in place, a maximum level of safety is provided.

Having reviewed your reasons for requesting an exemption, I find that—

- they don't differ materially from those presented by the petitioner in the enclosed grant of exemption;
- the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present; and
- a grant of exemption is in the public interest.

Our Decision

Under the authority contained in 49 U.S.C. 40109, which the FAA Administrator has delegated to me, I hereby grant United States Army Special Operations Command an exemption from 14 CFR §§ 105.17 and 105.19(a) and (b) to the extent necessary to allow USASOC to conduct day and unlighted night (sunset to sunrise) parachute operations, through clouds, outside of restricted areas, at or below 1,500 feet AGL. These operations are to be conducted in Class C, D, or E airspace at the airports listed in Condition No. 8b. that are closed to non-participating air traffic by Notice to Airmen (NOTAM). Furthermore, these operations are subject to the conditions and limitations described below.

Conditions and Limitations

1. This exemption is limited to USASOC combat readiness parachute training conducted at the airports/drop zones listed in Condition No. 8b.
2. Each airborne training operation:
 - a. Must be:
 - (i) Conducted with a dedicated observer, not performing aircrew duties, aboard each aircraft in a flight of two or more aircraft (non-pilot airborne observers); or
 - (ii) Escorted by an aircraft serving as an observation platform dedicated to surveillance for non-participating traffic (pilot airborne observer) in the event the training operation only consists of a single aircraft from which parachutists will jump.
 - b. In addition to the aerial observation, the operation must be conducted with personnel on the ground at the drop zone to conduct surveillance for potential conflicts with non-participating aircraft (ground observers).

- c. The operations must be conducted in such a manner as to enable the airborne and ground observers to survey the surrounding airspace for non-participating air traffic and relay the findings to all participants so operations may be terminated while any non-participating air traffic is in the area.
3. Traffic notifications from the observers shall provide the flightcrew with information about the position and speed of the observed non-participating air traffic.
4. When non-participating air traffic is in the area, the parachute training operations shall be terminated until the air traffic is no longer in the area.
5. Unlighted parachute operations may not be conducted above 1,500 feet AGL and must be contained within the boundaries of the airport, listed in Condition No. 8., that is being utilized as a drop zone. This area must be established as an area of low density air traffic that does not infringe upon FAA-designated airspace areas and has been coordinated with the appropriate FAA Service Center System Support Group and region Flight Standards Division offices.
6. Unlighted parachute operations, through clouds, may be conducted only at airports listed in Condition No. 8 and only as necessary to meet the requirements of combat readiness training by members of the USASOC.
7. Each pilot who will conduct operations for the USASOC under this exemption must be thoroughly familiar with its provisions.
8. USASOC, or its designated representative, shall advertise the proposed parachute training operations to operators at all airports within 50 miles of the airport/drop zone area for 60 days preceding the initial use and 7 days preceding each subsequent use.
 - a. Airports to be used for the drop zones shall be closed by NOTAM to non-participating air traffic. The control tower shall remain appropriately staffed during the day and/or unlighted night parachute operations to ensure non-participating air traffic remain clear of the airspace to be used.
 - b. The following airports are authorized for use after permission has been obtained from, and a letter of agreement has been signed with, the airport's management. Letters of agreement must be coordinated with the appropriate FAA Service Center System Support Group and Flight Standards offices prior to signing.
 1. Allen Army Airfield, Alaska
 2. Avon Park, Florida
 3. Biggs Army Airfield, Texas
 4. Blackstone Army Airfield, Virginia

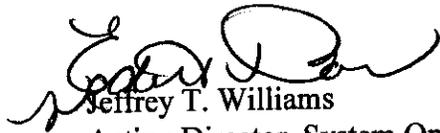
5. Boise, Idaho
6. Butts Army Airfield, Colorado
7. Cairns Army Airfield, Alabama
8. Camp Blanding Army Airfield, Florida
9. Campbell Army Airfield, Kentucky
10. Cecil Field, Florida
11. Duke Field, Florida
12. Felker Army Airfield, Virginia
13. Fairchild Air Force Base, Washington
14. Forney Army Airfield, Missouri
15. Godman Army Airfield, Kentucky
16. Gray Army Airfield, Washington
17. Grant County/Moses Lake, Washington
18. Grayling Army Airfield, Michigan
19. Great Falls, Montana
20. Hagler Army Airfield, Mississippi
21. Henry Post Army Airfield, Oklahoma
22. Hood Army Airfield, Texas
23. Hunter Army Airfield, Georgia
24. Hurlburt Field, Florida
25. Indian Springs, Nevada
26. Klamath Falls, Oregon
27. Ladd Army Airfield, Alaska
28. Lawson Army Airfield, Georgia
29. Libby Army Airfield, Arizona
30. Mackall Army Airfield, North Carolina
31. Marshall Army Airfield, Kansas
32. Maxwell Air Force Base, Alabama
33. Mountain Home Air Force Base, Idaho
34. Muir Army Airfield, Pennsylvania

35. North Airfield Auxiliary
36. Pendleton, Oregon
37. Phillips Army Airfield, Maryland
38. Polk Army Airfield, Louisiana
39. Powell Drop Zone, Washington
40. Ray S. Miller Army Airfield, Minnesota
41. Redstone Army Airfield, Alabama
42. Robert Gray Army Airfield, Texas
43. Roswell, New Mexico
44. Sabre Army Airfield, Tennessee
45. Simmons Army Airfield, North Carolina
46. Wheeler Army Airfield, Hawaii
47. Wheeler-Sack Army Airfield, New York
48. Whidbey Island Naval Air Station, Washington
49. Wright Army Airfield, Georgia

9. USASOC, or its designated representative, must provide notice of proposed parachute training operations through NOTAMs/Special Notices disseminated at least 72 hours in advance of the planned training. The training airspace will be identified by name (if applicable) or by latitude/longitude. The NOTAMs will advise that during the course of flight planning, potential users of the operational area will be provided with information on the time and place of the proposed parachute training operations. The NOTAMs must be made available to the civil aviation community and must be capable of being disseminated among civil users of the National Airspace System.

This exemption terminates on April 30, 2010, unless sooner superseded or rescinded.

Sincerely,



Jeffrey T. Williams

Acting Director, System Operations Airspace
and Aeronautical Information Management
Air Traffic Organization