

Memorandum

City of Lawrence

Public Works

TO: David L. Corliss, City Manager; Diane Stoddard, Interim City Manager
FROM: Charles F. Soules, Director of Public Works
CC: Casey Toomay
DATE: May 18, 2015
RE: Airport Skydiving

The purpose of this memo is to provide a brief summary of skydiving requests.

The Lawrence Municipal Airport is a General Aviation Facility with approximately 30,000 +/- operations annually. The Airport operates in an uncontrolled airspace which means we do not have a Control Tower to monitor operations. Pilots use VFR (Visual Flight Rules – Line of sight) or IFR (Instrument Flight Rules – when visibility is not adequate the use of instruments to guide the airplane) for navigation.

In 2009 the City received a request to establish a skydiving operation at the Airport from Mr. William McCauley.

Mr. McCauley's first contact with the Lawrence Aviation Advisory Board was in January 2009 where he sat as an observer with an interest in developing a potential business at the airport; then in March 2009 he introduced himself and his company's business as aerial photography. Only later did we discover that Mr. McCauley's interest was to develop a skydiving business.

The City of Lawrence and the Lawrence Aviation Advisory Board have established minimum standards for the development of a business at the airport. Those standards were approved in November 2004 and were reviewed by the FAA to ensure compliance with FAA rules/guidelines. Those standards are available to the public on the City's website.

Mr. McCauley's proposal as submitted, failed to comply with the Airport's Minimum Standards in a number of important respects, including:

- Insurance requirements
- Financial/business plan
- Equipment/aircraft,
- Certifications or licenses to perform skydiving
- Safety plan

Several airport businesses including Lifestar expressed safety concerns about the business proposal. Lifestar provided correspondence which stated that due to the nature of emergency response that if a skydiving "center" was to locate at the airport, Lifestar would have to evaluate their operations and potentially relocate to another airfield (attached letters).

After the Aviation Boards review of the proposal the city respectfully recommended to the City Commission not to allow this operation to establish at the airport for safety reasons.

The City has received Federal Funding for many improvements at the Airport. As recipient of Federal Funding, the City agrees to certain "assurances" (basically that the airport is open to all aviation activities).

In June 2009 Mr. McCauley filed an informal complaint with the FAA – Kansas City office alleging possible grant assurance violation regarding unjust economic discrimination and exclusive rights by the City of Lawrence.

In February 2010 the Wichita Flight Standards District Office (FSDO) provided a letter that inferred that the City could, with conditions, accommodate the proposed skydiving operations.

In April 2010 the City requested a copy of the report that should have been completed and map of the area(s) that the FAA thought could accommodate a drop zone. In discussions with FAA personnel there was not a thorough review nor were any maps of City owned property completed. The City sent the maps of the airport, Minimum Standards that were approved by the FAA and relevant zoning code information to the FSDO office. Despite numerous requests for follow up from the FAA, to date the City has not received any response. The FAA personnel involved have been reassigned or retired.

Current Status

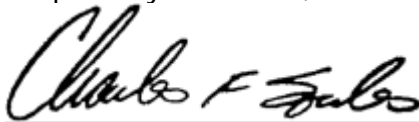
The City has responded to all FAA requests.

In April 2014 Mr. McCauley hired an attorney on his behalf to file a formal complaint, Part 16 complaint, against the City.

Recently, May 13, 2015, the City received a request from David Ternes to conduct recreational skydiving activities. Staff will review the proposal and provide Mr. Ternes a response.

Please let me know if there are any questions or if additional information is needed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Charles F. Soules", is written over a light gray rectangular background.

Charles F. Soules, P.E.
Director of Public Works

CFS/ch

Attachments: Letters