

CPA FLIGHT LINES

Vol. 9, No. 9

September, 1992



CPAer Dick Jones of Littleton seen with his North American T6-G "Spanish Lady" at Greeley Air Show on August 23. Dick is a frequent participant in local airshows and flying events.



COLORADO PILOTS ASSOCIATION, INC.
P. O. Box 200911 Denver, CO 80220

PRESIDENT'S MESSAGE

by Bill Standerfer

I've just returned home from a search mission with Civil Air Patrol and I feel a little pleading is in order: Please File Flight Plans! Now, with that having been said, let me offer a little supporting discussion.

The first thing we are all taught when learning to fly these days is that filing a flight plan will get the authorities moving quickly in the event that you don't show up at your destination at the appropriate time. Of course, we all have those war stories about how the flight plan we filed didn't get opened by Flight Service as we expected. In fact, that happened twice to us on the trip home from Oshkosh. However, that error is relatively rare and should not discourage you from getting a plan into the system. The system can't help you if you don't ask it to. For

example, these last two missions I've participated in involved pilots who did not file. It took over 24 hours to get things underway and even longer to actually get people out looking.

The next thing a flight plan does for your chances is to reduce the area in which search crews have to look. For example, in one case this year the search area was somewhere between Colorado's Front Range and southern California. Searchers gave it their best shot, but without some help from the pilot, all they can do is make some guesses.

We've all also had the annoying experience of having to sit on the phone while on hold trying to get into one of these wonderful automated flight service stations. There are ways around it, though. You can use DUAT and input the flight plan directly into the system without ever talking to someone. Also, you can usually reach a part of the AFSS phone system that allows you to record your flight plan, again without being on hold until your kids graduate from college. It is just not that difficult and could help searchers find you hours or days quicker.

On the slightly selfish side, giving the search crews a hint about where to look for an airplane reduces the risk to a lot of people. Consider that there might be 10

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Publication Notice

Articles for the CPA FLIGHT LINES are sought from members and other persons and organizations. Stories and articles can include flying tips, rebuilding and restoration experiences, special trips, activities, etc.

All articles should be sent to:

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20th of the Month

or more airplanes looking for a missing airplane in Colorado, each with three people inside. That's 30 people out flying low to the ground, trying to dodge the hazards that the weather and terrain may have, to look for a plane. There may also be that many or more ground team people with similar risks. Making it as easy as possible for these people to do their jobs can only reduce the risks they face.

If you are one of those who think a flight plan reduces your freedom to change your mind enroute, consider how easy it is to change your flight plan. All you need to do is give a quick call on the radio. The radio also allows you to give a position report as you fly along. It doesn't take long and improves searchers' ability to find you in case something happens.

Finally, if I haven't convinced you by now, then at least try this. Tell someone at your departure or destination points what your flight plan is. If you won't take the time to file with the Feds, write it out and leave it with someone at home. It isn't as good, but it will help.

I've been trying to improve my skills as much as possible since my first flight years ago. However, I've also found over the years that there are lots of little things often neglected that could potentially be as significant to survival as good flying techniques. I think the simple act of filing a flight plan more often is a habit we should all get into.

MEMBERS: PLEASE NOTE . .

THAT the mailing label on your newsletter contains the expiration date of your membership. This line is highlighted in yellow to call to your attention when your dues are payable.

Dues are \$20 for one year; \$38 for two years; or \$55 for three years. A membership renewal form is provided for your convenience inside the back cover of *FLYING LINES*.

This form can also be used to inform CPA Membership Records of a change of address or other pertinent information.

If you subscribe to *Flying Review* magazine, please inform them of any change of address at:

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■ Legislation which authorized FAA funding for airport development programs for the last five years will expire on September 30. Follow-on legislation for extension of the program is typically in place prior to expiration of the program, but this is not a typical year. It seems that Congress has had some distractions such that it could be well into next year before the program is reauthorized.

Currently, the House has passed its version of a new authorization bill. And the Senate subcommittee has sent its version to the Senate floor. Procedurally, after the two complete action on their individual versions, the legislation is sent to a joint conference committee to work out differences. A final bill is then returned to the two floors for final action. If there is significant delay, which is likely in an election year, new legislation could be slipped until the next congress.

When Congress does get around to enacting legislation, expect it to be for a two year period at a funding level of approximately \$1.9 billion per year.

■ With all the emphasis on development of the new Denver airport it is easy to overlook some of the significant improvements taking place at other Colorado airports, particularly the mountain airports.

For example, Telluride has widened its runway to 100 feet to permit service this winter by Continental Express Dash 7's. Hayden and Gunnison both have new parallel taxiways to increase safety of air carrier operations at those airports. And Telluride and Steamboat are planning new passenger terminals.

■ Federal monies are also continuing to flow to Aspen . . . which is a little hard to understand considering the finding of discrimination against general aviation operations at that airport.

The airport currently has a curfew on operations by general aviation aircraft

starting at 30 minutes past sunset. The Airport/Facility Directory contains a notice that general aviation aircraft pilots operating after the curfew will be prosecuted. But the airport administration permits air carriers to operate until 11:00 p.m.

The FAA airports program found the practice to be discriminatory against general aviation. . . which should have resulted in loss of additional federal funding for the airport. But we note the airport received a grant this year and is scheduled to receive additional funding next year.

Local FAA officials tell us the matter of discrimination is out of their hands . . . that the whole issue has been elevated to Washington. Appears to be another one of those cases involving congressional intervention and influence.

■ Aspen is also a player in another discrimination related issue against general aviation. Recall the amendment to the Airport and Airway Improvement Act Reauthorization Bill submitted by Senator Tim Wirth (Pilot Alert in April FLIGHT LINES). Thrust of the amendment was to require pilot training and aircraft equipment for general aviation operations at mountain airports similar to that now required for commercial aircraft operations. The two issues show the power of an airport with strong political connections to be selective on the kind of aircraft operations it permits. Laws and regulations don't apply if you have influence. Disturbing reality!

■ Meanwhile, a Citizens Activist Group in Longmont is lobbying against approval of an updated airport master plan for the Vance Brand Airport. The plan recommends extending the main runway from 4,800 feet to 6,200 feet, plus other improvements, at a total cost of \$4 million.

Opposition appears to be driven by a

group of landowners located west of the airport . . . in the direction of the planned runway extension. The group overflowed a public hearing on the plan at a public meeting on August 10. Much of the opposition was based on existing and potential aircraft noise over residential areas. It was not an orderly meeting!

Ironically, earlier in the year, Longmont City Council ignored airport user opposition and approved zoning for a new residential development located less than a mile south of the airport. The approval was based on a conclusion that aircraft noise would not be a significant factor over the new development. Which prompted an airport supporter at the August 10 meeting to ask, "Where were you when we needed you on the zoning issue?"

■ The City of Boulder versus banner towing services continues as a hot issue.

Recall our report last month that Boulder took legal action against an aircraft banner towing service for towing commercial signs over the city. Local courts found the company to be in violation of a local sign ordinance. The Colorado Supreme Court refused to hear the case on appeal.

On August 26 the Boulder Municipal Court found the company guilty of two additional violations and also found the company president personally guilty of the same violations. The judge then entered cease and desist orders against both the company and its president, personally, so that if the company ever flies another commercial advertising banner over the city, the company can be fined \$2,000 over and above the normal \$500 maximum penalty for each such violation and the company president can be jailed for up to 90 days.

The underlying issue of this case relates to who has control of the airspace over a city, the city through local sign

ordinances, or the FAA through its responsibilities in regulation of navigable airspace.

Meanwhile, an earlier round of the case, in which the AOPA submitted an *amicus curiae* brief, is still awaiting decision. Though not too late for the FAA to file an *amicus curiae* brief of its own . . . it has not done so.

■ ED RYAN, Executive Director of Centennial Airport, wrote a thoughtful letter to CPA informing us that his Authority Board Room (seats 50) is available to us for meetings . . . at no charge. He said, "While airports are in the business of making money, I believe it is in the interest of the aviation community for airport operators to do what can be done to promote aviation in Colorado and to assist organizations such as CPA in holding the line on costs."

His letter was prompted by information that one of the other airports proposed to charge for space needed to conduct free safety symposiums under the FAA Wings Program.

■ Seen at the Greeley Airshow on August 23 . . . newest Aeronautical Board Member ANNETTA SAXERUD . . . working crowd control and airshow aircraft parking. Also seen, CPA members MIKE BALDWIN and BOB RESLING performing in their Stearmans. And DICK JONES and ED HUBER performing in their T-6s. Easy to see why Airport Manager KEVIN BUNNELL publicized the event as the *All American Airshow Extravaganza*.

■ State Aviation Director DENNIS ROBERTS comments that the new State Aviation Grant Program must be successful . . . based on the numbers of calls his office is beginning to receive from consultants.

■ At last report, 100LL was selling for \$1.70/gal at Vance Brand Airport in Longmont. As far as we know, this is currently the lowest price in Colorado. □

CLEARED FOR TAKEOFF

*by Dennis E. Roberts, Director
CDOT - Aeronautics Division*

To a pilot, "Cleared for Takeoff" are welcomed words -- especially after encountering a lengthy delay at the run-up area. I guess, looking back over the first three years of the Division of Aeronautics' (Aviation), I feel like we have finally received our clearance. Yes -- it has only been three years since the Colorado General Assembly, urged on by State Representative Lewis Entz and Senator Tillie Bishop, agreed to create the Division.

With a number of bumpy thunder-boomers behind us and hopefully smoother air ahead, I and members of the Colorado Aeronautical Board felt it was time to both reflect a little on the past three years and begin discussing some long-term objectives with the state's aviation users and providers. Hopefully, this article can be the start of a re-occurring dialogue.

A New Era Begins

On January 1, 1989, Colorado history was made when House Bill 89-1250 went into effect, creating the Colorado Aeronautical Board and the Colorado Division of Aviation. Because of the tireless efforts of Representative Entz, Senator Bishop, Dennis Mewshaw, Phillip Schmuck and countless others, this legislation (after four tries) finally provided a focal point in state government for aviation issues. As most of you know, Colorado was the last of the 50 states to have a state recognized office dedicated to aviation.

We, as state aviation users, should be very appreciative of Representative Entz for his persistence and patience! A lesser person would have given up (especially when during an earlier attempt, one of

the Senate sponsors killed the bill in his own committee.)

Fuel Taxes - What Taxes?

Little did Representative Entz or others know that when Governor Romer signed this bill into law, the CAB and the Division would be involved in major legislative debates during their early years of operation.

Shortly after taking over as the Division's first director, the Colorado Pilots Association and the Colorado Airport Operators Association asked me to look into the constitutional matter of using aviation fuel taxes for nonaviation purposes. What first appeared to be a rather "open and shut case" soon turned into a nearly fatal battle for the Division. However, after two years of legal briefs, vetoed legislation, budgetary threats and funding compromises, the state constitution won out. We can all be proud of the fact that nearly \$12M in state aviation fuel taxes are now annually going to their intended purpose.

Grant Program Start-Up

In May of this year, the CAB heard testimony from 37 applicants seeking grants from the Aviation Fund after which approximately \$1M in funds for 29 aviation safety and development-related projects was awarded. In addition, the CAB programmed \$141,000 for projects of statewide importance. These include planning for a state AWOS/ASOS network, producing an updated state aeronautical chart, supplementing federal funding for airport safety inspections, developing a recurrent training program in conjunction with the USAF for com-

mercial service airport firefighters and providing financial support for the 1993 FAA-Colorado Air Fair.

The Board plans to issue grants approximately every six months or when \$1M in uncommitted fuel tax revenues are available. The Board also intends on funding a higher number of small projects rather than a few large grants. It is the CAB's opinion that these smaller grants can go a long way toward improving a greater number of the state's aviation facilities.

Rough Flights - Good Landings

As pilots say, "Any landing you can walk away from is a good one." Well, that being the case, the Division has had some rough flights over the past three years that eventually resulted in good landings. In addition to the fuel sales tax issue and the resulting grant program, two of the more memorable success stories involve work by the Denver TCA Ad Hoc Committee and the Division's transition to the Colorado Department of Transportation.

With the help of CPA and AOPA, the Division was able to coordinate input from a 52 member ad hoc committee into a proposal for the terminal control area surrounding the new Denver International Airport. By the way, the FAA has made no significant changes to this proposal as of this date. While we still await publication of the FAA's Notice-to-Proposed Rulemaking, all indications are that the Committee's recommendation will go through with only a slight modification (reduce the TCA cap from 12,500' MSL to 12,000' MSL.)

A second success story involves the transition of the Division from the Department of Military Affairs to the newly created Colorado Department of Transportation. After some tough negotiating, the CAB and Division have emerged not only intact but also stronger. Having developed legislative support early

from the DOT bill's author (Representative Norma Anderson - Jefferson County), the CAB/Division was able to maintain their autonomy and control of the Aviation Fund while gaining the respect and support of the powerful CDOT-Transportation Commission. Additionally, the T/C now includes a former member of the CAB representing aviation interests.

Many other successes have happened over the past three years but space and time limit my ability to discuss them at this time. I've got to save something for future columns!

Outlook - Marginal VFR but Clearing

As with any form of government, the potential for delays and hurdles always exists. Despite the most carefully plotted course, some deviations in the route of flight may be necessary. However, the CAB feels the time has come to where many of the initial "growing pains" for the Division are over and we can "Proceed Direct" more often. The Division is firmly established in the CDOT, support from the General Assembly is on the rise and the Division's staffing/funding are reaching the necessary levels.

During the first three years, the CAB and Division have spent a considerable amount of time "fighting brush fires." These are what ATC calls "pop-ups" -- those unexpected issues which you never plan for. In retrospect, these really have been defining our future mission. While the legislature outlined many duties and responsibilities for the CAB/Division, what really matters are the needs of the system users -- be they pilots, airport operators, legislators, local citizens or others just wanting to know more about aviation.

Prompted by Walt Barbo and comments expressed in the CPA *FLIGHT LINES*, the CAB has begun a detailed evaluation of the issues and priorities it and the Division should address in the future. This evaluation will result in a strategic plan which outlines major activities for

the Division to concentrate on half the time -- allowing the remaining 50% for those ever present "pop-ups."

Development of this plan is one of the most important aviation activities this state has ever undertaken. We're thinking of it as a flight plan for our activities. As one CAB member recently stated, "Without an understanding of where we are going, how will we ever know when we get there?"

MAYDAY MAYDAY MAYDAY

We need your help in defining the state's direction for aviation. The Division is currently developing the State Aviation System Plan which addresses the physical characteristics of the state's airports. This plan will be completed in early 1993 but more is needed. In the coming months, the CAB will be asking CPA members along with other aviation interest groups, for input and comments on the state's most pressing aviation issues. We hope you'll help us better define what Colorado needs in the way of aviation.

While some in the aviation community may not agree with everything the CAB and Division does or how we do it, we ask that you consider the fact that both have only been in existence for three years. Presently, the Division has five full-time employees with a very tight budget. Compared with states such as Illinois, Michigan, Ohio and Florida which have been around since the 1920's and 1930's, Colorado is but an infant. It takes time to develop a program, especially in government circles. Our goal is not to be another bureaucracy but rather an efficient advocate for aviation in Colorado. With your help and continued support, we think we can be!

The first three years for the CAB and the Division have been very exciting and productive. However, this is just the beginning of great things for aviation in Colorado. Hopefully, most of the start-up administrative red tape has been snipped and we are "Cleared to Takeoff" on what we were really created for -- promoting the safe and efficient development of the state's aviation system. With CPA's help, it will be a smooth flight!

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CLEARING YOUR FAA RECORD

by J. Scott Hamilton

Continuing the implementation of the promised "kinder, gentler" enforcement policies, FAA Administrator Busey has delivered (albeit a year later than forecast) on his promise to implement a new program to clear old FAR violations off pilots' records.

An FAR violation on your record stigmatizes you. It can drive up your aircraft insurance rates and hurt your chances in the aviation job market. It may even preclude you from being hired by a major airline. It is also considered an aggravating circumstance if the FAA ever catches you in a second violation.

Colorado and most states expunge (erase) drivers' records of traffic violations after a few years, but the FAA has previously kept all FAR violations on airmen's records, forever. This policy has generated much contentiousness, as I have often found that pilots who would otherwise be willing to simply admit a mistake and serve a suspension or pay a fine are instead motivated to defend FAR violation charges vigorously in an effort to keep their record clean, to avoid these adverse consequences.

That concern will be diluted somewhat under a new program, effective immediately, under which the FAA has begun clearing records of enforcement actions against individuals (only, not aviation companies) according to the following schedule:

1. Records of cases closed with no enforcement action taken will be cleared within 90 days after the file has been closed by the appropriate FAA office.

2. Records of enforcement cases closed by administrative action (a warning letter or safety compliance notice from the GADO or FSDO) will be cleared after 2 years.

3. Records of enforcement actions resulting in suspension of an airman's certificate or imposition of a civil penalty (fine) will be cleared after 5 years.

4. Records of enforcement actions resulting in revocation of an airman's certificate will continue to be maintained indefinitely.

A huge volume of existing FAA records are subject to this program, including computer-based records in the Enforcement Information Subsystem (EIS), some 70 million microfilm document images at the Airman Certification Branch in Oklahoma City, and many tons of paper documents in the various offices of the FAA's lawyers and in Federal Records Centers around the country. The FAA has already begun to clear these records in implementation of this new policy, but because of their sheer volume, they do not expect to complete the task until 1995. After that, they hope to keep the system current on a monthly basis.

Meanwhile, if you have a violation on your record which is eligible to be cleared under the new program but which has not yet been cleared, your attorney can expedite the process of getting that violation off your record by submitting requests for amendment of your record under the Privacy Act to the various FAA offices in control of your computer, microfilm or paper records.



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MEXICAN FIESTA FLY-IN

An exciting fly-in to Mexico is planned for early October. The destination is Tuxpan, State of Veracruz, on the Gulf of Mexico coast. Tuxpan is 291 nm from Brownsville, Texas and famous for its fishing and beautiful beach. The fly-in dates are Wednesday, October 7 through Monday, October 12.

Activities planned include an air rally, air tournament, river boat tour, and a flight to Pozarica to visit the El Tajin Pyramids. The organizers of all the activities at Tuxpan are two Mexican pilots: Alejandro Parra, a Mexicana Airlines captain of an Airbus A-320 and founder-past president Mexican EAA Chapter 815, and Cesar Contreras, Pemex S.A. Puma helicopter captain, co-founder of EAA Chapter 815.

Per person price includes: 5 nights hotel, 5 breakfasts, welcome dinner, Mexican dinner, Awards Dinner, beach party seafood lunch, river boat tour, El Tajin tour, soft drinks at airport, all hotel-airport-hotel transportation, transportation to/from beach party, awards, flying events participation fee.

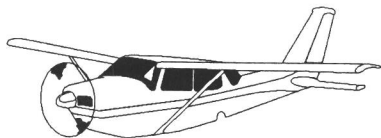
Cost: \$475 per person double room; \$575 per person single, and \$225 per

child 17 or under in same room. \$150 deposit per person per reservation. Reservations needed by September 15.

For those participants willing to fly deeper into Mexico after the fly-in, the organizers are planning to fly southeast to the pyramids of Palenque, Merida, Chicken Itza and Cozumel Island. This extension would be at an additional cost and reservations would be needed as soon as possible.

CPA member Dean Kloepper of Littleton has flown to several other EAA related fly-ins in Mexico in the past and wanted to get the word out to other CPAs who may be interested. If you have an interest in this fly-in, or need additional information, please call Dean (303/798-5068.)

FLIGHT LINES recognizes that this isn't much notice of this fly-in and that some members (if not indeed most) will not have received this newsletter by the deadline and won't have much time to think about the trip. We regret the situation and recommend that you contact Dean ASAP to see what can be done.



I recently read a copy of *FLIGHT LINES* and was surprised to find several negative comments concerning the proposed "Zoomie" Military Operations area (MOA). I am aware of your concern over the requirement to establish a MOA and would like to take this opportunity to provide you with additional information concerning this matter.

Let me give you a little background on the United States Air Force Academy Flight Screening Program with respect to the MOA proposal. The Air Force has recently selected a new low wing, aerobatic trainer to improve our flight screening process. With this new aircraft we will be required to train students in aerobatics, as well as spins, to determine suitability for further flight training. Based upon the number of students we screen, we can have as many as 44 aircraft airborne at any one time. Taking into account aircraft performance and amount of required working area, this translates into a minimum area of 1300 square nautical miles to accomplish the mission. In addition, an altitude block of approximately 3000 feet is necessary to perform the aerobatic and spin training.

Air Force regulations require us to conduct aerobatic operations in special use airspace. We have examined several special use airspace areas in the vicinity, but some are unacceptable based upon either mission requirements or aircraft capability. For example, the restricted area and adjoining MOA located just south and west of Colorado Springs is shared by many other military missions. Our enormous training load would dictate almost constant use of this airspace by the Air Force Academy alone and that is unacceptable to the primary users of the airspace.

Our proposal to satisfy the requirement to use special use airspace is a MOA. We are currently working with local Air Traffic Control (ATC) agencies to

identify feasible locations for the MOA. Our latest proposal locates the MOA approximately 35 miles southeast of Colorado Springs extending from 9000 - 12,000 feet MSL. This location will have minimum impact on existing airspace structures, general aviation, commercial aviation and ATC, and still meet our training needs. Once we reach an agreement with Denver Center, Colorado Springs Tower, and Pueblo Tower on an acceptable location, we will hold a public meeting to discuss the concerns of general aviation and groups such as yours.

Although I understand the concerns general aviation interests have regarding special use airspace, let me comment on what a MOA means to the local flying enthusiasts. Since the Air Force Academy flight screening program pumps up to 44 aircraft in the air at any one time during the day, a MOA will tell general aviation aircraft where to expect us. Once again I reemphasize that our aircraft are already flying in the proposed area and a MOA will not restrict VFR general aviation. In fact, the MOA's higher altitude structure will open up an additional 1000 - 2000 feet of usable airspace below for general aviation. VFR aircraft may transit through the MOA without talking to ATC, but at least they will be aware that aircraft are working in the vicinity. For this reason I believe a MOA will greatly enhance the safety of VFR flying in the area east of Colorado Springs.

Hopefully I have dispelled any misconceptions about our MOA proposal and the involvement of local flying interests. I will be happy to address any other concerns you may have with respect to this issue.

Richard W. Stokes, Jr., Colonel, USAF
Deputy Commandant for Operations
Commandant of Cadets

WELCOME NEW MEMBERS

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COLORADO AVIATION CALENDAR

- SEP 18-20 MILE HI AIR DERBY. Colorado 99's Mile High Air Derby speed race, Centennial Airport. *Info: Linda Horn 303/278-4435 or write to Mile High Air Derby, 14437 W. 32nd Ave., Golden, CO 80401.*
- SEP 19 CPA FALL COLORS FLY-IN, San Luis Valley. Fly into Monte Vista, depart airport at 10:00 a.m. for tour of potato farming/harvest operations, lunch provided by Colorado Potato Administrative Committee Auxiliary. *Info: Ben Kramer 303/699-8212.*
- OCT 2-3 CPA WINGS PROGRAM at Pueblo. *Info: Scott Turner 303/339-3937(H).*
- OCT 3 COLORADO AVIATION HISTORICAL SOCIETY HALL OF FAME BANQUET, U.S. Air Force Academy Officers Club, Colorado Springs. *Info: Scott Hamilton 303/666-8806.*
- OCT 8-9 CAO A ANNUAL CONFERENCE. *Info: Kathryn Schultz 303/363-0894 or Annetta Saxerud 303/484-4186.*
- OCT 11-13 AOPA EXPO '92. Riviera Hotel, Las Vegas. *Info: Tom Korzeniowski 301/695-2162.*
- OCT 17 CPA MOUNTAIN FLYING COURSE, Minnesota. *Info: Bill Marshall 303/341-4744 or Vern Foster 303/751-9421.*
- OCT 24 PLATTE VALLEY AIRPARK FALL FLY-IN. *Info: Marilyn Taylor 303/659-7265.*
- NOV 7 COLORADO PILOTS ASSOCIATION ANNUAL MEETING, The Clarion Hotel at Centennial Airport, 6:00 p.m. Italian buffet dinner, business meeting, and Vern Foster slide presentation of his Australian flying trip. *Info: Mike Baldwin 303/674-3836.*
- NOV 14 SAFETY SEMINAR at Grand Junction, sponsored by Colorado Pilots Association. *Info: Mike Baldwin 303/674-3836.*
- DEC 13 CPA CHRISTMAS DINNER. *Info: Mike Baldwin 303/674-3836.*

NOTE ON CPA FLY-IN EVENTS: All events should be considered 'drive-in' events too. Or, if you would like to go to an event, but would prefer to fly with somebody else, call the contact for the event. We may be able to organize rides!

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Frank Gallo (H) 303/337-5864 (O) 303/837-3649

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Michael Baldwin (H) 303/674-3836

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Colorado Pilots Association

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Name _____ Spouse _____

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Phone (Home) _____ (Bus.) _____

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