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February 8, 2011

Mr. Anthony D. Roetzel
Manager, Operations Support Group
Central Service Area, Air Traffic Organization
Federal Aviation Administration
2601 Meacham Boulevard
Ft. Worth, TX 76137

Re: Proposed tethered balloon over Camp Verde, AZ

Mr. Roetzel,

The Aircraft Owners and Pilots Association (AOPA), representing more than 400,000 members nationwide, submits the following comments in response to a proposal by STARA Technologies to install a 2,500 foot above ground level (AGL) tethered balloon near Camp Verde, AZ. AOPA has serious concerns about the safety implications of such an obstruction. In addition, we are concerned that the Federal Aviation Administration (FAA) is not considering the impact to Visual Flight Rules (VFR) operations and has not solicited public input from airspace users regarding this obstruction.

AOPA understands that a tethered balloon is regulated by Title 14 Code of Federal Regulations (CFR) Part 101, Moored Balloons, Kites, Amateur Rockets, and Unmanned Free Balloons and is not subject to the obstruction evaluation process. STARA Technologies has applied for, or is expected to apply for a waiver from select portions of Part 101 in order to install and operate their tethered balloon. An object that will be aloft for 24 hours a day, 7 days a week, for a period of 5 years, is not a temporary situation, and should not be eligible for sweeping waivers from the regulations contained in Part 101 without a thorough review and evaluation of the impacts on *all* types of flight operations. Currently, the only process that allows for public opportunity for input on obstructions such as this tethered balloon are governed under Title 14, CFR Part 77. Objects Affecting Navigable Airspace.

As per our discussion with FAA staff, the application from STARA Technologies will be evaluated by both Albuquerque Center and the Central Service Center Operations Support Group for impacts on Instrument Flight Rules (IFR) flight operations. Unfortunately, no consideration is given to VFR operations conducted in the area of a 2,500 foot tall obstruction, and there is no opportunity for public input from the local flying community which will be impacted by this obstruction. The location of the obstruction is within 5 miles of a Victor airway and 2 miles of a major highway which meets the criteria for a VFR route. The obstruction is proposed to be located within 2 miles of Montezuma Airport and within 6 miles of Rimrock Airport. Together, these airports have a combined 63 based aircraft and more than 4,400 operations annually.

While not a required element of the standard waiver process, other FAA Service Centers have completed an obstruction evaluation for similar tethered balloons. This standardized process evaluates the impacts on all facets of aviation, both IFR and VFR, and encourages the submission of public comments on the proposal. An object that reaches a height of 2,500 feet AGL is a potential obstruction to air traffic whether it is a tethered balloon, a radio tower, or a skyscraper.

To fully appreciate the potential safety implications of an obstruction in close proximity to an airport and VFR operations, one need only review the two fatal accidents in Fullerton, CA where aircraft struck the KFI

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broadcast tower. Both accidents occurred during daytime VFR conditions while the aircraft were operating in the airport's traffic pattern. The KFI broadcast tower has adversely affected air navigation as a physical obstruction to air navigation and by distracting pilot's attention during critical arrival and departure phases. AOPA strongly encourages the FAA to avoid a reoccurrence of this tragedy by fully evaluating the potential aeronautical impacts to both IFR and VFR traffic as a result of the proposed tethered balloon over Camp Verde, AZ.

AOPA requests that the FAA withhold the issuance of a waiver to STARA Technologies for any portion of Part 101 until an evaluation of the tethered balloon's impacts on VFR operators is conducted and public input is solicited and incorporated into the evaluation process. We appreciate the opportunity to submit comments on the proposed tethered balloon and look forward to seeing a review of the aeronautical impacts to all flight operations in the Camp Verde area.

Sincerely,

A handwritten signature in black ink that reads "Tom Kramer". The signature is written in a cursive, slightly slanted style.

Tom Kramer
Manager, Air Traffic Services