

Exemption No 8224.
Regulatory Docket No. FAA-2003-16105

December 31, 2003

Mr. Kevin Roof
Chief Pilot
Venture Travel, LLC d.b.a. Taquan Air
P.O. Box 8495
Ketchikan, AK 99901

Dear Mr. Roof:

By letter dated August 21, 2003, and supplemental information dated December 9, 2003, you petitioned the Federal Aviation Administration (FAA) on behalf of Venture Travel, LLC, d.b.a. Taquan Air (Taquan) for an exemption from § 135.203(a)(1) of Title 14, Code of Federal Regulations (14 CFR) to the extent necessary to permit Taquan to operate under visual flight rules (VFR) outside controlled airspace over water at an altitude below 500 feet.

The FAA issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 8108 (copy enclosed), the FAA found that a grant of exemption is in the public interest and will provide a level of safety equivalent to that provided under the regulation.

The FAA also found that the weather phenomenon of good in-flight visibility beneath low cloud ceilings often exists over protected inland waterways, such as those in Southeast Alaska. The FAA has issued similar grants of exemption to operators in the Pacific Northwest that encounter similar topographic and meteorological conditions. The FAA has determined that operations under those grants of exemption have been conducted safely for a number of years.

Having reviewed your reasons for requesting an exemption, I find that they do not differ materially from those presented by the petitioner in the enclosed grant of exemption. In addition, I have determined that the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present.

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701 delegated to me by the Administrator, Venture Travel, LLC, d.b.a. Taquan Air is granted an exemption from 14 CFR § 135.203(a)(1) to the extent necessary to allow Taquan to conduct operations under VFR outside controlled airspace, over water, at an altitude below 500 feet above the surface. This exemption is subject to the following conditions and limitations:

AFS-03-619-E

1. Taquan must conduct operations under this exemption-
 - a. Exclusively in seaplanes operated under its air carrier certificate;
 - b. During the hours of daylight or during the hours of Alaskan Civil Twilight when the sun is not more than 6 degree below the horizon;
 - c. At true airspeed not to exceed 130 knots;
 - d. Over open waterways, within sight if shore, and at minimum safe altitudes for emergency landing and separation clearance as set forth in 14 CFR § 91.119(a) and (c); and
 - e. Within U.S. airspace defined by a line from-
latitude 54°40' N. longitude 133°00' W. to
latitude 54°40' N. longitude 130°30' W. to
latitude 55°10' N. longitude 129°50' W. to
latitude 56°00' N. longitude 129°50' W. to
latitude 56°00' N. longitude 132°00' W. to
latitude 56°35' N. longitude 132°00' W. to
latitude 56°30' N. longitude 133°50' W. to
latitude 55°50' N. longitude 133°50' W. back to
latitude 54°40' N. longitude 133°00' W.

2. When Taquan conducts operations under this exemption—
 - a. Sky obscuration must exceed five-tenths cloud coverage and must preclude VFR flight at or above 500 feet above the surface.
 - b. Aircraft position and anticollision lights must be on and functioning.
 - c. Aircraft may be operated below 500 feet above the surface down to an altitude of 400 feet above the surface only when the—
 - i. Flight visibility is at least 2 miles,
 - ii. Surface wind velocity along the approved route is 12 knots or less, and
 - iii. Height of the sea (waves) is 1 foot or less.
 - d. Aircraft may be operated below 400 feet above the surface down to an altitude of 200 feet above the surface only when the—
 - i. Flight visibility is at least 3 miles,
 - ii. Surface wind velocity along the approved route is 12 knots or less, and
 - iii. Height of the sea (waves) is 1 foot or less.
 - e. Wind and sea conditions must allow for the safe accomplishment of an unscheduled landing.
3. Taquan is not authorized to conduct operations under this exemption within Canadian airspace.
4. Taquan is not authorized to operate an aircraft under this exemption at an altitude of less than 200 feet above the surface.
5. Taquan must provide each pilot operating under this exemption with annual training on the conditions and limitations of this exemption.

6. Before conducting operations under this exemption, Taquan must obtain approval for the routes to be flown from its certificate holding district office.

This exemption terminates on _____, unless sooner superseded or rescinded.

Sincerely,

/s/ Steven W. Douglas
Acting Director, Flight Standards Service

Enclosure

