

# MARFA GLIDERS SOARING CENTER, 2021-2023

## ATTACHMENT A

### LIST OF REGULATIONS WAIVED BY SECTION AND TITLE

#### **14 CFR Section 91.135 Operations in Class A Airspace**

14 CFR, Section 91.135, is waived to allow flight into Class A Airspace under visual flight rules (VFR). This includes 91.135 (a), (b) and (c) clearance, communication, and equipment requirements.

#### **14 CFR Section 91.180 Operations within airspace designated as Reduced Vertical Separation Minimum airspace.**

Notwithstanding 14 CFR, Section 91.180(a), flight operations may be conducted in the Marfa Areas A, B, and C ATCAA. This will require a Certificate of Waiver between Marfa Gliders Soaring Center and Albuquerque ARTCC.

#### **14 CFR Section 91.225 Automatic Dependent Surveillance-Broadcast (ADS-B) Out equipment and use.**

Notwithstanding 14 CFR, section 91.225(a), flight operations may be conducted in the Marfa Areas A, B, and C ATCAA. This will require a Certificate of Waiver between Marfa Gliders Soaring Center and Albuquerque ARTCC.

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## ATTACHMENT B

### SPECIAL PROVISIONS AND GLIDER OPERATIONS IN MARFA GLIDERS WAVE WINDOW AREAS A, B, AND C ATC ASSIGNED AIRSPACE (ATCAA)

#### Air Traffic Control Assigned Airspace (ATCAA) Special Provisions

1. The FAA has the authority to cancel the Certificate of Waiver (CoW) or delay any activities if the safety of persons or property on the ground or in the air is in jeopardy, or if there is a violation of the terms of the CoW.
2. Francis Burton Compton, Jr, as the current manager, of the Marfa Gliders Soaring Center (MGSC), has been determined to be competent and knowledgeable concerning the terms and provisions of this Certificate of Waiver and the aviation event governed by it. Francis Burton Compton Jr. as the current manager of MGSC must be responsible to the Federal Aviation Administration (FAA) for the safe conduct of the operations within the ATCAA.
3. Francis Burton Compton Jr. as the current Manager, of the Marfa Gliders Soaring Center (MGSC), must ensure that pilots are thoroughly briefed on MGSC Glider Operations Training and the special provisions of the CoW, before beginning operations within in the established ATCAA.
  - a. The MGSC training is incorporated into this CoW and becomes a special provision, thereof. Actions contrary to the terms, controls, procedures, and conditions pertaining to safety set forth in the FAA approved procedures are grounds for cancellation of this CoW.
  - b. No person may conduct operations within the ATCAA as described in CoW unless that person has signed a statement of understanding (Attachment D) stating that they have received training on the provisions of the CoW.
4. All pilots operating in the ATCAA must provide the requested data to establish qualifications and airworthiness to Francis Burton Compton Jr. or current MGSC Manager. Provide to the LBB FSDO on a quarterly basis a copy of the current Attachment D and E.

**NOTE:** *FAA Checklists, Status Forms, and Job Aids can be used to gather data in advance to establish pilot qualifications and aircraft airworthiness.*

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**NOTE:** *CoW special provisions never supersede aircraft airworthiness operating limitations. Pilots should review their aircraft operating limitations prior to operating in the ATCAA to ensure they are familiar and can comply with the requirements as specified.*

5. Persons or aircraft not appearing on the CoW application and subsequently added to the CoW, may not participate without specific approval by Francis Burton Compton, Jr. as the current Manager. Operational occurrences outside of this provision must be reported to the LBB FSDO. Proof of appropriate qualifications for crewmember(s), and an airworthy aircraft is required before the operations can be conducted in the ATCAA.
6. Before commencing flight operations, the current MGSC Manager, or an MGSC representative delegated by him/her, is authorized to activate and deactivate the ATCAA and must also assume responsibility for reviewing all published NOTAMs, TFRs, or Special Activity Airspace pertinent to the Marfa Gliders Wave Window Area A, Area B, and/or Area C ATCAA.
7. Glider flight requiring CoW must be confined to the area designated on the pictorial chart and as depicted on a sectional chart, attached to the CoW and defined in Attachment C.
8. The MGSC must not request ATCAA activation when the MRF altimeter is below 29.92.
9. Request must be made to the Albuquerque ARTCC Southeast Area Operational Supervisor, at (505) 856-4573, at least 30 minutes before the beginning of activity in the ATCAA. The MGSC Manager must receive confirmation from Albuquerque Center of:
  - Time of activation.
  - Area activated (A, B, or C).
  - Highest altitude released.Albuquerque ARTCC must be notified when the MGSC Manager has confirmed that all gliders have exited the ATCAA.
10. The person(s) authorized to activate and deactivate the ATCAA described in Special Provision 8 is the current MGSC Manager or an MGSC representative delegated by him/her.
11. Be equipped with a two-way radio and maintain communications with the MGSC Manager on 123.3 or 123.5 while operating within the ATCAA.
12. If a glider pilot is using a 4096 transponder with altitude reporting, the code must be set to 1202 unless assigned a different code by Albuquerque Center.
13. Utilize GPS to assist in remaining within the assigned ATCAA.
14. Comply with the provisions of 91.211(a) Supplemental oxygen.
15. No person may operate in the ATCAA with less than 5 miles visibility and 1,000 feet vertically and within 1 mile horizontally from any cloud formation.
16. All pilots operating within the ATCAA must maintain VFR at all times and must be responsible for seeing and avoiding all conflicting traffic.
17. Operations in the ATCAA must be conducted only during daylight hours.
18. Francis Burton Compton, Jr. as the current Manager of the MGSC or delegated representative, is responsible for halting or canceling activity in the ATCAA if, at any

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time, the safety of persons or property on the ground or in the air is in jeopardy, or if there is a failure to comply with the terms or conditions of this CoW.

**Note:** *This Certificate of Waiver constitutes a waiver of only those regulations stated, to the degree and for the period of time specified in the Certificate of Waiver. The Certificate of Waiver does not constitute a waiver of any state law or local ordinance. Should the proposed operation conflict with any state law, local ordinance, or required permission of local authorities or property owners, it must be the applicant's responsibility to resolve the difficulty. The provisions of the waiver must apply, regardless of the statements contained in the application for Certificate of Waiver. The waiver must be considered void upon completion of the authorized schedule of events or at the latest time shown on the face of the Certificate of Waiver, whichever occurs earlier.*

### **ATCAA Operational Procedures**

**1. PURPOSE.** This establishes the Marfa Gliders Wave Window A, B, and C ATCAA's and outlines procedures within Class A airspace for glider operations scheduled by the Marfa Gliders Soaring Center in support of the Certificate of Waiver.

**2. CANCELLATION.** The Albuquerque Center and Marfa Gliders Soaring Center (aka Texas Soaring Association) Letter of Agreement dated April 1, 2001 Subject: Glider Operations in ATC Assigned Airspace is cancelled.

### **3. SCOPE.**

- a. The procedures outlined herein are applicable to Albuquerque Air Route Traffic Control Center (Center) and Marfa Gliders Soaring Center (MGSC) for operations conducted in the Marfa Gliders A, B, and C, ATC Assigned Airspace (ATCAA's).
- b. These provisions apply only to MGSC pilots and aircraft operating within the ATCAA(s) listed in Attachment D.

### **4. RESPONSIBILITIES.**

- a. **The current MGSC Manager, or an MGSC representative delegated by him/her must:**
  1. Ensure pilots operating under this Certificate of Waiver are trained and thoroughly familiar with and comply with its provisions.
  2. Review operational procedures with participating pilots.

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**b. Glider Pilots must:**

1. Become sufficiently familiar with local terrain features to use visual reference to remain within the ATCAA(s).
2. Assume responsibility for separation from each other when more than one glider is using the same ATCAA(s).
3. Set their altimeter to 29.92 when established in an ATCAA.
4. Set their altimeter to the current MRF altimeter setting when outside of the ATCAA.

**c. Albuquerque Center must:**

1. Ensure personnel responsible for providing air traffic services within the scope of Certificate of Waiver are knowledgeable of and comply with its provisions.
2. Provide standard separation to non-participating aircraft from the active ATCAA(s).

*Note: When the MRF altimeter is below 29.92, the MGSC must not request, and the Center must not activate the ATCAA(s).*

**5. PROCEDURES.**

**a. Airspace.**

**1. Pre-Flight Coordination.**

- (a) The MGSC representative must call the Southeast Area Operational Supervisor at (505) 856-4573 no less than thirty minutes prior to the intended use time with the requested:
  - 1) ATCAA(s).
  - 2) Use times (in UTC). ATCAA(s) must be requested for periods not to exceed six hours. Requests for periods of use in excess of six hours must be made at least two hours in advance.
  - 3) Highest altitude requested.

*Note: Previously approved time periods and/or altitude blocks may be amended with prior coordination via telephone.*

- (b) The Southeast Area supervisor must approve or disapprove the use of all or some of the airspace requested.
  - 1) If unable to approve the ATCAA(s) at the times and altitudes requested, the disapproval should be accompanied by a suggested alternate time

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period and/or altitude block which can be approved; e.g., "Unable to approve Marfa Gliders Wave Window Area B ATCAA FL180 through FL260; however, FL180 through FL230 can be approved during the requested times."

**Recall:** *In the event of adverse weather or emergencies, the Southeast Area Supervisor may recall the ATCAA(s). The Southeast Area Supervisor must call MGSC Manager at (800) 667-9464 to coordinate the recall. The MGSC Manager must immediately contact the gliders and have them vacate the airspace and then notify Albuquerque ARTCC when all gliders have exited the ATCAA.*

2. **Post Flight Coordination.** When all aircraft have vacated the ATCAA(s), MGSC must notify the Southeast Area Supervisor at (505) 856-4573 and release the airspace back to the Center.

b. **Communications.** On the initial coordination for airspace, the MGSC representative must also advise the Southeast Area Supervisor of:

1. The method of ATC communications will be via telephone to the MGSC Manager. He will communicate to the pilots on 123.3 or 123.5.
2. The telephone number where an MGSC representative can be contacted at (800) 667-9694.

c. **Glider Operations.** MGSC pilots must:

1. Operate in the ATCAA(s) only at altitudes and during time periods approved by the Center.
2. Conduct glider operations in visual meteorological conditions (VMC).
3. Not fly when flight visibility is less than five miles.
4. Not fly within less than 1,000 feet vertically and less than one mile horizontally from any cloud formation.
5. Comply with applicable Federal Aviation Regulations, except as provided in Attachment A of this Certificate of Waiver as an acceptable deviation or waiver.
6. Enter and exit through the floor and within the horizontal boundaries of the ATCAA(s). Entry/exit takes place when the climb/descent is made through FL180.
7. Be equipped with a two-way radio and monitor 123.3 or 123.5, as coordinated, while operating at or above FL180.
8. Ensure that if the glider has an operational 4096 transponder with altitude reporting it is set to 1202.
9. Maintain two-way radio communications with MGSC Manager. Any time two-way communication with the Manager is lost, the pilot must vacate the ATCAA and descend to an altitude below Class A airspace until communication is reestablished.

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10. Notify the MGSC Manager immediately if unable to comply or continue with any ATC clearance or instructions. Perform, as requested, for traffic separation purposes a descent to remain below a specified altitude.

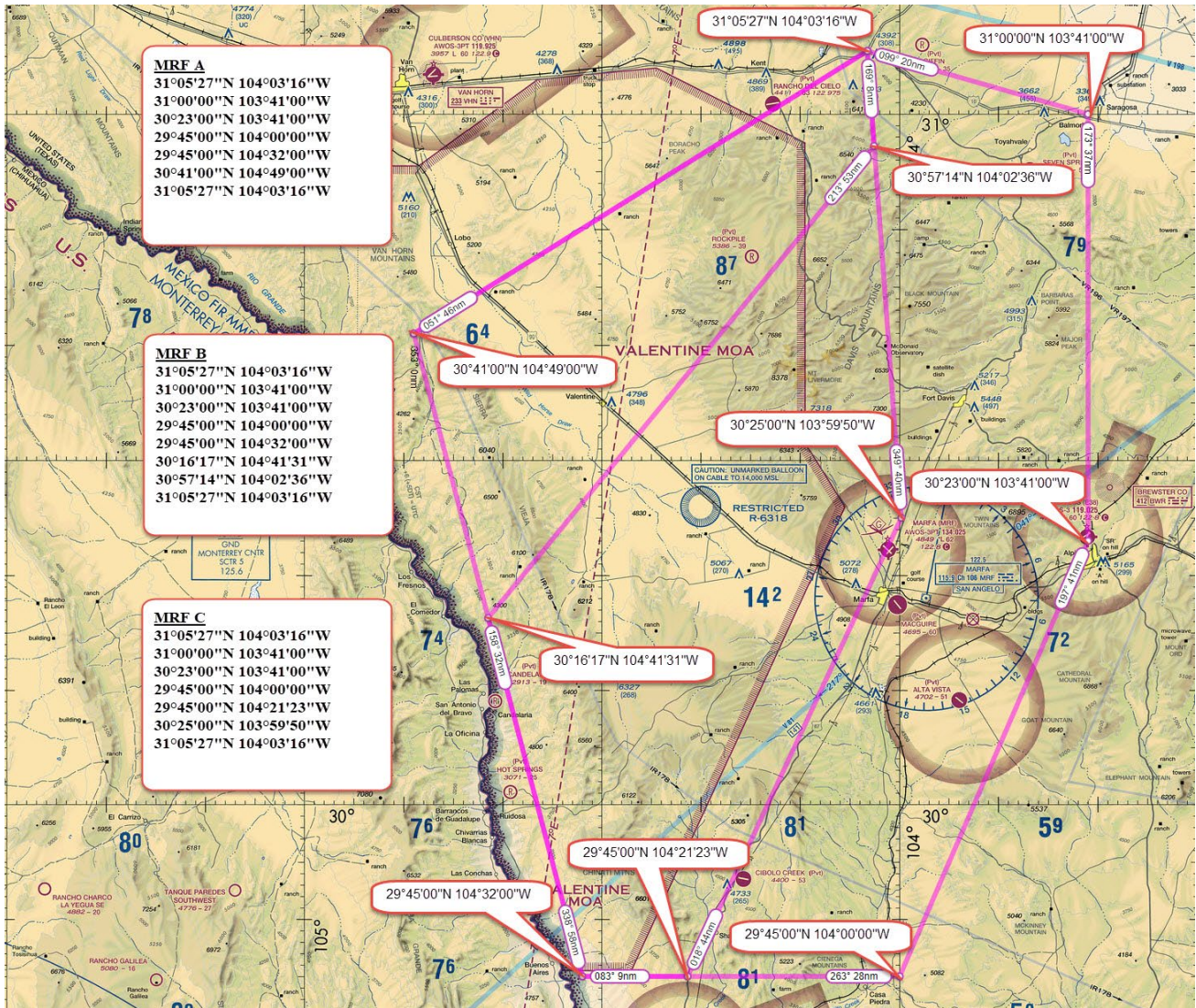
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## ATTACHMENT C

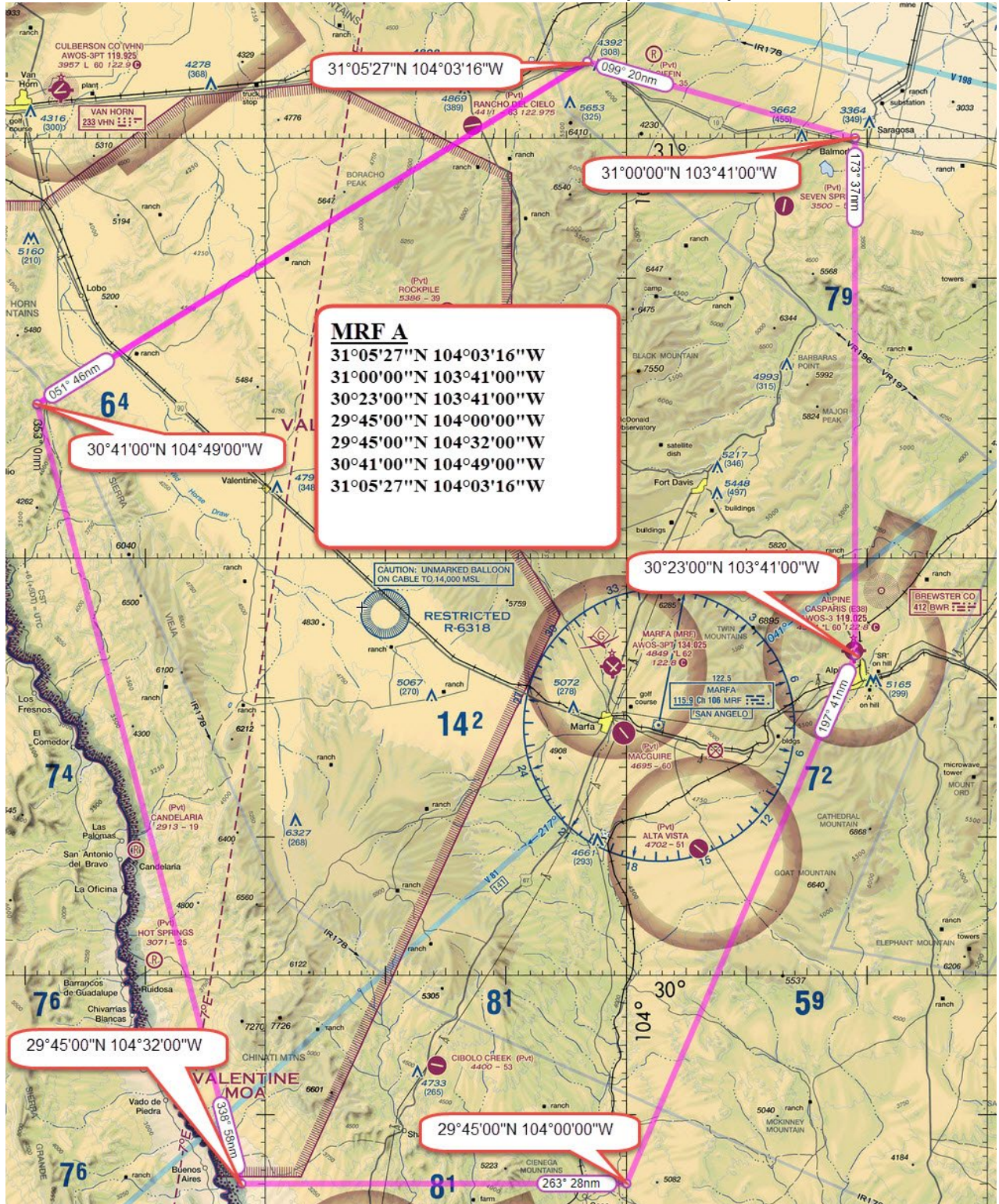
### AREAS OF OPERATION MARFA GLIDERS WAVE WINDOW AREAS A, B, and C (inclusive) ATC ASSIGNED AIRSPACE (ATCAA's)



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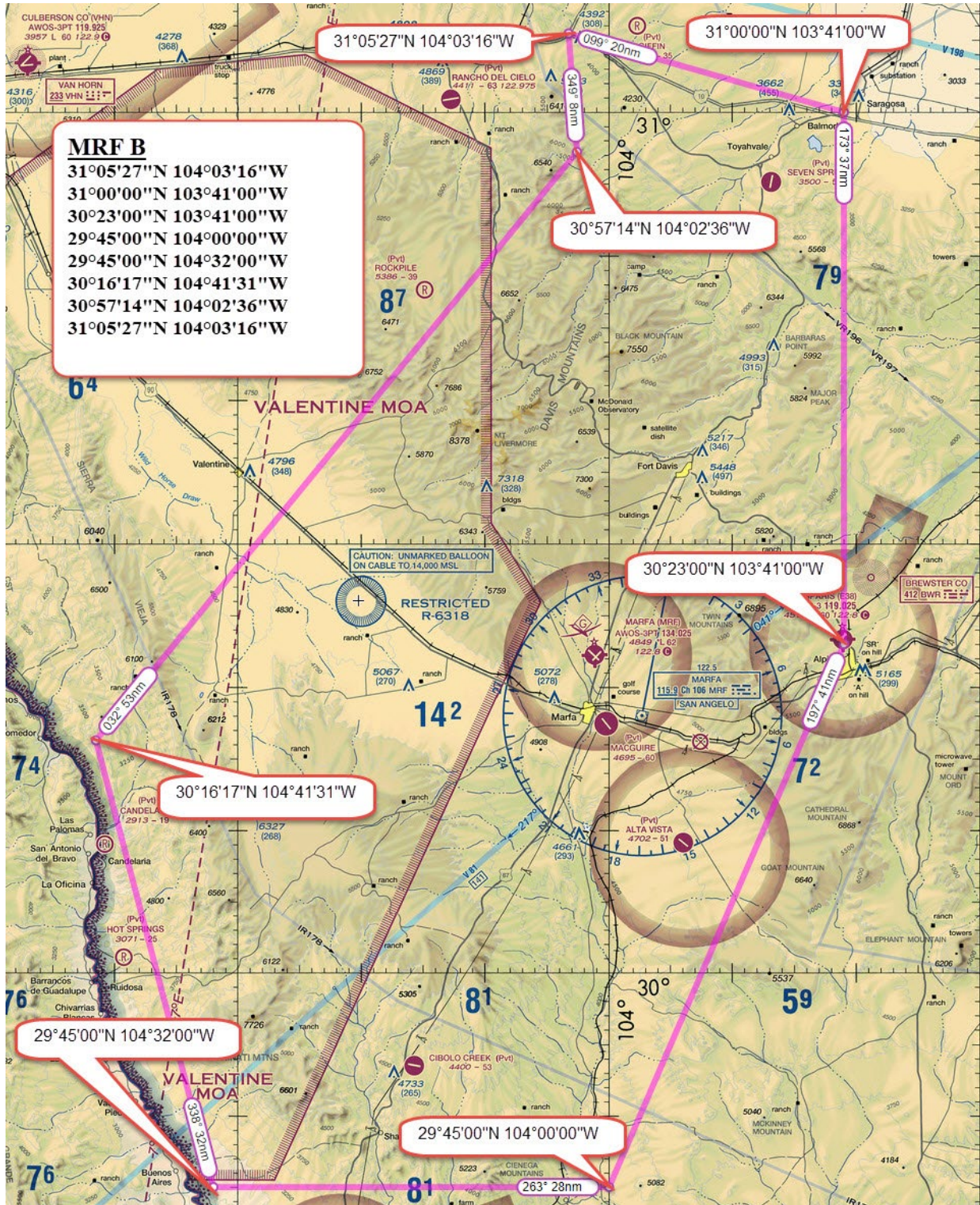
**MARFA GLIDERS WAVE WINDOW AREA A (detail)  
ATC ASSIGNED AIRSPACE (ATCAA)**



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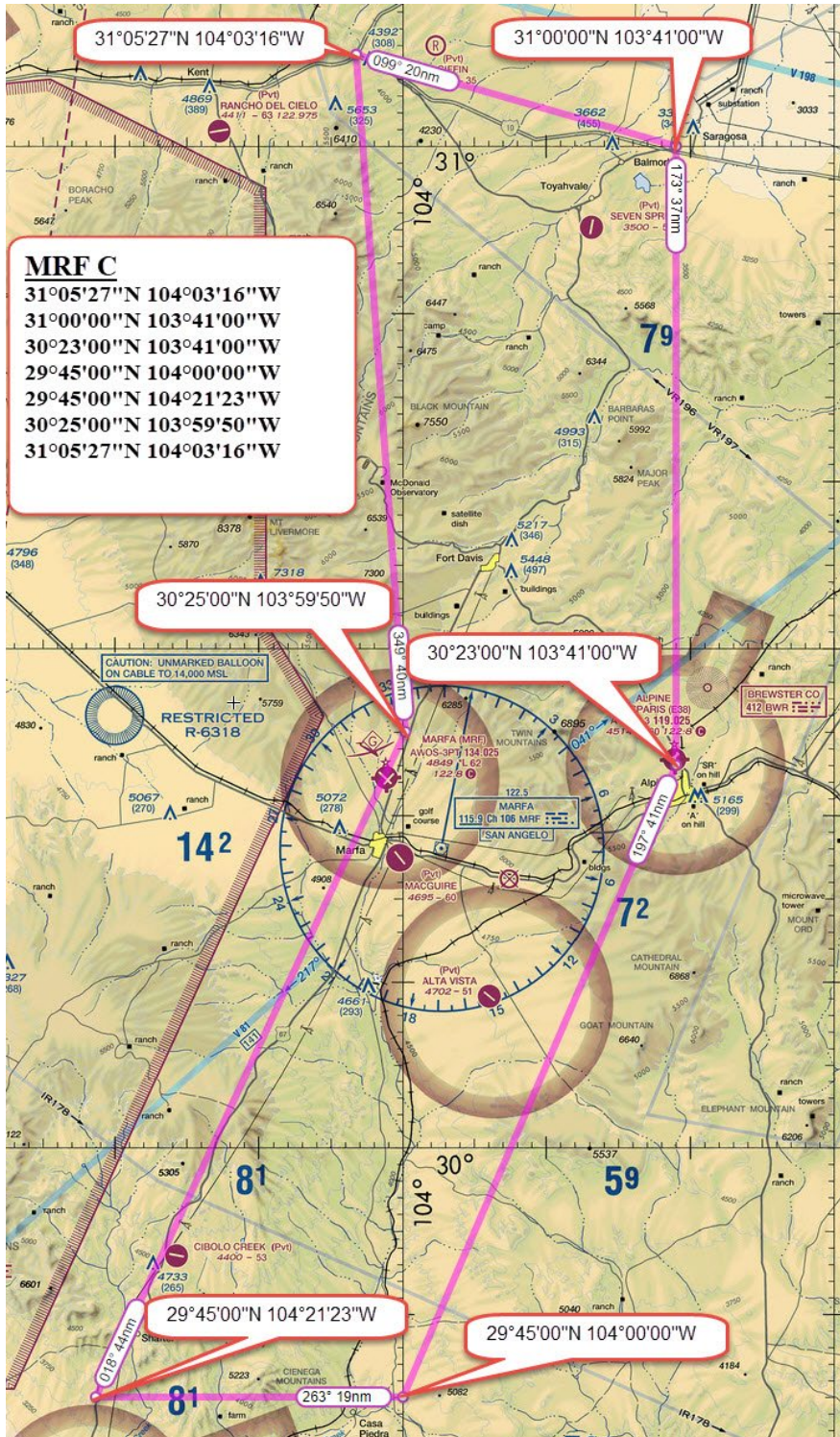
**MARFA GLIDERS WAVE WINDOW AREA B (detail)  
ATC ASSIGNED AIRSPACE (ATCAA)**



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**MARFA GLIDERS WAVE WINDOW AREA C (detail)  
ATC ASSIGNED AIRSPACE (ATCAA)**



**MRF C**  
 31°05'27"N 104°03'16"W  
 31°00'00"N 103°41'00"W  
 30°23'00"N 103°41'00"W  
 29°45'00"N 104°00'00"W  
 29°45'00"N 104°21'23"W  
 30°25'00"N 103°59'50"W  
 31°05'27"N 104°03'16"W

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**MARFA GLIDERS SOARING CENTER, 2021-2023**

**ATTACHMENT D**

**STATEMENT OF UNDERSTANDING**

***PARTICIPANTS STATEMENT: Pilots***

**I have read and/or been briefed on the certificate of waiver and all its special provisions and fully understand the procedures, requirements and limitations of this this Certificate of Waiver.**

**I agree to comply with all of its provisions.**

<b>CREWMEMBER NAME</b>	<b>SIGNATURE</b>	<b>DATE</b>

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**ATTACHMENT E**

**MGSC ATCAA PARTICIPANTS**

Aircraft make/model and registration (a)	Pilot's Name (b)	Certificate number and rating (c)	Home address (Street, City, State) (d)

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