

# **AGREEMENT LETTER**

**BETWEEN**

## **The Aviano Airport Command and the A.S.D. Delta Club Montecavallo**

### **1. INTRODUCTION**

In accordance with Article 9 paragraph 2 of Decree-Law No. 133/2010, the Air Force, for airspace where it provides air navigation services, expresses a binding opinion on the use of airspace by non-advanced VDS units. Detailed modalities and mutual responsibilities for VDS activity between A.S.D. Delta Club Montecavallo (hereinafter referred to as ASD DCM) and the CSA Air Force Command of Aviano Airport, as responsible for airspace management, in Aviano Approach CTR / ATZ are subject, in addition to the permissions and nullity issued by the competent national authorities, at the signing of this letter of agreement.

### **2. REFERENCES**

- a. Law 25 March 1985, no.106;
- b. DPR 9 July 2010, n.133;
- c. Fgl SMA-USAM prot. M\_D ARM001.0094815 del 16.11.2010;
- d. Fgl ENAC 0072531/CSA del 17.06.013;
- e. Fgl SMA-USAM M\_D ARM001 0086646 del 05.11.2013

### **3. PURPOSE**

The purpose of this letter is to establish the procedures, the coordination rules and the mutual responsibilities between the ATS bodies and the President of the A.S.D. DCM for carrying out VDS activity in the authorized area.

### **4. APPLICABILITY**

These provisions apply to pilots and vehicles of the ASD DCM as the only airspace users licensed by ENAC.

### **5. VALIDITY AND RENEWAL**

This agreement is valid from the date stated in the footnote and is tacitly renewed until it is replaced by a new agreement or until one of the parties exercises the right to terminate it.

In the case that A.S.D. DCM intends to use the right to terminate the agreement, it will immediately stop any flight activity in the VDS area covered by the agreement.

If, on the other hand, is the CSA Command of the Aviano Airport Command which intends to use the right to terminate the agreement, it undertakes to notify the reasons for such a decision (for example, changes in ATS geography or approaches instrumental). Should the cancellation be justified by a repeated breach of the terms of the agreement by the ASD DCM drivers, the CSA Service of the Aviano Airport Command undertakes to acquire and evaluate in advance any

supporting evidence from the counterparty. In any case, the CSA Service of the Aviano Airport Command reserves the right to terminate the agreement if it considers these elements insufficient to justify the disputed infringements.

The termination of the agreement must always be notified in writing to the counterparty.

Any changes to this agreement:

- if they are of a temporary nature and in any case limited to a maximum of three months, they may be arranged with a provisional integration document of this Agreement, signed by the two parties and clearly specifying the timing of the agreement;
- if they are of a permanent nature or in any case more than three months, they are the subject of A new agreement between the parties.

The terms of the agreement in this letter remain valid unless regulatory updates imply the need for its revision. To this end, it is agreed that, if necessary, the Aviano Airport Command and the Chairman may request that a meeting be held to examine the contents of the agreement and any problems related to the safety of flight operations. A verbal will be drawn up against the parties that will remain in the proceedings.

It is understood that licensing for the use of airspace for VDS activity is, however, subject to the validity of the authorization issued by ENAC, the nullity of the Air Force Base Command and the publication of the required areas in AIS (Aeronautics Information Service). The VDS flight activity automatically terminates upon the expiration of the necessary permissions and / or lack of required requirements.

Any variations or modifications may be requested unilaterally from the Aviano Airport Command at any time or proposed by the Chairman in case of significant changes in the current situation regarding flight activity in the Aviano Control Area and / or the permit granted.

## **6. METHOD OF USE OF THE AIRSPACE**

The VDS area covered by this agreement is reported on AIP ENR 5.5.4.2-2.

The VDS activity in the subject must be carried out in such a way that there is no delay or limitation to operational air / military air traffic and GAT (General Air Traffic) in the CTR (Control Zone) and ATZ of Aviano.

The VDS flight activity in question will be limited to free VDS flight. Flights will be limited solely to the declared activity and conducted in accordance with the rules in force and nevertheless unconditionally subordinated to the priority training / operational needs of the military departments, including the activation (by means of Notam) of all airspace restrictions affecting the airspace, Relevant flight area. Activities other than those specified must be requested from time to time by the competent authorities in accordance with the current ENAC Circulars (eg ATM 05) for the valuation, approval and subsequent issuance of the relevant Notam.

Flight activity may be suspended by the air traffic controller in service at Aviano Tower and / or Approach at any time when traffic in the ATZ or Aviano CTR is such as to compromise the necessary security requirements. The notice of such suspension and any subsequent resumption of the activity will be communicated to the addresses below and to any telephone contact of the delegated pilot who first, on the day concerned, requires the opening of the flight zone.

<b><u>Reference</u></b>	<b><u>e-mail</u></b>	<b><u>Main</u></b>	<b><u>Alternative</u></b>
President Raul Moras	raul.moras@hotmail.it	335 8228534	
Secretary Guido Gubitta	guido.gubitta@tiscali.it	335 7123779	0434 551805
Safety Carlo Gobitti	cgobitti@cro.it	340 8245944	0434 661516

*Note: The president of the association is required to provide any changes to the above mentioned contact details without delay.*

The A.S.D. DCM is responsible for drawing up and managing a list of paragliding and/or hang glider pilots authorized to fly to the Montecavallo Area. This list, which consists exclusively of club members, is referred to as "Authorized Pilots".

All pilots listed in the "Authorized Pilots" list will be able to practice VDS activity in the Montecavallo area, even outside public holidays and pre-festivals, as long as they have previously been instructed on the current regulations (see point 8) and provided that, at the start of each day of flight, a telephone authorization is required from the competent ATC body (Aviano Tower and/or Aviano APP). It will not be necessary for each pilot to ask for a permit before taking off, but it will be enough for the first pilot to start the activity on that date and bear it in the name of all the "Authorized Pilots" listed on the above list.

Whether or not to start the activity, with start and end indication, will be provided, after careful tactical evaluation, of the controlling staff in service at Aviano Torre and/or Aviano APP, to the pilot who will first request it. The latter will then promptly notify you of any "Authorized Pilots" listed on the list, using appropriate IT channels designed for this purpose.

If you need to obtain aeronautical information (Notam, Publications, etc.) and/or communicate with ATS, you will be referred to the following contact details:

<b><u>ATC body</u></b>	<b><u>Main</u></b>	<b><u>Alternative</u></b>	<b><u>Fax</u></b>
Aviano Control Tower	0434 302213	0434 302215	0434 673209
Approach Control	0434 673214	0434 307776	0434 673209
Flight Information Office	0434 673215	0434 307222	0434 673262
Base Operating Centre	0434 673203	0434 307108	0434 304730

Note: All the above mentioned phone numbers are recorded. Recording is carried out for investigation purposes in case of flight incidents.

The controlling staff in service at Aviano Torre and/or Aviano APP will declare the area:

1. OPEN and then be used by registered pilots.
2. "CLOSED" when the flight activity is over or has not yet been opened.
3. "Banned" when the ATC entity has clearly denied the VDS activity.

The opening hours of the area depend on both the time when the request is made and the availability provided by the ATC body, and it is strictly forbidden to enter before the agreed time. This is because VDS traffic could be delayed further than the time of the request for operational needs. As soon as the area is declared OPEN it will remain uninterrupted until the time agreed upon the request.

On days when Aviano's ATS Services are closed, the area may be OPEN without having to contact the ATC reference body.

The activity will be carried out, in coordination with A.S.D. DCM, as reported in the AIP Italy part ENR 5, within the "Montecavallo Area" area, located in the northwest of Aviano delimited by the co-ordination of the coordinates:

"Montecavallo" Area	Vertical limits	Validity period
46°02'00" N 12°21'00" E 46°06'37" N 12°33'17" E 46°06'00" N 12°36'00" E 46°03'00" N 12°33'00" E 46°02'00" N 12°30'00" E 46°00'00" N 12°27'00" E 46°02'00" N 12°21'00" E	As per AIP Italia	Monday-Saturday/Public Holidays SR - SS

Note: SS = Sun Set according to the ephemeris of Aviano Airport.

SR = Sun Rise according to the ephemeris of Aviano Airport.

The activity may take place half an hour before the sun rises to half an hour after sunset as indicated in the local ephemeris of the airport of Aviano.

## 7. LIMITATIONS

The VDS activity must be carried out in compliance with the specific discipline provided by DPR 133/2010, the additional conditions specified in the authorization issued by ENAC and those specifically mentioned in this letter of agreement. VDS activity in the area is subject to the priority requirements of VFR and IFR traffic at Aviano Airport or other state organizations and will be subject to the restrictions set out in Section 8.

## 8. RESPONSIBILITY

In expressing the aforementioned authorization, it is stated that the Administration of Defence intends to refer only to the use of airspace by the VDS, excluding any foreign liability to this particular aspect as an example:

- the authorization granted to the associations concerned to operate from the landing and landing fields on the part of the operator in the fixed time slots;
- the suitability of the landing and landing area used;
- verification of the suitability of the means and crews to conduct, in particular, VDS operations;
- the compatibility between specific VDS activities and the rights (including the security) of people and property on the ground.

Each pilot is personally responsible for compliance with the laws and regulations, the ATS (Air Traffic Service) regulations and the general and special conditions governing the VDS flight.

Each individual pilot is required to personally verify whether the ATC authority has authorized the activity before the incident, by consulting the communication channels set up for this purpose.

Each pilot is required to make sure that it can be safely carried out before the flight and at all stages, taking into account the weather conditions, the efficiency of the VDS device, its psycho-physical condition, its training and every other circumstance of time and place and consequently to determine the conduct to be maintained so that the flight does not appear dangerous for one's or other's safety.

The President of the S.D. DCM assumes the responsibility to provide all pilots in the "Authorized Pilots" list, all the information and instructions provided in this Agreement (translated into user pilot languages) required for the safe conduct of aircraft operations in the designated airspace "Montecavallo Area" both in the training and education of each single pilot, and through the publication of such rules on the appropriate aeronautical documentation, on their website and made available for consultation at the field of flight. Any pilot who is not on the list and intends to

take advantage of the area will have to ask the A.D. DCM, communicating in writing their generality and taking a look at the rules contained in this letter and accepting the terms.

The President of the S.D. DCM is required to instruct all pilots operating in the "Montecavallo" area covered by this Agreement to comply strictly with all the conditions agreed between the parties.

The President of the S.D. DCM will be held liable for any breach by any of the pilots in the "Authorized Pilots" list if it turns out that it has not complied with the information requirements of the "Authorized Pilots".

In particular, the President of the S.D. DCM must ensure that:

- a. All "Authorized Pilots" operating in the "Montecavallo" area have signed a document attesting to the authorization granted by ENAC and this agreement and undertake to comply with the conditions / limitations contained therein and all other legal provisions and Regulations regulating the activity of flying in general. Such signature shall be renewed in the event of modification to the said authorization or this Agreement;
- b. always notified the Aviano Torre the beginning and end of the flying activity in the area "Montecavallo";
- c. when the area is declared "OPEN", the above mentioned telephone numbers in addition to the pilot who requested the authorization on the day are always active and reachable by the on-call service staff at Aviano Torre, in order to ensure a close co-ordination with The CSA Command of Aviano Airport;
- d. at any time of the activation of the area, information about the actual commitment of the area is available (N.B. this action may be delegated to the pilot who first requested the opening of the flight zone);
- e. in the event of a flight incident involving one of the "Authorized Pilots" operating in the "Montecavallo" area, Aviano Tower shall provide all information necessary for the event's investigation;
- f. the suspension of activities in the "Montecavallo" area is implemented, when so required by Aviano Torre and / or Approach for specific situations requiring such intervention;
- g. be promptly notified to Aviano Torre when there are particular situations that impede compliance with the conditions imposed (for example, in case of an emergency pilot or in the event of an accident causing the suspension of activity or in the event of a pilot being lost, incident and / or is uncertain about the position);
- h. appropriate disciplinary action is taken against pilots who do not comply with the conditions imposed, such as recalls, suspensions or definitive exclusion from the flight activity covered by this Agreement;
- i. all "Authorized Pilots" must, prior to commencing flying activity, have access to the relevant aeronautical information relating to the concerned airspace, including NOTAM. Such information may be:
  - telephone calls to ARO Aviano (tel 0434 673208 or alternate 0434 673215 or email: [aeropaviano.ats@am.difesa.it](mailto:aeropaviano.ats@am.difesa.it))
  - viewed directly on the Defence Internet NOTAM Service (DINS) website ([www.notams.faa.gov](http://www.notams.faa.gov))

Aviano Tower must:

- a. Note the activation and deactivation times of the "Montecavallo" area daily;
- b. Provide the other traffickers concerned with information on the activation of the "Montecavallo" area;

- c. To implement, in coordination with the President of the S.D. DCM or its delegate or who has requested authorization during the day, suspension of flight activity in the "Montecavallo" area when so requested by specific situations indicating the need for such intervention;
- d. Assist the President of the S.D. DCM or its delegate or who has requested authorization in the day when these notices that there are particular circumstances that impede compliance with the conditions imposed, or in the event that a pilot is lost, incurred and / or uncertain about the position.

The Aviano Airport Command, through its Air Traffic Control personnel, will ensure the provision of the necessary Air Traffic Services to all aircraft operating in the ATZ and the CTR, in accordance with the Aircraft Regulations Class "D".

Flight activities will be carried out in compliance with applicable regulations and any additional instructions that Aviano Airport Air Traffic Control personnel will impart to them to ensure the necessary safety of flight operations.

It will be the responsibility of the President to convene on his own initiative or at the request of the Commander of Aviano, a representative of VDS pilots to discuss flight procedures and/or problems related to Flight Safety.

This Agreement excludes any liability incurred by the Aviano CSA Service out of the use of airspace by "Authorized Pilots" such as, for example, the verification of the suitability of the equipment and the personnel performing the activity Flight, the suitability of the landing and landing area used, and the compatibility between the specific VDS activities and the rights (including the security) of persons and property on the ground.

Aviano.....

President of the ASD  
"Delta Club Montecavallo"  
(Sig. Raul MORAS)

Aviano Airport Commander  
(Col.AArnn Pil. Stefano CIANFROCCA)