

Seaplane Compatibility Issues

Summary

INTRODUCTION

SEAPLANES HAVE FLOWN SINCE THE BEGINNING OF AVIATION ITSELF. Seaplane operations encompass a wide variety of uses. One of the most useful attributes of seaplanes is their ability to serve municipalities. They are uniquely able to operate between population centers and from population centers to remote areas.

Most of the time, seaplanes are readily accepted. Seaplane operations simply blend in with the background of other water and air activities. On occasion seaplane operations are, however, opposed. When this happens, the core issues often relate to concern about safety and perceptions of noise. Opposition to seaplanes generally involves elected officials, community planning departments and municipal administrators. Often these public servants must help decide what is appropriate, fair and in the best interests of their communities.

SEAPLANE ACTIVITY

Seaplanes are used for both commercial and recreational purposes. Commercial operations cover a wide variety of public services including air charter, training, ecological field surveys and even scheduled air operations.

Seaplanes come in various types. These include straight floatplanes that rest on floats or pontoons, amphibious floatplanes that have retractable wheels to allow for landings on hard-surfaced runways, and flying boats that use the fuselage for floatation and may also be amphibious. Seaplanes, especially those configured for amphibious operations, are essentially go-anywhere vehicles. Their versatility allows them to operate in a wide variety of environments.

SEAPLANE NOISE

Whether seaplane operations are appropriate in a particular area may depend largely on noise impacts. Determination of whether seaplane noise is acceptable may not be easy since there are many

variables to consider and since acceptance of noise varies among individuals. Seaplane noise levels also vary considerably between types of seaplanes. In many cases considerate pilot technique has proven to be the most important factor in seaplane acceptance.

Generally, an effective method for reviewing anticipated seaplane noise is to measure actual seaplane noise or to calculate anticipated seaplane operations and compare these values to ambient noise levels over a typical 24 hour period. In some cases noting the noise level of individual seaplane noise events will also be helpful. Numerous government publications are available to assist in this effort.

SEAPLANE SAFETY

History shows that seaplanes are one of our safest modes of transportation. Recently the seaplane safety record was carefully reviewed. This review covered a 13-year period from 1983 to 1995 and utilized information from the National Transportation Safety Board.

In conducting this review, answers were sought to those questions which are most relevant to the operation of seaplanes in municipal environments, and particularly in close proximity to other vessels such as boats. The review included 338 accidents involving aircraft that, at the time, were capable of landing on water. It specifically focused on accidents that occurred during, just after or just before water operations, for it is at this time that measurable risks to adjoining users and other vessels might exist.

The 13 year record indicates:

- * 195 water-related seaplane accidents occurred from 1983 to 1995.
- * Three accidents involved other vessels.
- * The three seaplane/boat accidents caused three fatalities, all of them occupants of the boats.
- * Property damage, other than to seaplanes and boats, was virtually non-existent.

SEAPLANE JURISDICTION

As we have stated, seaplanes are very versatile. They are, of course, aircraft. But they are also classified in the U.S. Ports and Waterways Safety Act as *vessels* when on the water.

Without doubt, municipalities including counties and port districts have legitimate interests relative to the safe operations of seaplanes within their jurisdictions. However, both the federal and state governments have jurisdictional authority over seaplane operations even when over and on the water in and adjacent to municipalities.

Federal Jurisdiction.

The federal government's interest in seaplanes emanates from a number of sources. The most predominant are: (1) the Commerce Clause of the U.S. Constitution, which gives Congress broad powers to regulate and to protect interstate commerce, and (2) the Federal Aviation Administration (FAA), which is responsible for aviation standardization and safety. Navigable waterways are one of the most active areas where the United States exercises its commerce authority. The FAA, of course, promulgates aircraft operating regulations.

State Authority

State governments accepted the responsibility to protect access to and use of navigable waterways when they became states. This includes, of course, the operation of *vessels*. Most states recognize this as the Public Trust Doctrine. Case law has shown that this responsibility is one which cannot be set aside by state governments even if they wished to do so.

Cooperation is Vital

Consequently, cooperation between seaplane operators, municipal authorities and, when necessary, officials of state and federal agencies is necessary to insure that seaplane operations remain safe and have limited noise impact while protecting the rights of this mode of transportation.

SUMMARY

Seaplane use has a place in an effective transportation system. Today's emphasis at federal, state and regional levels on intermodal and multimodal transportation mandates that all legitimate forms of transportation be considered.

The record shows seaplanes to be an extremely safe mode of transportation. Noise impacts can be successfully mitigated in most instances by careful planning and considerate pilot technique.

Few modes of transportation are as capable as seaplanes to serve both metropolitan and remote areas as effectively and efficiently.

ADDITIONAL INFORMATION

The Seaplane Pilots Association is a non-profit, organization made up of members involved in all aspects of seaplane manufacturing and operations. We are committed to safe and "community friendly" seaplane operating practices and stand ready to provide additional information about the benefits and requirements of seaplanes.

Please write us at:

Seaplane Pilots Association
4315 Highland Park Blvd, Suite C
Lakeland, Florida 33813

Or visit us online:

www.seaplanes.org