



**Federal Aviation  
Administration**

Office of Airports

901 Locust, Room 364  
Kansas City, MO 64106

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**VIA ELECTRONIC MAIL**

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**Subject:** Review of Part 13 Complaint Skyhaven Airport (RCM) Corrective Action Plan (CAP)

Dear Mr. Little:

The FAA has completed its review of the Skyhaven Airport (RCM) October 3, 2025 Corrective Action Plan (CAP) submissions and subsequent CAP updates. We also considered additional information provided by airport users on October 29, 2025. This correspondence identifies items that are complete and outstanding items requiring further action to achieve compliance with applicable **FAA Grant Assurances**, including **Grant Assurance (GA) 22 – Economic Nondiscrimination** and **GA 23 – Exclusive Rights**.

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**1. Commercial Operator Agreements and Minimum Standards Enforcement**

RCM has revised the Rules and Minimum Standards and removed the “incidental use” exception. However, **Section 3-1 continues to condition CVA applicability on whether an operator maintains a “designated physical presence.”** FAA reiterates that **commercial aeronautical activity is defined by the service provided, not by physical footprint.** Aircraft rental, flight instruction, or maintenance occurring from the apron, terminal, or shared-use areas are commercial operations and must be treated as such.

RCM’s October 15 response states:

*“The previous Airport Manager was aware but did not realize it required a Commercial Vendor Agreement as previous rules and regulations section 3-2.A stated ‘engage in commercial activity ... within a licensed hangar or within a structure that creates a dedicated physical presence.’ With the change of leadership, the Assistant Airport Manager followed procedure and investigated the report under revised Rules and Regulations. The Airport Manager agreed that this is a Commercial Aeronautical Activity based on the findings.”*

FAA acknowledges and appreciates this clarification. However, the admission confirms that **past enforcement of Minimum Standards was inconsistent** and that the phrase “**dedicated physical presence**” contributed directly to uneven enforcement.

**Required Action:**

Revise Section 3-1 to state that **all** commercial aeronautical activities conducted on any airport property—regardless of whether a hangar, office, or other exclusive-use space is occupied—require a CVA and applicable fee and insurance requirements.

## **2. Designated Pilot Examiners (DPE) Use of Terminal Offices**

FAA has confirmed through coordination with the Kansas City Flight Standards District Office (FSDO) that DPEs perform checkrides **solely on behalf of the Administrator**, not on behalf of UCM or any private entity. When a DPE conducts an examination outside the scope of their UCM employment role, that activity constitutes a **commercial aeronautical service** under the airport’s Rules and Minimum Standards.

RCM’s October 15 response acknowledges that the previous interpretation of the Rules relied on the phrase “**dedicated physical presence**” and that this interpretation resulted in certain commercial activities being conducted from the terminal without a CVA. The same interpretive issue appears to have influenced the treatment of DPE office use. As with aircraft rental operations occurring from the apron, **commercial activity does not depend on whether the operator occupies exclusive-use space** but is determined by the nature of the service provided.

**Required Action:**

RCM must review current DPE office use and determine whether any DPE is conducting examinations outside the scope of UCM employment. Where DPEs are acting in a commercial capacity independent of UCM, the following must be applied in the same manner as for other commercial aeronautical operators:

- Execution of a **Commercial Vendor Agreement**,
- Application of the **published commercial operations fee**, and
- Compliance with facility access and use requirements.

This clarification will ensure consistent application of the Rules and Minimum Standards and resolve a secondary enforcement gap arising from the previous “dedicated physical presence” interpretation.

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### 3. Hangar Developer Lease and Commercial Fee Parity

RCM stated that CVA provisions were incorporated into the developer lease; however, the **CVA fee has not been applied**. FAA understands this as an outstanding compliance item.

#### Required Action:

Provide documentation demonstrating the **commercial operations fee** structure applied to the Hangar developer as applied to other commercial entities at the airport.

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### 4. Hangar Availability and Waitlist Administration

Rules §1-9.B identifies the specific hangars designated for UCM program use. The buildings listed include Hangar Three, T-Hangars 1–10, T-Hangars 13, 14, 22, and 24, and Open T-Hangars E-2, E-4, W-1, and W-10, along with the UCM Maintenance Hangar.

Based on the current Rules language, Hangar B-11 appears to be **public-use aeronautical infrastructure** and, if vacant, should be available for lease on fair and reasonable terms in accordance with **Grant Assurance 22 (Economic Nondiscrimination)**. FAA requests that RCM confirm whether Hangar B-11:

1. **Is currently designated for UCM program use**, notwithstanding the absence of that designation in §1-9.B; or
2. **Is available for public lease**, and if so, whether it is currently vacant or occupied.

Regardless of designation, **FAA requires an explanation for the delay** in processing the July 29, 2025 hangar co-registration request associated with this unit. Under Rules §3-2.B (Application Process), requests for access to airport facilities and leasehold interests must be processed consistently and within the published procedural framework.

#### Required Actions:

- Confirm the current **operational status and designation** of Hangar B-11 (reserved-use or public-use).
  - If reserved, provide the basis of reservation and the date the reservation designation was approved.
  - If public-use, provide the **hangar lease availability timeline** and the reason for any delay.

- Provide documentation resolving or explaining the processing timeline for the **July 29, 2025 co-registration request**.
- Additionally, RCM must provide
  1. A current **hangar inventory** identifying:
    - Reserved hangars
    - Public-lease hangars
    - Current occupancy
  2. The **public hangar waitlist** showing:
    - Date received
    - Queue order method
    - Current status of each request

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## 5. Financial Structure and Internal Transfers

FAA acknowledges that UCM, as a public university, is **exempt from the FAA Revenue Use Policy**. Financial review is substantially complete. Current review pertains only to **verification of fee parity**, addressed in Sections 2 and 3 above.

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## Conclusion

Consistent with FAA's September 4, 2025 correspondence:

*"FAA is directing RCM to continue to submit Corrective Action Plan updates on a bi-weekly basis, for our review and acceptance. These updates must include a timeline for completion of all outstanding items. Until corrective actions are fully implemented and documented, FAA reserves the right to impose special grant conditions, including zero-pay status and the withholding of discretionary funds, to protect federal investments."*

FAA will review the requested revisions and documentation upon receipt and will then determine whether CAP obligations are satisfied.

If you have any questions or need additional information, please contact Angie Muder at (816) 329-2620 or [angela.muder@faa.gov](mailto:angela.muder@faa.gov).

Sincerely,

RODNEY N  
JOEL

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Rodney Joel  
Director, Central Region

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