



# Airport Advocate

MARCH/APRIL 2010

VOLUNTEERS PROMOTING - PRESERVING AND PROTECTING CALIFORNIA'S AIRPORTS

# CALPILOTS



Official Publication of the



## CALIFORNIA PILOTS ASSOCIATION

### CALIFORNIA PILOTS ASSOCIATION ANNUAL MEETING

The California Pilots Association held its Annual Meeting on November in San Carlos California. We were able to use one of the Hiller Museum's meeting rooms.



*Full Room - Hiller Museum*

We were very pleased with the turn out, especially considering that there was a major golf tournament in San Francisco, as well as Fleet Week with the extraordinary Blue Angles, also in San Francisco.

The winner of our door prize, which was a SPOT Personal Locator Beacon was Max Bartenfeld of Rockin California. It was very satisfying to award the Door Prize to such a young individual, given the fact that new pilot starts are a major concern.



*Max Bartenfeld*

We wish to thank the Hiller Museum for its hospitality in allowing us to use their excellent facility. If you haven't been there, you really need to visit it.

And, we want to invite all of you to our 2010 Annual Meeting which will be held in conjunction with AOPA's EXPO in Long Beach in November. The exact date is to be determined but we hope to have it for you next edition of the newsletter.

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 Pilot Organization \$50  Aviation Business \$50  Business Partnership \$250  
 VISA  MasterCard or  Check  
 Card #..... Exp. Date.....  
 Signature..... Date.....

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\*OCCUPATION: .....

\*..... EMPLOYER: .....

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## BECOMING POLITICALLY INCORRECT

*ED ROSIAK - PRESIDENT  
CALIFORNIA PILOTS  
ASSOCIATION*



The California Pilots Association is a non-profit 501(c) (3) California public benefit corporation. That means that we cannot become involved in endorsing favorite political candidates, nor against others with whom we do not agree, i.e., the anti-airport/aviation types (CALPILOTS has a Political Action Committee [PAC] which is separate for these purposes, which will be highlighted at another time).

This does not mean that CALPILOTS cannot become involved with issues surrounding our general aviation airports, or the rights of general aviation pilots. And as you know, we have been involved doing just that since 1949.

I have never been someone who is imitated by authority, or power - which can be good news or bad news. My wife often points to me whenever we discuss the fact that our three grown children tend to ask questions first rather than just go along with the masses. I have never seen this trait as a flaw, more like a character building block.

This brings us to the purpose of this discussion. Why does the general aviation community tend to tread lightly whenever it comes to government and political issues which negatively affect it? I think that we can agree that we have learned that making timid requests from most bureaucracy's results in GOV-speak, or in other words, "don't call us, we'll call you" merit-less and empty answers.

The bureaucracy on the radar scope this month is the TSA. Yes, the TSA is at once again, this time looking to expand its bureaucratic ten-

tacles in the aircraft maintenance area.

Why be concerned? TSA's latest power grab will unquestionably affect every pilot in the United States, if we do not *all* speak up. The core issue here is the outsourcing of airline and large aircraft charter operations maintenance to foreign countries and foreign maintenance workers.

We do not disagree that it could be a potential issue, but it is an issue that the FAA should be working, not TSA. The TSA should be working with and assisting the FAA to resolve any issues foreign maintenance might cause. Further, the FAA is (was?) doing just fine thank you, in regulating aircraft mechanics in the United States.

Instead, TSA is looking to increase its powerbase, and become the master of this potential issue - which is not good for general aviation. Why? Long term, this far reaching (maintenance) power grab will no doubt affect your local mechanic, if TSA has its way. Goodness knows we all look for maintenance people who are well versed in terrorism when we need an oil change don't we? That must be how the TSA sees it. Why else would they want to assume responsibility for yet another area of general aviation, about which they have shown they know very little, or if we want to be honest - absolutely nothing about?

And, while we are at it, another tough question begs investigation - what about the FAA's huge rewrite of the Airport Operations Manual? Is the FAA so under worked since the drop in aviation operations that it felt it was time to completely change what was working fairly well with a bloated bureaucratic document which has increased 700% over the document it replaces?

The tough question - Is the FAA worried that the TSA is taking over and that it had better

*continued page 5*

## CALPILOTS ACTION

December 7, 2009

County of San Mateo, Planning and Building  
Department

Attn: Camille Leung

455 County Center, 2<sup>nd</sup> Floor

Redwood County CA 94063

Subject: Draft Environmental Impact Report  
(DEIR) for the Big Wave Wellness Center  
and Office Park

Dear Ms. Leung,

The California Pilots Association's mission is to promote and preserve the State's airports. As a statewide volunteer organization, we work to maintain the State's airports in the best possible condition.

Last year we provided comments to the Notice of Preparation for the Environmental Impact Report. We do not believe that any of the following concerns have been adequately addressed in the Draft Environmental Impact Report.

1) The California Pilots Association commends the County of San Mateo for this worthwhile project. However, we are opposed to the project at its current location. It does a disservice to the low income, developmentally disabled (DD) children and adults the Big Wave Wellness Center hopes to serve, to be located approximately 300' from Half Moon Bay Airport. This site will subject more than 70 people to the impacts attendant to a location so close to an airport such as safety, noise, electromagnetic disturbance, dust, etc.

2) The DEIR does not address the safety or other impacts of placing this project so near the Half Moon Bay Airport. The site is inconsistent with the 2002 *California Airport*

*Land Use Handbook* airport planning guidelines. These guidelines are a minimum. It is inconsistent as well with the Deeds and Restrictions that came with the Federal Government's allowance of County of San Mateo to operate and protect the airport from encroachment. It is not advisable to allow housing, or a medical facility at this location.

The Half Moon Bay Airport is a vital link in the National Transportation System. It is eligible for and has accepted Grants from the Federal Aviation Administration. When the County of San Mateo last accepted a FAA Grant, the County signed Grant Assurances as part of the contract with the FAA.

The County thereby agreed to an obligation to maintain compatible land use zoning. This is Grant Assurance number 21.

Pg 2 CalPilots DEIR Comments

[http://www.faa.gov/airports\\_airtraffic/airports/aip/grant\\_assurances/media/airport\\_sponsor\\_assurances.pdf](http://www.faa.gov/airports_airtraffic/airports/aip/grant_assurances/media/airport_sponsor_assurances.pdf)

3) 21. **Compatible Land Use.** It (*the County, acting as the sponsor*) will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility with respect to the airport, of the noise compatibility program measures upon which federal funds have been expended.

As we have seen above, in the FAA Grant Assurance, it is incumbent upon the County

*Continued Page 5*

of San Mateo to protect the airport with zoning which would prevent the development of an project which is clearly incompatible to safe operation for Pilots at Half Moon Bay Airport as well as the residents, particularly low income, developmentally disabled (DD) children and adults on the ground.

Failure to comply with these Grant Assurances could likely result in the loss of millions of

dollars in future Federal Grants to the County.

Thank you for this opportunity to comment on this important item.

Respectfully submitted,

Ed Rosiak

President California Pilots Association

Carol Ford - VP Region 3

*Politically Incorrect Continued...*

create its own draconian TSA type approach or become part of dreaded TSA? That is the last thing general aviation needs.

It's important to understand how government bureaucracies work. It's a much larger version of your office politics where the power crazed manager looks to take over other areas to elevate his/her authority and importance. Similarly, in government, the size of the organization determines their importance and the amount of pay and benefits. However, in Washington, it is much more about power than pay grade, although pay grade is an integral part of the formula.

The TSA appears to be an agency out of control - but, it would be politically incorrect to say so, therefore the TSA continues to push forward with its seize control agenda – that is, unless you speak up too.

How do you speak up? You speak up by writing letters to your congressional representative and calling to advise him/her that you do not want TSA involved in general aviation maintenance – and why. And let's also insure that EAA, AOPA and the NBAA are doing their jobs to get the TSA to back off. All three organizations have Washington D.C. connections and it's time to get out the 2x4 to get TSA's attention.

It's also time for you to do your homework and get involved here. When the government is imposing regulations because it can, instead of addressing a real issue, then it's time to start becoming politically incorrect.

What do you think? See our letters to the TSA and FAA elsewhere in this issue.

**If not you - then who will protect your airport? Please join us today!**

## SAN DIEGO - AIRPORT AUTHORITY UNVEILS NEW LAND-USE RULES

After years of debate, the San Diego County Regional Airport Authority has passed a lengthy set of new rules for five regional airports, including McClellan-Palomar Airport in Carlsbad and Oceanside Municipal Airport on Highway 76.

The new rules generally make it tougher to build densely populated residential or commercial developments close to the airports as a way of making sure the airports can still operate as communities grow.

However, the rules aren't expected to clip the wings of any projects that were already approved before the airport authority ratified the latest planning documents.

One of the largest projects now on the drawing board is the 92-acre Pavilion development slated for a parcel that is now known as the Valley Drive-In directly east of the Oceanside Municipal Airport.

Several safety zones for the airport overlap the property and there was some question and protest when the airport authority first floated the new planning rules in 2005 that the zones would make the large commercial development unworkable.

Jerry Hittleman, Oceanside's planning director, said Friday that the Pavilion, proposed by developer Thomas Enterprises, would be able to go forward under the new airport rules because its buildings are placed out of the facility's flight path and are short enough not to block access to the small planes that glide to a stop there every day.

"Unless they were to come in with any changes then it would be able to go forward," Hittleman said. "If they wanted to make changes to what has already been approved, then they would have to come back and go through the whole process again."

At the moment that debate is academic. Mel Kuhnel, a representative of Thomas Enterprises, said Friday that the current poor lending climate will keep the project stalled for the time being.

"There just aren't any lenders that are interested in a project like this in this economy," Kuhnel said.

Hittleman said the new plan would also allow redevelopment of additional industrial parcels that surround the airport, though there have been no proposals to date.

Farther south in Carlsbad the airport authorities new development guidelines are said to have even less effect.

Ramona Finilla, a member of McClellan-Palomar's board of directors, and a voting member of the regional airport authority, said that, because that airport has a voter-approved growth management plan, the regional guidelines will have little effect on what gets built and where. Add to that the fact that there are few if any parcels adjacent to the airport that have not already been developed.

She said generally that the new guidelines are designed to keep local airports accessible to pilots and to make sure that airports are good neighbors to the surrounding community.

*Continued Page 7*

*San Diego continued*

"What it does is clearly explain to people and developers what kinds of uses are permitted around the runway," she said.

Pilot Rick Beach, who participated in the multiyear debate over the new guidelines, said he is satisfied that rules will keep

growth from swallowing regional airports.

"When you take off, you've got to have a place to land," he said.

**Editor's Note:** *Rick Beach and many others should be congratulated in getting this Herculean effort accomplished.*

## OCEANO AIRPORT UNDER ATTACK BY LAND DEVELOPER

Developer Jeff Edwards has scheduled a March 17 meeting to discuss his unsolicited plan to turn Oceano County Airport, near San Luis Obispo, Calif., into a non-airport property. Meanwhile,

Bill Robeson, a city planner who works with the city's Airport Land Use Commission, told [SanLuisObispo.com](http://SanLuisObispo.com) that when it comes to closing the airport, "none of the hearing bodies for the county are considering it." But Edwards, a private land planner, sees "enormous potential" for the nearly beachfront property that he says could translate into "significant cash flow to the county if they were to close the airport and lease it for development." He has advertised his upcoming meeting through a press release, has invited representatives from San Luis Obispo County and candidates running for local positions, and said "the public is encouraged to attend." Oceano operates a 2325-by-50 foot paved runway and is home to 13 aircraft (10 singles and three ultralights). The facility serves transient pilots and its land-use plan estimates 12,500 operations per year.

At the meeting, Edwards will introduce plans that could see the airport redeveloped into commercial or residential properties, senior housing or tourist-oriented facilities, or some mix thereof. His one-hour presentation will include an aviation law attorney, a geologist, an ecologist, an economist, a climate-change expert and a Coastal Act specialist, followed by a question & answer period. [Oceano](http://Oceano) is currently operated by a local self-supporting enterprise fund that is not part of the supporting county's general fund and fell just short of its \$79,000 budget last year. Its planned upgrades include additional hangars, additional aircraft parking and facilities upgrades. The airport has received \$2.3 million from the FAA and is applying for a \$450,000 grant to facilitate planned work. Edwards' meeting is set to be held Wednesday, March 17, at 5:00 p.m. at Grover Beach, Rabobank, 899 Grand Ave.

**Editor's Note:** *Read the comments after the article at [SanLuisObispo.com](http://SanLuisObispo.com) - very interesting.. One look at the property and it is easy to see that profit is the motivation here.*



**FAA FAA ORDER 5190.6B**

Mr. Randy Fiertz  
 Director, Airport Compliance & Field Operations Branch  
 FAA, Airports Division  
 800 Independence Ave., SW  
 Washington, DC 20591

Subj: FAA Order 5190.6B (FAA-2009-0924)

Dear Mr. Fiertz:

This letter is in reference to the FAA Airports Division revised Airport Compliance Manual, FAA Order 5190.6B, issued this past year.

The California Pilots Association (CALPILOTS) is a statewide volunteer organization whose mission is to promote, preserve and protect the state's general aviation airports. We believe this also to be part of the FAA's mission for the United States as a whole, which is why we are writing regarding this Order.

We were stunned that the manual, which is the guide for FAA staff, has increased from a readable 96 pages, to an encyclopedic 691 pages, a staggering 700% increase. More importantly, these pages effectively create new rules, new regulations, and generate major changes that will, in our estimation, produce unneeded confusion at the typical general aviation airport; and may harm the already fragile general aviation industry.

Frankly, we question if anyone on your immediate staff has actually read Order 5190.6B. It would be an effort akin to trying to understand every page of Tolstoy's "War and Peace". Size indicates that this was a year's long project in which those creating the guidance lost track of their goals. We question whether the top FAA officials have reviewed this order and its negative effect on general aviation.

Fortunately, for us, there is guidance from the Experimental Aircraft Association (EAA), which has taken on the task of digging through the 691 pages of your order. We expect that the Aircraft Owners and Pilots Association (AOPA) will also comment questioning the reason for these dramatic changes, if it hasn't already.

We are in agreement with the EAA's response, and herein comment on a number of problem areas that the EAA has identified which we believe will hurt California's airports, and the ability to operate general aviation aircraft in our state. We would like to understand the FAA's sudden change regarding the following subject matter.

**Auto Gas**

Why does the updated order ban auto gas? This is confusing because twenty years ago the FAA and the EAA worked together to develop an STC for the use of auto gas in airplanes. We assume that this was an error by a staff that was looking at 30-year old FAA policy. In addition, this change would negatively affect the FAA's support of the Sport Pilot program in which a number of Light Sport Aircraft (LSAs) have been designed specifically to use auto fuel.

**Through-the-fence (TTF) Operations**

**TTF** is another of the areas that the FAA has unexplainably changed. The question must be asked - Why? This change would have a severely negative effect on existing and previously approved future residential developments, as well others that are being planned. Such developments are always subject to close review to determine if they can exist with the safety and security that an airport requires. This had previously been the FAA viewpoint as well, i.e., a case-by-case review of such housing.

*Continued page 9*

FAA Order continued...

Additionally, the whole TTF issue can affect other aviation operations that use airports but are adjacent to, and not on, the airport proper. We have read reports that FAA officials have stated that this change is due to airport noise complaints from air park residents. We have also read the FAA has been unable to produce said complaints.

The TTF appears to ban Trailerable Light Sport Aircraft, Powered Parachutes, Weight-shift-control and Gyroplanes. We do not understand why you wrote these sections into the manual, but if the information is correct, it would appear to be an effort to achieve safety and security by destroying this aviation segment. Surely the goal of this new guidance is not to destroy this industry segment.

### Camping,

Per your new order, camping would seem to be banned. "The term 'campgrounds' indicates a permanently based campground at an airport instead of a temporary parking situation, which one finds at Oshkosh and other fly-ins." Here in California, the very popular Columbia Airport and its adjacent State Historical Park, benefit from a permanent campground at the airfield. There is no known problem and no

one foresees a problem with the camping there. Is the new order providing a solution that is in search of a problem?

### What is the problem?

For whatever reason, large government bureaucracies do not seem capable of emulating the private sector in common sense problem resolution by asking the simple question "What is the problem we are trying to solve?" This rewrite of an effective manual is an example of that.

There was a time in history when the government was writing specifications for the design of products that they needed. Most of that thinking has been replaced by the writing of specifications for the performance of products that are needed. By writing this tome of an order, the Airports Division has taken its guidance from a "what we want done" performance specification to a "how to do it" design specification telling us where to drill the holes and whether to use screws or bolts.

We believe that this approach is wrong and that the original Order would be a better product to accomplish airport guidance. Perhaps you could reissue the order 5190.6B as an Advisory Circular that would give advice on "suggested" ways of operating an airport.

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## AIRPORT ADVOCATE

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**TSA-2004-17131/RINI652-AA38/AIRCRAFT REPAIR STATION SECURITY**

Docket Management System  
 U.S. Department of Transportation  
 Room Plaza 401  
 400 Seventh Street, S.W.  
 Washington, D.C. 20590-0001

Docket No. TSA-2004-17131/RINI652-AA38/Aircraft Repair Station Security

On behalf of our statewide membership, the California Pilots Association would like to respond to TSA's latest proposal, TSA-2004-17131/RINI652-AA38/Aircraft Repair Station Security.

First, we have to ask why TSA would want to use such a broad brush and include general aviation in yet another massive government bureaucratic program such as this one.

For whatever reason, government does not seem capable of emulating the private sector in common sense problem resolution by asking the simple question "What is the problem we are trying to solve?" This is obvious with the implementation of LASP, and the SD 8F program, both of which in our opinion, are unwarranted.

While we understand that there might be issues with air carriers outsourcing maintenance

work to foreign lands, and even a few large charter operations, we do not see the requirement to include general aviation in this sweeping bureaucracy security net for general aviation maintenance in the United States.

Frankly, in our opinion TSA should be working with the FAA to resolve these issues instead of attempting to grow its own bureaucracy. The FAA is better equipped and actually has some personnel who still understand aviation. We believe that the resources associated with this proposal should be given to the FAA which is aviation trained and can do a better job, instead of on TSA has effectively zero understanding of aviation operations, much less general aviation.

For the record, we feel that it is important to define bureaucracy. A bureaucracy is a government agency which has forgotten that it

***A bureaucracy is a government agency which has forgotten that it works for its stakeholders - it has instead evolved to believe that its stakeholders work for it. This is the basic issue that all large government agencies pose to the public, and it is clear that TSA fits that model.***

works for its stakeholders - it has instead evolved to believe that its stakeholders

work for it. This is the basic issue that all large government agencies pose to the public, and it is clear that TSA fits that model.

We believe that it is the intent of some in the government to provide a value added capability for stakeholders to respond to these proposals. In case any government overseers wonder why so few people and organizations respond, the answer is simple, most do not believe that the provided input will actually be

*Continued page 11*

FAA Oder continued

In closing we have to ask the tough question “Is this over-reaction of an Order the result of the FAA running scared from the TSA and its recent unwarranted general aviation *security proposals?*”

We have written to the TSA and provided feedback that the TSA should be working with and through the FAA to resolve any aviation issues, because the FAA is better qualified to respond. We are concerned that the FAA is changing what has been working to appease the TSA and its one size fits all mentality. The last thing the general aviation industry needs is another TSA type approach to problem resolution.

Respectfully,

Edward Rosiak - President  
 Jack Kenton - VP Region 4  
 California Pilots Association

cc:  
 Aircraft Owners and Pilots Association  
 Experimental Aircraft Association  
 California Division of Aeronautics  
 Randy Babbitt - FAA Administrator  
 www.calpilots.org

**Editor’s Note:** *The California Pilots Association response to the FAA’s proposed Order was officially recorded.*

TSA continued from page 10

considered in the final outcome - especially when it comes to the TSA.

Respectfully,

Edward Rosiak – President  
 California Pilots Association

**Editor’s Note:** *The California Pilots Association response to the TSA’s proposed Aircraft Repair Station Security was officially recorded.*

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