

TUOLUMNE COUNTY AIRPORTS

JIM THOMAS
AIRPORTS DIRECTOR

Columbia and Pine Mountain Lake

Tuolumne County Airports
10723 Airport Road
Columbia, California 95310
Phone: (209) 533-5685

December 17, 2009

Mr. Charles Erhard
Federal Aviation Administration
ACO-100
800 Independence Ave., SW
Washington, DC 20591

Re: Comments on FAA Order 5190.6B and Draft Compliance Guidance Letter 2009-1

Dear Mr. Erhard:

I am the Tuolumne County Airports Director and responsible for managing the two county owned airports, Columbia Airport (O22) and Pine Mountain Lake Airport (E45). It is my desire to provide you with my comments regarding the FAA Order 5190.6B and the Draft Compliance Guidance Letter 2009-1. In paragraph 1.1 of 5190.6B it states "The Order is not regulatory and is not controlling with regard to airport sponsor conduct; rather it establishes the policies and procedures for FAA personnel to follow in carrying out the FAA's responsibility for ensuring airport compliance." So, my comments are based on the fact that 5190.6B is not regulatory and therefore, the items contained within the document subject to interpretation.

One of the Tuolumne County owned airports I manage is Pine Mountain Lake Airport. This 64 acre airport is owned and operated by the County of Tuolumne and is surrounded by an airpark containing 95 lots and currently 70 residences. All lots have access to the Pine Mountain Lake Airport either via Conditional Encroachment Permits or via a private taxiway. All these lots have deeded access to the airport because the airport was originally constructed by the subdivision developer who later transferred the ownership of the airport to Tuolumne County.

My comments regarding the benefits of having the residential airpark surround the Pine Mountain Lake Airport will be presented as numbered items.

1. The airpark provides lots of eyes and ears contributing to a very high level of security at the airport. Virtually nothing goes un-noticed by the surrounding residents. They know who flies which airplane, who is gone on vacation, and who is visiting whom.

2. The airpark residents have never made a noise complaint. Everyone living at the airpark does so by choice. While the vast majority of the residents are pilots, those that are not certainly enjoy being around aviation and pilots.
3. The airpark residents are very supportive of the airport, both financially and in volunteering their labor and resources to help maintain and improve the airport. The residents have helped maintain the pilots lounge, constructed a used oil facility, planted ornamental plants, constructed a wildlife fence, repaired drainage problems, repaired taxiway pavement, and supported many other airport projects.
4. The airpark is a good source of income for the State of California and Tuolumne County because both the state and county receive personal property tax on the aircraft based at the airport and because the residential property assessment is significantly higher on the airpark homes than surround non-airpark homes.
5. The State and County receive income from the fuel taxes and fuel flowage fees.
6. Many of the aircraft based at Pine Mountain Lake fly all over the country and even to Canada and Mexico thus supporting many other airports though the purchase of fuel, overnight tie downs, and mechanic services.
7. Most of the residents are members of one or more of the following aviation organizations; AOPA, EAA, Cal Pilots, and Pine Mountain Lake Aviation Association, which is another example of the resident's support for aviation.

It is my opinion there could be no better supporters of the airport and aviation than the residents that live in the airpark surrounding the Pine Mountain Lake Airport.

By having a policy that residential airparks are not compatible uses for a federally obligated airport the FAA is essentially eliminating the departure or destination airport of many aircraft from access to federal funds. Aviation taxes paid by all aircraft should be used to maintain and upgrade all airports in the National Plan of Integrated Airport System (NPIAS). My observations as the airport manager of an airport with a surrounding airpark are that:

1. The reservation of *Preserving Rights and Powers* has never been an issue at the Pine Mountain Lake Airport. The residents clearly understand that the airport is owned and operated by the County of Tuolumne. In fact they prefer that the county own the airport. Allowing airport access by the residents invigorates the airport and draws aviation enthusiasts to the airport.
2. The *Operation and Maintenance* of the airport has been good. The tenants and residents provide considerable feedback regarding the condition of the airport. The airport is not staffed, however, the residents and tenants will phone my office to let the Airports Department know of specific maintenance issues.
3. At Pine Mountain Lake Airport, there is only one commercial operation which is the self service fuel operator. Also, an office leased to a FAA Designated Examiner. There are no hangars suitable for commercial operations. Thus, there is no *Economic Discrimination* that can occur at this airport.
4. All parcels within the airpark are provided equal access to the airport. No parcel has preference over another and no parcel or group of parcels within the airpark have any *Exclusive Rights*.

5. Although no access fee is being assessed to the residents of the airpark, there is nothing preventing the County of Tuolumne from implementing an access fee. To date, the County has been chosen to supplement the airport budget as necessary from other County funds. The concern that the airport be financially self sustaining has historically not been an issue with the County. However, if it were to become an issue, an access fee could be implemented. For this reason *Fee and Rental Structure* has not been an issue with the Pine Mountain Lake Airport.
6. The Pine Mountain Lake Airport long ago identified several projects that would mitigate hazards at the airport. Unfortunately, due to the cost of the projects, the County cannot, by itself, finance the projects. The FAA funded Airport Master Plan and the past several years Airport Capital Improvement Projects (ACIPs) list provide details of the need and benefits of these projects. It is only through Airport Improvement Project (AIP) grants that these projects will be constructed. For this reason the, *Hazard Removal and Mitigation* and *Compatible Land Use* assurances become a Catch 22. The airport cannot obtain grant money for needed safety projects because the Pine Mountain Lake Airport has identified and correctable safety issues.
7. It is strongly believed by me and the airport residents that Pine Mountain Lake Airport is one of the safest airports in the country. The residents act as a 24-7-365 security patrol. Virtually nothing occurs at the airport without someone noticing and passing their concern to either other neighbors or the airport management.

Some additional points that must be made regarding the Pine Mountain Lake Airport are that the airport is regularly used by emergency medical service aircraft. There is a reasonable sized population that lives on the south side of the Tuolumne River in addition to numerous visitors to Yosemite National Park. The Pine Mountain Lake Airport is one of only a few landing zones in this area for emergency medical services aircraft. During wild fire season, the airport is used for staging fire fighting aircraft because the airport provides all the needed requirements for a good helibase operation.

Last it should be pointed out that the Pine Mountain Lake Airport is only 64 acres in size and is surrounded on all sides by private property. There is no land available to extend the runway or enlarge the ramp. In spite of its small size there are over 100 aircraft based there and it is a vibrant and active airport that sees numerous types of aviation activity.

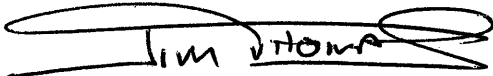
The other airport I manage is Columbia Airport, which besides being a Calfire Air Tanker Base, hosts one of only two publicly accessible grass runways in California and a fly-in only campground. I would like to emphasize the advantages of having an on-airport fly-in only campground at Columbia Airport. FAA Order 5190.6B in section 20.4.b states that the FAA considers on-airport campgrounds the same as residential use of the airport. The airport campground at Columbia Airport is a very large attraction at our airport which brings in hundreds of aviators from around the country. The campground has been in existence for decades and has become the annual location of many aircraft organization's annual meeting. The campground is separated from the main part of the airport, has flush toilets, hot showers and a large pavilion that can be

rented for aviation related meetings, seminars and gatherings. Large oak trees shade the campsites which have tables and pedestal barbeques. Everyone that has camped at Columbia Airport loves it and many people return year after year. Our campground is the site of pilot picnics, aviation safety seminars, type club fly-ins, and more. To suggest that this is an incompatible use of a federally obligated airport is nonsense. The people that use the campground are aviation enthusiasts beyond most others, and they support the airport through camping fees, the purchase of fuel and obtaining needed maintenance at our local maintenance shops. Additionally, these fly in campers also add to the economic viability of the entire Columbia area, including Columbia State Park.

If the FAA were to make it a requirement that Columbia Airport close its fly-in only campground in order to qualify for AIP grant funding, there would be a huge uproar from pilots across the west. If Columbia Airport were to decline the opportunity of receiving AIP funding to keep the campground open, then some major maintenance items may not be accomplished which may jeopardize the safe operation of the Calfire Air Attack aircraft and this important California foothills airport.

In conclusion, I would like to say that the adjacent airpark at Pine Mountain Lake Airport and the fly-in only campground at Columbia Airport add to the vitality of each airport. The County of Tuolumne has in no way given up any right or privileges that could detrimentally impact either airport. To identify these as incompatible uses of a federally obligated airport is an excuse to eliminate these airports from needed FAA AIP grant money. In my opinion and based on my experience this is unwise, unneeded, and unfounded. Considering the number of airports that are being closed across the United States, the FAA should be supporting the maintenance of existing public airports to the greatest extent possible.

Sincerely,

A handwritten signature in black ink that reads "Jim Thomas". The signature is written in a cursive style with a large, sweeping flourish at the end.

Jim Thomas, Airports Director

Cc: Honorable Barbara Boxer
Honorable Dianne Feinstein
Honorable George Randanovich
Ms. Leslie Riegle, AAAE
John Pfeifer, AOPA
EAA Government Advocacy
Mr. Ed Rosiak, California Pilots Association