

March 12, 2008

Safety Standdown April 8th

2008 GWBAA Safety Standdown

WHEN: Tuesday, **April 8, 2008**

WHERE: NTSB Training Center in Ashburn, Virginia (near Washington Dulles Airport)

AGENDA: NBAA President Ed Bolen will provide opening remarks. Other speakers include:

- **Bob Agostino**, Director of Flight Operations-Bombardier and father of the national Safety Standdown
- **Greg Feith**, former NTSB Senior Air Safety Investigator
- **Paul Schuda**, Associate Managing Director-NTSB who will give his presentation on the crash of TWA flight 800, the Boeing 747 that exploded on July 17, 1996 in the Atlantic Ocean after departure from JFK. Paul's presentation will give attendees a rare opportunity to see the reconstructed portion of the TWA 800 fuselage housed at the NTSB Training Center. This is NOT open to the public.

Pre-registration is required. The \$50 registration fee includes continental breakfast, lunch, a safety manual, and a prize drawing. For more information, please visit the GWBAA website at <http://www.gwbaa.com/standdown.html>.

SPONSORS: In addition to Bombardier, Chantilly Air, Dassault, Gulfstream, Landmark Aviation, Signature Flight Support and Sky Group Associates we have recently added **Bristol Associates**, who will sponsor the printed materials. Additionally, **Sharp Details** and **Welsch Aviation, Inc.** have agreed to co-sponsor lunch at this year's Safety Standdown.



Also, Doug Smith has announced Bombardier's sponsorship of a door prize at the up coming Standdown. The lucky door prize winner will receive two VIP tickets to the SunTrust IndyCar Challenge Race at the International Speedway Richmond, VA on June 28th.

We appreciate all our sponsors for their support of GWBAA and this important event.

FAA Washington Update

Senator John D. Rockefeller (D-W.Va.) – not a historic friend of business aviation – recently blamed it for the increasing likelihood that there will not be a FAA funding bill this year, citing “the GA community's inability to compromise.” Rockefeller is a proponent of a \$25-per-flight user fee for turbine aircraft, which he asserts is necessary to pay for modernization of the air traffic control system. Rockefeller also contends that GA is not currently paying a fair share of the costs of operating ATC.

But Rockefeller’s opinions are not shared by all of the members of the Senate Commerce Committee. Notably, Senator John Sununu (R-N.H.) described Rockefeller’s remarks as “a bit of an unfair statement” and noted that GA has supported bills that “bring us to a much more equitable and proportionate sharing of the costs” of the ATC system.”

Moreover, a joint letter recently was sent to the Senate by NBAA and 37 other organizations, ranging from the Aerospace Industries Association to the U.S. Chamber of Commerce, urging the Senate to pass a reauthorization bill. The letter that the organization’s goal were diverse and in many case divergent, but all recognized “the importance of advancing multi-year FAA reauthorization legislation and the development of the Next Generation Air Transportation System.” Notable by its absence was the Air Transport Association – the advocacy group for the major air carriers, and to little surprise, a supporter of Rockefeller’s proposal. For a copy of the letter, please visit <http://web.nbaa.org/public/govt/letters/20080305Senate.pdf>.

DOT Proposes Congestion Pricing

As reported last month, DOT has invited comments on a revised policy statement on airport rates and charges, which would allow airports to engage in congestion pricing. Comments are due by April 3, 2008. To download a copy of the congestion proposal, please visit <http://www.regulations.gov/fdmspublic/ContentViewer?objectId=090000648039c67c&disposition=attachment&contentType=pdf>.

GAMA Issues Annual Industry Update

In February, the General Aviation Manufacturers Association (“GAMA”) held its annual industry review and market outlook briefing. A wealth of materials from the session – including on such issues as aircraft, airports, pilots, and safety – can be obtained from the GAMA website at <http://www.gama.aero/events/air.php>.

Small Business Administration Calls for ADIZ Reforms

The Small Business Administration (“SBA”) recently released its “Top 10” list of government reforms to be pursued this year by its Office of Advocacy, which Congress created in 1976 to represent the interests of small businesses that are affected by Federal legislative and rule-making processes. One of the items on the list (http://www.sba.gov/advo/r3/r3_flight08.html#fl) is the Washington, DC Air Defense Identification Zone (“ADIZ”) – which, as most pilots hopefully now know, is defined by a 30-mile ring around the Washington VOR/DME.

The SBA proposal was submitted by David Wartofsky, manager of the Potomac Airfield in Maryland, one of three airports within the ADIZ. "National security can be used to justify anything," Wartofsky said, "[b]ut what are the costs and what are the benefits?" He hopes that the SBA will employ the Small Business Regulatory Enforcement Fairness Act of 1996 to urge the FAA, the Department of Defense, the Department of Homeland Security and the Secret Service to justify the impacts the airspace restrictions have had on the local economy.

However, a spokesman for the Office of Advocacy told AVweb that the SBA has limited resources to force any action. "We can't compel them to do anything," said SBA spokesman John McDowell. "We don't have a big stick we can whack anybody with. We have our ability to raise the issue in the public consciousness."

In other ADIZ news, on March 6, 2008 a twin-engine Beech violated the restricted airspace shortly after 6pm. Two F-16s were scrambled, and the aircraft was diverted to Richmond, Virginia. Hopefully, we're preaching to the choir, but such incidents are deleterious to general aviation (and not much fun for the pilots involved), so please respect the ADIZ's requirements!

FAA Issues Guidance on Procedures During Taxiing

The FAA's Office of Runway Safety has made available online "Pilot and Flight Crew Procedures During Taxi Operations" as a printable approach plate insert for pilots. For a copy of the plate, please visit [https://www.faasafety.gov/files/notices/2008/Feb/Pilotcardwithholes\[2\].pdf](https://www.faasafety.gov/files/notices/2008/Feb/Pilotcardwithholes[2].pdf).

FAA Proposes to Increase Aircraft Registration Fees

FAA has proposed to replace the current one-time \$5 registration fee for aircraft with a \$130 fee to be paid every three years. The proposal states that its goal is to bring the U.S. aircraft registry up-to-date. In particular, the registration fee hasn't been changed since the mid-1960s and no longer aligns with the FAA's costs to provide services. Moreover, according to FAA, nearly one third of the 343,000 U.S. aircraft registrations are possibly invalid. Comments on the proposal are due by May 28, 2008; a copy of the proposal can be found online at <http://web.nbaa.org/public/ops/taxes/registration/fr0208.pdf>.

New West Atlantic Route Structure

Aircraft that are RNP 10 and RNP 4 capable will be able to take advantage of a new routing structure in the West Atlantic Route System ("WATRS") off the east coast of the U.S. starting on June 5, 2008. The area is not covered by radar and separation depends on position reports from individual aircraft, but onboard navigation gear now is capable of more precise location pinpointing. According to the website AVweb, FAA is cutting lateral separation from as much as 90 miles to 50 miles from 200 miles south of Long Island to Puerto Rico and between the continent and Bermuda. As a result, nine instead of five north/south routes available to business aircraft and airliners. For more information, please visit FAA's WATRS website at http://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/enroute/oceanic/WATRS_Plus/.

Don Lopez “Gone West”

GWBAA regretfully reports the death of Don Lopez, long-time deputy director of the National Air and Space Museum, who passed away on March 3, 2008 at Duke Medical Center in Durham, North Carolina. Lopez had been with the Smithsonian since 1972, and was a renowned fighter pilot, test pilot, engineer, professor, and author. The family has asked that donations be made to the National Air and Space Museum Donald S. Lopez Memorial Fund. For more information, please visit <http://www.nasm.si.edu/museum/lopez>.

Guest Commentary: A Primer on Airport Grant Assurances

GWBAA is pleased to present the following commentary by Jol Silversmith, a member of GWBAA’s board of directors as well as an associate with Zuckert, Scoutt & Rasenberger, LLP, <http://www.zsrlaw.com>, (202) 298-8660.

Aviation can be described as a highly federalized industry; federal statutes and rules typically take priority over – or completely preempt – state regulation. This is particularly true in the case of airports, which in addition to being closely monitored by the FAA, are also highly dependent on the federal government funding for capital improvements.

The Airport Improvement Program (AIP) is one of the most significant sources of federal funding. If approved by FAA, an AIP grant can cover up to 95% of the costs of improvements addressing airport safety, capacity, security, or environmental concerns. The allocation scheme for AIP grants is complex – including entitlements for various categories of airports – but very few of the 3,300 airports included in the National Plan of Integrated Airport Systems have not received some form of AIP funding; in FY2006 alone, more than 2,000 of them received AIP grants.

But federal funds come with strings. Airports must comply with a list of 39 “grant assurances” as a condition of AIP grants. The grant assurances typically apply not just to the federally-funded improvements but to all of an airport’s operations. Thus, the grant assurances are of considerable interest to an airport’s tenants and other

users – especially the grant assurances that are intended to ensure that they are treated fairly.

Some of the grant assurances are straightforward; for example, #30 prohibits discrimination based on race, creed, color, national origin, sex, age, or handicap. Others are more complex.

Grant assurance #23 prohibits airports from granting “exclusive rights” – for example, an airport cannot promise a FBO that no competitors will be allowed to operate at the airport. But there are numerous exceptions. For example, an airport can, if it provides certain services itself, opt not to allow them to be provided by third parties. Nor does this grant assurance require an airport to allow a competitor to an existing tenant to start service, if the airport has legitimate reasons to deny its application (for example, if no additional space is available at the airport, or if the applicant does not meet reasonable minimum standards set by the airport for its activities).

Another significant grant assurance is #22, which prohibits “unjust discrimination.” Generally, this means that an airport must treat similarly-situated tenants the same, and that an airport cannot ban any activities which it is physically capable of supporting.

But in practice, this can be a difficult grant assurance to interpret, because tenants' circumstances are rarely identical. For example, an airport might be able to justify different lease terms for two FBOs because one is located in a more desirable location, or because one signed a lease at an earlier time when the economy was less favorable.

In 1996, FAA established a special set of procedures to review complaints which allege that airports have not complied with grant assurances. If an airport is found to have violated a grant assurance, FAA can prohibit the airport from receiving any more AIP funds, or impose civil penalties on the airport. But FAA's authority is limited; it cannot resolve private claims for damages – and in many cases FAA has found that airport conduct which appears unfair on the

surface nevertheless does not violate any of the grant assurances.

If an operator or tenant is concerned that an airport may be violating one or more of its AIP-imposed grant assurances, a useful starting point is the FAA's web page at http://www.faa.gov/airports_airtraffic/airports/aip/grant_assurances/, as well as another FAA web page which includes links to decisions on grant assurance complaints, <http://part16.airports.faa.gov>. It is also recommended that the operator or tenant consult with an attorney or consultant who is familiar with AIP, who may be able to address if the potential violation is similar to any matters that previously have been addressed by FAA, or how to best frame a complaint about a novel issue.

Regional News Roundup

The number of aircraft landing and taking off at the **Stafford Regional Airport** nearly doubled in January, and the airport reported its highest January fuel sales numbers since its inception in 1989. This may help to offset a \$10 million reduction in funding from the Virginia Department of Aviation, due to a funding shortfall. In other news, the airport is continuing to work with the owner of an adjacent property to cut back trees that are currently interfering with the airport's glidescope.



In other Stafford news, the county's annual air show, could be scaled back or even canceled if enough sponsors and volunteers aren't secured, County Administrator Frank Bossio said. But it also was announced that the airport will host the biennial 2009 Force Protection Equipment Demonstration, a Defense Department event that attracted nearly 600 vendors and attracted nearly \$3 million to the region's hotels, restaurants and retail operations when it was held at Stafford in August 2007.

AOPA has provided several updates regarding the Washington **Air Defense Identification Zone** ("ADIZ"). First, AOPA has noted that a waypoint on the missed approach procedure for the Runway 23 instrument approach procedure at Frederick Municipal Airport lies within the ADIZ, but the ADIZ is not depicted on the chart; AOPA has requested that FAA ensure that the ADIZ is correctly depicted on charts. AOPA also has noted that pilots at Leesburg Executive Airport have made efforts to provide better publicity about the current ADIZ requirements, in light of 87 violations of the zone being reported by FAA since the ADIZ was redesigned in September 2007. Twenty of those violations occurred in the special maneuvering zone near Leesburg, which could be revoked by FAA if the number of violations is not reduced.

The Airport Advisory Committee for **Culpeper Regional Airport** plans to solicit bids to construct a new terminal at within two months. The estimated price tag of a new terminal is \$2.2 million. The move comes as the county continues to deal with the fallout of a \$4 million budget shortfall, blamed in part on an economic and housing slump. Virginia Department of Aviation spokesman Cliff Burnette said up to 98 percent of the project could be covered by state and federal dollars, leaving the county to pay the remaining 2 percent.



Manassas Regional Airport has issued a reminder that a Stage 2 Drought Warning is still in effect, and that planes and cars should be dry-washed only. In addition, Phase II of the East Apron Rehab/Expansion is now open. This area is a non-movement area and thus aircraft and vehicles do not need to be in contact with Tower, but aircraft always have the right-of-way.



When the City of Frederick builds a fence this spring around **Frederick Municipal Airport**, a single hangar may be left outside. Originally owned by the city, the hangar and two smaller buildings were transferred to the county in 1981 for Frederick Community College to use for its aeronautical technology program. Since that program ended in 2003, the city has tried to buy the property from the county, without success. In an April 2003 letter to city officials, airport manager Charlie Abell

said that the 14,302-square-foot hangar could be leased to house six to 10 aircraft. Today, the airport could garner about \$115,000 a year in rental value, he said in an interview with the Frederick News-Post.

In other Frederick news, the City of Frederick in January approved a new Airport Layout Plan for Frederick Municipal Airport. The approval allows the airport to seek funding from FAA for projects including a longer runway, an air traffic control tower, more hangars and a new terminal. Additionally, the Mayor of Frederick, W. Jeff Holtzinger has stated that the Frederick County Board of Commissioners has stated that it cannot commit to its annual \$49,500 contribution to the airport, although it will provide matching monies for federally funded projects at the airport, such as a new control tower.

Hagerstown Regional Airport has announced that its new Runway 27 Instrument Landing System (ILS) is now in service. The tower will coordinate ILS services on R/W 09 or R/W 27 during tower hours. After tower hours, the R/W 27 ILS will be the default system unless NOTAMs state otherwise.



In other Hagerstown news, the County plans to move the airport to the Division of Public Works. County Administrator Gregory B. Murray said moving the airport makes sense because the rest of the county's transportation-related departments are in that division.

Last month's GWBAA news reported on the Virginia Department of Aviation's **Virginia Aviation Ambassadors Program**, which encourages visitors to the Commonwealth's 66 public-use airports, and offered rewards up to a leather flight jacket. Apparently, after rapidly awarding 137 flight jackets, the Department has run out of prizes and lack funds to buy any more. Spokeswoman Cherry Evans has stated that pilots can still obtain the passport-style booklets used to collect the stamps documenting their visits ... but at least for now, flying to Virginia airports will have to be its own reward.

Leesburg Executive Airport was closed for two days in February after a Raytheon business jet slid off of a ice-slicked runway. No injuries were reported.



Residents of Westminster, Maryland have hired lawyers to try to save 330 trees near **Carroll County Regional Airport**. The county has maintained that the trees need to be cleared for pilots' safety so a lighting system can be used that would let pilots better see the runway as they land their aircraft. The residents argue that the county should wait to cut the trees because some of them are in areas will be studied in an environmental assessment that is the next step in the runway expansion process currently under way at the airport.

In other Carroll County news, the airport's new manager, Joe McKevey, has planned a series of community meetings to address concerns, such as the county's plan – approved in June 2008 – to expand the airport's runway from 5,100 to 6,400 feet. A meeting regarding the environmental study for the runway expansion currently is scheduled for April 21, 2008.

Upcoming Aviation Events

- **March 20:** The FAA Safety Team will host a seminar on “Stabilized Approaches; RNAV(GPS) Approaches” at 7pm in Fort Belvoir, Virginia. For more information, please visit http://www.faasafety.gov/SPANS/event_details.aspx?eid=17778.
- **March 26:** Aero Club of Washington luncheon, featuring Patrick Forrey, President, National Air Traffic Controllers Association. For more details, please visit <http://www.aeroclub.org/luncheons.htm>.
- **March 27:** The Committee for Dulles will hold its annual Virginia General Assembly update meeting at the Dulles Hyatt. For more information, please visit http://www.committeefordulles.org/events/current_lunch.htm.
- **March 29:** The FAA Safety Team will host a seminar on ““Inspection Authorization and Aviation Maintenance Technician Training Seminar” at 8am in the Virginia Department of Aviation hangar in Richmond. For more information, please visit http://www.faasafety.gov/SPANS/event_details.aspx?eid=17778.

- **April 2:** The FAA Safety Team in association with AOPA will host a seminar on the “Top 5 Mistakes Pilots Make” at 7pm in Gaithersburg, Maryland. For more information, please visit http://www.faasafety.gov/SPANS/event_details.aspx?eid=17743.
- **April 8:** GWBAA Safety Standdown. For more information, please see above.
- **April 18-19:** Turbine Aircraft Services, Inc. will host the biennial P.R.O.P. (Pilot's Review of Proficiency) safety seminar for the Mitsubishi MU-2 at the Hilton McLean-Tyson's Corner. For more information, please visit <http://www.turbineair.com/prop.html>.
- **April 22:** Aero Club of Washington luncheon, featuring Allan McArto, Chairman, Airbus Americas, Inc. For more details, please visit <http://www.aeroclub.org/luncheons.htm>.
- **April 23-26:** Aircraft Electronics Association's 51st annual convention and trade show at the Gaylord National Resort and Convention Center in Washington, DC. For details, please visit <http://www.aea.net/Convention/DC2008/DC2008default.asp?Category=6>.
- **April 30:** The FAA Safety Team in association with AOPA will host a seminar on the “Top 5 Mistakes Pilots Make” at 7pm in Towson, Maryland. For more details, please visit http://www.faasafety.gov/SPANS/event_details.aspx?eid=17740.
- **May 12-22:** GWU Spring 2008 Aviation Safety and Security Certificate Program. For information, visit <http://www.gwu.edu/~aviation/safetyandsecurity/safetyandsecurity.html>.
- **June 7:** Airline Owners and Pilots Association's 18th annual fly-in and open house at Frederick Municipal Airport. For details, please visit <http://www.aopa.org/special/fly-in>.
- **June 10-11:** First Annual Ocean City Air Show, headlined by the U.S. Army Golden Knights Parachute Team. For more details, please visit <http://www.ocairshow.com>.
- **June 14:** 14th Wings and Wheels Fly-in at Essex SkyPark. For more information, visit <http://www.essexskyparkassn.org/essex/index.jsp>.
- **June 18-20:** Air Transport World's “Eco-Aviation” conference at the Capitol Hilton. For more details, visit <http://www.atwonline.com/events/ecoAviationConference08.html>.
- **September 6:** 17th Annual Louisa County Airshow. For more details, call (540) 967-0050 or email dawnp@firstva.com.
- **October 6-8:** NBAA's Sixty-first annual meeting and convention in Orlando, Florida. For more details, please visit <http://web.nbaa.org/public/cs/amc/2008>.
- **October 20:** Please hold the date for GWBAA's fourth annual golf tournament; details will appear in a future newsletter.

GWBAA Offers Online Benefits

We continue to add member information for GWBAA's electronic membership directory – <http://www.gwbaa.com/directory.html>. This service is available to GWBAA members at no cost.



Please contact Bob Blouin (bob_blouin@hawkerbeechcraft.com) if you want to post your company's information.

GWBAA Contacts

GWBAA President Bob Blouin (bob_blouin@hawkerbeechcraft.com) and GWBAA Secretary Jol Silversmith of Zuckert, Scutt & Rasenberger, LLP (jasilversmith@zslaw.com) write and edit GWBAA News. GWBAA's success and ability to make a difference depends on the breadth of its support and your participation – so please send any ideas or comments for future newsletters, or for GWBAA, in general, to Bob or Jol, or any of the following people:

Mary Miller, Treasurer: mary.miller@signatureflight.com

Bob Rockwood, Membership Chair: racersblue@earthlink.net

Jim Lumley, Operations, Safety and Security Chair: jpilot3@aol.com

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