

Responses to Councilwoman Pontieri Questions

I wanted to follow up to see where the County is with regards to the airport master plan and the contours study. I also wanted to inquire as to the following: The Airport Director secured a \$662K grant in July 2025 for the update to the Master Plan. The BoCC appointed an Airport Master Plan Working Group with relevant stakeholders for input during this process. The Airport Master Plan kickoff meeting was conducted on October 2, 2025.

The new Master Plan for Flagler Executive Airport will include the preparation of new noise contour maps. These will be created for both the base year (existing 2025 airfield conditions) and future years (either 5, 10, or 20 year horizon) using the approved aviation forecasts for the study. Assuming the Federal Aviation Administration approves the new forecasts this spring, the noise contour maps will be developed as part of the overall environmental analyses of the study, which is currently expected to occur in the August to September 2026 timeframe, after future airport improvements are selected. Our consultant will be utilizing the FAA's *Aviation Environmental Design Tool (AEDT)* to model the noise contours. The AEDT is the same program utilized when developing the noise contours in a Part 150 Noise Study.

Are the following already in place for our leases and/or rules and if not, can we enact them at the County level: For approximately one year, we have required new tenants to adhere to our Voluntary Noise Abatement Procedures as a term of their lease. We may seek FAA guidance to make sure such conditions are not viewed as impermissible by the FAA. Our many grants over the years require the public-use airport to be administered in accordance with FAA rules and laws. Assuming such lease conditions are permissible, we will revise the lease template to set appropriate consequences other than default.

Outside of the leases, we cannot make rules or ordinances that are preempted by federal regulation of airspace. We've included a 2017 correspondence of the FAA that summarizes the issue of preemption.

1. Lessee shall maintain $\geq 1,500$ sq ft office/classroom with restrooms. 600 sq. ft. is the minimum we currently require in our Minimum Standards, however, 1,050 sq. ft. is the smallest space in our lease space inventory. 14 C.F.R. 141.25 states the size of flight school offices must be adequate to maintain files and records of the business and that they cannot share space with another flight school.
2. ≥ 1 FAA-certificated flight instructor on site 9 a.m.–5 p.m. local. We do not seek to involve ourselves in dictating and policing the business hours of tenants.
3. ≥ 1 dual-control airplane, current annual, on tiedown. All flight training aircraft are dual controlled. Flight school aircraft are inspected annually and have more stringent

maintenance requirements as well. If they don't follow those requirements, they would not be allowed to operate. Aircraft may be in hangars as well as tied down.

4. No training flights 2200–0600 local without Airport Manager waiver. Our Voluntary Noise Abatement Procedures currently require curfew on training flights between 10:00 p.m. to 7:30 a.m. Mon – Sat and 9:00 a.m. on Sundays and National Holidays. The Voluntary Noise Abatement procedures can be found on the Airport website.

5. Noise-abatement departure mandatory; violation = \$500 ramp fee.

6. Insurance: \$5 M combined single limit naming City as additional insured. The Airport Director advises us that \$1m is the industry standard. \$5m would be more appropriate to larger companies, not the weekend hobbyist/enthusiast. The County is named additional insured.

This exact language has survived FAA Part 16 complaints when enacted in other localities. Can you provide the documents or identify the airports? Are you saying that lease terms resulted in FAA complaints, or are you referring to rules and ordinances?

Possible one-page action plan for the BOCC (if not already done):

1. Adopt an **Airport Minimum Standards** ordinance (use FAA AC 150/5190-7 template). We have minimum standards, and they are easily locatable on the County's website. This circular has been superseded by version 8 in 2023. The circular is not a template and does not provide minimum stds. It provides guidelines and factors to consider when creating min stds. Its main purpose is to balance the needs of aeronautical activities for efficiency and safety. The FAA is willing to review minimum stds.
2. Insert the 6 bullet points above into every new FBO/flight-school lease.

Create an **Airport Layout Plan (ALP)** note: "Training flights restricted to Runway 17/35 2200–0600." The ALP is planning document, which is part of the Master Plan. We cannot require training flights to use a runway different than non-training flights. Pilots always want to take off and land into the wind as the wind helps create lift when taking-off and also assists in slowing down the aircraft when landing. However, in our Voluntary Noise Abatement Procedures it says "When the ATC tower is closed, Runway 11 is the designated calm wind runway". The approach to Runway 11 has the least amount of residential homes below it.

Safety is the prime consideration, not noise.

3. Publish a **voluntary noise flyer**; 80 % of pilots comply, zero FAA appeals. The Fly Friendly Brochure which contains the Voluntary Noise Abatement Procedures is easily locatable on the County's website. The Chart Supplement information for the Flagler Executive Airport (what pilots utilize to quickly get information regarding

our airport) for noise states the following, “ Noise abatement procedures in effect, voluntary retrain from Touch and Go Landing operation 0300-2000. Noise sensitive area, all quadrants of the airport.”

4. If we can do these four things, we'll have the strongest local control legal possible, while not infringing on the FAA's authority. Cities from Ogden, UT to Naples, FL have been seemingly running exactly these rules for decades. Happy to further discuss these with you, legal, and Roy. If we need to schedule a meeting, I can come to you guys when convenient. Thank you so much. **The Airport Director will speak with the Naples Airport Director to get a better idea of what they are doing.**