



**CITY OF NEW SMYRNA BEACH
CITY COMMISSION/AIRPORT ADVISORY BOARD
SPECIAL JOINT MEETING AGENDA**

TUESDAY, MARCH 26, 2013 – 5:00 P.M.

**CITY COMMISSION CHAMBER, CITY HALL,
210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA**

- I. Call to Order/Roll Call:**
- II. Staff Update and Discussion:**
 - a. Discussion on Response from FAA on the Part 150 Study**
 - b. Update on FAA Tower Closure Notices**
- III. Other Business:**
- IV. Public Comments (if time allows):**

In accordance with Resolution No. 43-10, a three-minute limitation will be imposed unless otherwise granted by the City Commission.

- V. Adjournment:**

Pursuant to Florida Statutes 286.0150, if an individual decides to appeal any decision made by the City Commission and Airport Advisory Board with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 424-2112, prior to the meeting.

Department Making Request: New Smyrna Beach Municipal Airport
 Meeting Date: March 26, 2013
 Action Item Title: Update on FAR Part 150 Noise Study
 Summary Explanation and Background:

The final draft of the FAR Part 150 Noise Study was approved by the City Commission and forwarded to the Federal Aviation Administration (FAA) for review and approval.

The FAA sent a letter dated January 8th, 2013 in response to the submittal of the draft Noise Compatibility Program (NCP) for the New Smyrna Beach Municipal Airport.

The response primarily addressed the second phase of the NCP. However it was noted that since the Noise Exposure Maps (NEM) were accepted, there had been a significant drop in operations at the Airport, which would likely reduce the size of the noise contours. While the FAA accepted the NEM's for the Airport at the time they were submitted and found them to be in compliance with FAR Part 150, they no longer feel that the maps are representative of the current conditions.

The FAA determined that the projected NEM's for the airport were significantly less than submitted due to a decline in the actual number of operations reported for 2012. Because of the discrepancy the City would no longer be able to certify the NEM's submitted with the NCP study. The reduction in operations also makes it unlikely that the FAA would formally approve any mitigation measures identified in the study.

The FAA offered the following two options for consideration:

1. That the City holds submitting the NCP for formal review and approval. Instead, the City would continue to use any voluntary land use or operational measures that it has developed and implemented at the local level.
2. The City would update the NEM's to reflect the existing and future five-year conditions and submit for review. Upon FAA acceptance, it would then resubmit the NCP for formal review.

The FAA's recommendation is that the City not submit the NCP for formal review and that we continue to use the voluntary noise abatement procedures currently in effect.

Exhibits Attached:
 Summary of 14 CFR Part 150 Noise Study
 FAA letter regarding the Noise Compatibility Program dated January 8, 2013
 FAA letter regarding the Noise Exposure Maps Compliance Determination dated July 8, 2010
 Consultant Response Letter to the FAA NCP Letter

Final FAR Part 150 Noise Study can be viewed on line at www.cityofnsb.com and enter the Airport page and click on the quick link.

Department Director:	Name	Signature
Airport Manager	Rhonda Walker	<i>Rhonda Walker</i>
Assistant City Manager	Khalid Resheidat	<i>[Signature]</i> 3/19/13
City Attorney	Frank Gummey, III	<i>[Signature]</i>
City Manager	Pam Brangaccio	<i>Pam Brangaccio</i>



February 21, 2013

Ms. Rhonda Walker
Airport Manager
City of New Smyrna Beach
602 Skyline Drive
New Smyrna Beach, FL 32168

Subject: Part 150 Noise Compatibility Program for New Smyrna Beach Municipal Airport
Response to FAA Letter Dated January 8th, 2013

Dear Ms. Walker:

This letter is provided in response to the Federal Aviation Administration's (FAA) letter dated January 8th, 2013 related to the review of the draft noise compatibility program (NCP) for New Smyrna Beach Municipal Airport. The first phase of the two-phase study involved development of the Noise Exposure Maps (NEMs) which were accepted by the FAA on July 8th, 2010. The January 8th letter and this response primarily address the second phase or NCP.

The FAA praised the City for undertaking the Part 150 process, stating "the FAA commends the City on the NCP's comprehensive analysis of potential operational, land use and program management measures to try to improve the noise environment in the communities surrounding the airport". While the FAA has historically approved measures similar to the ones recommended in this study on a voluntary basis for implementation at the local level if a noise benefit can be demonstrated, they note that the measures identified in the NCP would not reduce the number of individuals and/or non-compatible land uses located within the 65 Day-Night Average Sound Level (DNL) contours for either the existing or 5-year timeframe. As a result of recent reviews of the federal noise program by the US Inspector General and the General Accounting Office, the FAA's review process under FAR Part 150 will, in most cases, only address measures which would reduce non-compatible uses within the 65 DNL contour. This is related to the FAA's concern that approval of such measures as voluntary may imply funding support or represent a potential liability which is beyond the FAA's responsibilities per federal statute. Though unable to approve the recommended measures under Part 150 approval criteria, the FAA reiterates the value of the study citing "the FAA believes that the City's NCP document is very thorough and provides tremendous value not only as a local airport noise management planning tool but also for informing land use planning around the airport".

The FAA further notes that since the NEMs were accepted, a significant drop in activity at the Airport has occurred. It indicates that this would likely lead to a reduction in the size of the noise contours. While the FAA accepted the NEMs for the Airport as being in compliance with FAR Part 150, it no longer feels the City is in a position to certify that these maps are representative of current conditions. Due to the significant reduction and aircraft operations, we are in agreement with this determination.

The FAA has outlined two options for proceeding:

1. The City would refrain from submitting the NCP for formal review and approval. Rather, the City would address implementation of the recommended measures at the local level.
2. The City would update the NEMs to reflect the existing and future five-year conditions and submit for review. Upon FAA acceptance, it would then resubmit the NCP for formal review.

Ms. Rhonda Walker
February 21, 2013
Page 2

Given the lack of individuals and/or noise sensitive land uses within the 65 DNL contour, and the FAA's current position on approving voluntary measures, we concur with the FAA's recommendation that the City refrain from submitting the NCP for formal review (Option 1). Significant progress has already been made during the Part 150 process in working with the local aircraft operators and the FAA Air Traffic Control Tower (ATCT) to reduce the annoyance associated with aircraft overflights. The study involved a comprehensive noise analysis including flight tests demonstrating whether specific measures have the potential to provide a noise benefit and/or reduce the potential for annoyance. It also provided avenues for local citizens to communicate their concerns and questions. The operators at the Airport have been supportive and have already implemented a number of measures voluntarily. It is ultimately their responsibility to ensure they operate their aircraft safely and determine the impacts on their businesses of voluntarily implementing recommended measures. Likewise, the FAA ATCT has been cooperative throughout the study, providing specific concerns and resolutions for maintaining a safe operating environment. Safety and efficiency are their primary responsibilities. Without formal approval and implementation of the proposed measures included in the NCP, the success of the program will continue to be at the discretion and cooperation of these entities at the local level.

We do not feel it is prudent at this time to proceed with an update of the noise exposure maps (Option 2) since we expect the DNL contours to decrease in size. This reduction will make it even more unlikely that there will be measures identified that could be formally approved by the FAA in the NCP.

The FAA commends the City for undertaking the Part 150 process in an attempt improve the noise environment and "confirms the City's commitment to being a good neighbor to the surrounding communities". It is important to note that the Part 150 process is a *voluntary* process that an airport sponsor can undertake to try to improve compatibility with the surrounding community. This study has established a comprehensive structured process through which stakeholders, the City, businesses, and citizens could communicate openly. It has resulted in an understanding of the existing noise conditions, an opportunity to provide potential measures that may result in a noise benefit, and a valuable tool for future land use planning around the airport.

Please do not hesitate to contact me if you have any questions or comments.

Sincerely,



Michael Arnold
Vice President



U.S. Department
of Transportation
**Federal Aviation
Administration**

5950 Hazelhine National Drive, Suite 400
Orlando, Florida 32822

January 8, 2013

Rhonda Walker
Airport Manager
City of New Smyrna Beach
602 Skyline Drive
New Smyrna Beach, FL 32168

**Re: FAA Determination on the Noise Compatibility Program (NCP) for the New
Smyrna Beach Airport**

Dear Ms. Walker,

The City of New Smyrna Beach recently completed a voluntary noise project called a Federal Aviation Regulation (FAR) Part 150 Study. This study consisted of two components, the Noise Exposure Maps (NEM's) and the Noise Compatibility Program (NCP).

The effective date of the Federal Aviation Administration's (FAA's) acceptance of the City's NEM document was July 8, 2010. A notice of the FAA's acceptance of the 2009 and 2014 NEM's was advertised in the Federal Register on July 16, 2010.

On June 27, 2012, the FAA received a draft of the City's NCP document. This document was thoroughly reviewed by the FAA's Orlando Airports District Office (ADO) as well as our Regional Office in Atlanta, Georgia. Our comments on the NCP document were sent to the Airport Sponsor and the consulting firm assisting the City in the preparation of the Part 150 documentation soon thereafter.

The FAA commends the City on the NCP's comprehensive analysis of potential operational, land use and program management measures to try to improve the noise environment in the communities surrounding the airport. The FAA believes that the City's NCP document is very thorough and will be a valuable local airport planning and noise management tool.

As part of the FAA's responsibilities under FAR Part 150, the agency reviews the Airport Sponsor's NCP document to determine if its content complies with applicable Part 150 requirements. The FAA also conducts an evaluation of each of the Airport Sponsor's recommended NCP measures (Operational, Land Use and Program Management). The FAA either approves or disapproves each of the measures included in the NCP in a document called a Record of Approval (ROA). Part 150 provides four criteria that the FAA must apply to each NCP measure upon which our approval or disapproval must be based. The evaluation of each NCP measure includes a determination on whether they:

1. May create an undue burden on interstate or foreign commerce (including unjust discrimination);
2. Are reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses;
3. Include the use of new or modified flight procedures to control the operation of aircraft for purposes of noise control, or affect flight procedures in any way;
4. Adversely affect the exercise of the authority and responsibilities of the Administrator under the Federal Aviation Act of 1958, as amended.

FAA determined that your recommended NCP measures would not result in undue burden on interstate or foreign commerce (#1 above), nor would they adversely affect the exercise of the authority and responsibilities of the Administrator under the Federal Aviation Act of 1958 (#4 above). Consequently, all of the recommended NCP measures met these two approval criteria

However, upon review, the NEM and the NCP documents demonstrate that there are no current noncompatible land uses within the 2009 NEM nor are there any projected future noncompatible land uses identified in the 2014 NEM. Therefore, none of the NCP measures recommended in the NCP would achieve the primary goal of the Part 150 process (#2 and #3 above), which is to reduce the amount of noncompatible land uses within the noise contours of an airport. In conclusion, after applying the Part 150 approval criteria, the FAA could not approve any of the recommended NCP measures.

The FAA also notes there is a significant discrepancy between the forecasts of aviation activity used to develop the 2009 and 2014 NEM's for the City of New Smyrna Beach Airport and the FAA's most recent Terminal Area Forecast (TAF), dated January, 2012. Specifically, the January 2012 TAF indicates a significant drop in aircraft operations at the airport, which would lead to the noise contours being smaller than those developed and depicted in the NEM and NCP studies. Because of this discrepancy, the Airport Sponsor is not able to certify that the 2009 and 2014 NEM's used in the NCP document are representative of the operational/noise conditions of the year of submission to the FAA for review and approval (2012). This certification is required for the FAA to accept the NCP for official review and ultimate issuance of a Record of Approval.

Based on the findings of FAA's preliminary NCP review, as detailed above, the FAA recommends that the City not submit their NCP to the FAA for official review. This by no means suggests that the FAA feels your NCP is of no value. In fact, the FAA feels quite the contrary. The FAA commends the City on the NCP's comprehensive analysis of potential operational, land use and program management measures to try to improve the noise environment in the communities surrounding the airport. The FAA believes that the City's NCP document is very thorough and provides tremendous value not only as a local airport noise management planning tool but also for informing land use planning around the airport.

If the City decides against the FAA's above noted recommendation and decides to move forward with official submittal of the NCP for FAA review, our policy will require us to publish an ROA disapproving all of the measures in the NCP. The FAA greatly appreciates the time and effort that the City has put into the Part 150 process. However, at this point, the FAA can only offer two options to the City:

1. The City does not submit the NCP document to the FAA for formal review. Under this option, the FAA would not approve any of the measures contained in the NCP because none of them would achieve the Part 150 process goal of reducing noncompatible land uses within the airports noise contours. However, under this option, the City may continue to use any voluntary land use or operational measures that it has developed and implemented as part of local ordinances or other means available to the Airport Sponsor. In addition, the City may use the 2009 and 2014 NEM's in their ongoing and future planning efforts such as a Master Plan Update.

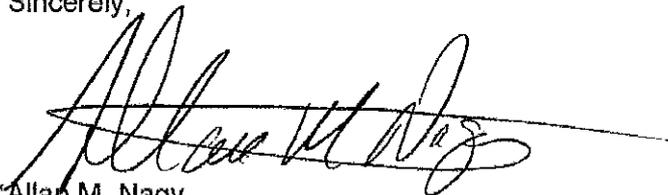
2. If the Airport Sponsor decides to submit the NCP document for formal FAA review, the agency will require that the Airport Sponsor redo the NEM document for new "existing year" and new "5-year" scenarios using more current operational numbers that are in line with the FAA's most recent TAF. The FAA would then re-evaluate the NEM document, and issue a decision to either accept or reject the NEM's. Even if the NEM's were re-done, it is evident that there would still not be any noncompatible land uses within the noise contours for the airport, and the FAA would again not be able to approve any noise abatement measures recommended in a revised NCP. This option would result in considerable cost and take several years to complete, and result in the same conclusion that we are currently faced with.

The FAA believes that the best course of action for the City of New Smyrna Beach would be to not submit the NCP document to the FAA for formal review, and to use the approved NEM's for 2009 and 2014 for planning purposes by both the City and the airport.

Again, the FAA commends the City for undertaking the Part 150 process. This effort confirms the City's commitment to being a good neighbor to the surrounding communities, and to doing all that it can to reduce potential noise impacts from airport operations.

If you have any questions, please feel free to contact me by telephone at (407) 812-6331, extension 130.

Sincerely,

A handwritten signature in black ink, appearing to read "Allan M. Nagy", written over a horizontal line.

Allan M. Nagy,
Environmental Program Specialist, FAA Orlando ADO

Cc: Dana Perkins, Regional Noise Manager, FAA Southern Region
Richard Owen, FAA Orlando ADO Program Manager
Bart Vernace, P.E., FAA Orlando ADO Manager

SUMMARY

New Smyrna Beach Municipal Airport 14 CFR Part 150 Study

The 14 CFR Part 150 Study was conducted in two phases. The first phase developed the Noise Exposure Maps (NEMs) for the Airport. Two NEMs were developed to represent the existing (2009) noise environment, and the future (2014) noise environment. The NEMs were submitted to the FAA for review and acceptance in December 2009. The FAA accepted the NEMs on July 8, 2010.

The second phase, known as the Noise Compatibility Program (NCP), was completed in March 2011. The NCP analyzes abatement, mitigation, and administrative alternatives to address the noise concerns expressed by the local residents. The NCP resulted in 39 different alternatives being reviewed: 29 abatement (operational) alternatives, five mitigation (land use) alternatives, and five administrative alternatives. Of the 39 alternatives reviewed, 24 recommendations are being forwarded for consideration by the City and FAA.

A public hearing was held on April 19, 2011 to allow the public an opportunity to review and comment on the Study process and recommendations.

Abatement Recommendations

- Request through the Airport's voluntary noise abatement procedures, that pilots follow limits on days and times for flight training activities
- Recommend the Airport increases the traffic pattern altitude from 800 Ft. to 1,000 Ft. MSL
- Recommend, in cooperation with ATC, establishing a rotating runway plan in calm wind conditions for Runways 02, 20, 07, 25
- Request that all aircraft follow AIM guidelines and turn crosswind no lower than 300 Ft. below traffic pattern altitude
- Recommend, in cooperation with ATC, the use of left hand traffic patterns for specific runways or all runways during times of low activity
- Request the continuation of a voluntary limit on the number of touch and go operations by a single aircraft to no more than eight

- Recommend the Airport develop educational materials for the community regarding the types of operations being conducted
- Recommend the Airport, through the voluntary noise abatement program, educate pilots on the importance of optimum propeller settings
- Request that pilots climb out at V_x speed, or closely relative speed, while operating at EVB
- Recommend that student pilots continue to climb out at V_y speed until they are proficient enough to use V_x
- Recommend that the Airport, through its voluntary noise abatement procedures, restrict engine maintenance run-ups between 10:00 p.m. and 8:00 a.m.
- Recommend the Airport install noise abatement reminder signs at the ends of each runway to create better pilot awareness
- Request that pilots follow NBAA recommended noise abatement procedures (Jet Powered Aircraft)
- Request that pilots follow AOPA recommended noise abatement procedures (Piston Powered Aircraft)
- Recommend that the Airport continues to publish maps that identify noise sensitive areas around the airport

Mitigation Recommendations

- Recommend the Airport continue to rely on the City of New Smyrna Beach overlay zoning codes for land use compatibility around the airport by providing updated noise contours from FAA-approved NCP and by participating in City meetings related to development of updated overlay zones
- Recommend that additional overlay be further explored with local government that would provide for notification with the 50 dB DNL contour
- Recommend that Airport staff work with the City of New Smyrna Beach to ensure existing building codes associated with the overlay zones remain in place, and work with the City to facilitate the building codes to broader areas around the airport.

Administrative Recommendations

- Recommend that the Airport Manager manage the implementation of the NCP
- Recommend that the Airport continues accepting noise complaints via phone, email, and dedicated Airport Comment form

- Recommend the Airport update their webpage on noise abatement, and be accessed from the main Airport webpage providing the public with a more comprehensive site regarding noise abatement programs at EVB
- Recommend that the Airport continue with the Noise Abatement Committee to discuss current issues regarding noise abatement programs as well as discuss implementation progress of the recommendations from this Study
- Recommend the Airport purchases a flight track monitoring system to aid in the research of noise concerns for both airport personnel and citizens
- Recommend Airport staff continue to routinely examine the operating characteristics of EVB to determine if significant changes have occurred that would require an update to the NEMs



U.S. Department
of Transportation
**Federal Aviation
Administration**

ORLANDO AIRPORTS DISTRICT OFFICE
5950 Hazeltine National Drive, Suite 400
Orlando, FL 32822
Phone: 407-812-6331 Fax: 407-812-6978

July 8, 2010

Ms. Rhonda Walker
Airport Manager
New Smyrna Beach Municipal Airport
124 Industrial Park Avenue
New Smyrna Beach, Florida 32168

RECEIVED

JUL 12 2010

PUBLIC WORKS

Dear Ms. Walker:

RE: Noise Exposure Maps Compliance Determination

This is to notify you that the Federal Aviation Administration (FAA) has evaluated your final submission of the Noise Exposure Maps (NEM) and supporting documentation transmitted by your letter of June 9, 2010, in accordance with Section 103(a)(1) of the Aviation Safety and Noise Abatement Act of 1979 (ASNA), (49 U.S.C., Section 47503). We have determined that they are in compliance with applicable requirements of 14 CFR Part 150. Further, we have determined that the maps entitled "2009 Noise Concours" and "2014 Noise Contours" fulfill the requirements for the current year and the future year noise exposure maps.

FAA's determination that your Noise Exposure Maps are in compliance is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of 14 CFR Part 150. Such determination does not constitute approval of your data, information or plans.

Should questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on your Noise Exposure Maps, you should note that the FAA will not be involved in any way in determining the relative locations of specific properties with regard to the depicted noise exposure contours, or in interpreting the maps to resolve questions concerning, for example, which properties should be covered by the provisions of Section 107 of ASNA (49 U.S.C., Section 47506). These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's determination relative to your Noise Exposure Maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the maps depicting properties on the surface rests exclusively with you, the airport operator, or with those public agencies and planning agencies with which consultation is required under Section 103 of ASNA (49 U.S.C., Section 47503). The FAA relies on the

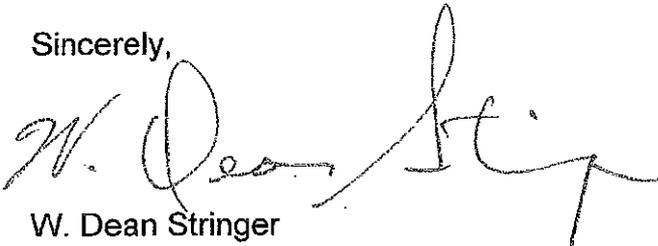
certification by you, under 150.21 of 14 CFR part 150, that the statutorily required consultation has been accomplished.

The FAA will publish notice in the Federal Register announcing its determination on the Noise Exposure Maps for the New Smyrna Beach Municipal Airport.

Your notice of this determination and the availability of the Noise Exposure Maps, when published at least three times in a newspaper of general circulation in the county or counties where affected parties are located, will satisfy the requirements of Section 107 of the ASNA Act (49 U.S.C., Section 47506).

Your attention is called to the requirements of Section 150.21(d) of 14 CFR Part 150, involving the prompt preparation and submission of revisions to these maps of any actual or proposed change in the operation of the New Smyrna Beach Municipal Airport which might create any substantial, new, noncompatible use in any areas depicted on the Noise Exposure Maps, or significant reduction in noise over noncompatible land uses that were previously included in the Noise Exposure Map contour.

Sincerely,



W. Dean Stringer
Manager

cc:
APP-400
ASO-610
ASO-7

AGENDA ITEM SUMMARY
 Commission/AAB Special Joint Meeting - March 26, 2013

Department Making Request: New Smyrna Beach Municipal Airport

Meeting Date: March 26, 2013

Action Item Title: Update on Sequester/Air Traffic Control Tower Closure

Summary Explanation and Background:

The City received notice on March 5, 2013 from the Federal Aviation Administration (FAA) that the Air Traffic Control Tower (ATCT) at the New Smyrna Beach Municipal Airport would close effective April 7, 2013 due to budget cuts as part of the sequester.

The City submitted an appeal letter to the FAA by the March 13, 2013 deadline, stating reasons that the ATCT should remain open and the adverse affect the closure would have on the Airport.

The FAA will be reviewing the submittals and providing a final list of air traffic control towers to be closed on March 22, 2013.

The ATCT opened October 27, 2004. Prior to that, the Airport was a non-controlled airport. However, the City felt that the addition of the tower would add an additional level of safety for pilots and residents by maintaining separation between aircraft. If the tower closes, pilots will be responsible for communicating with each other for landings, takeoffs, and separations.

Currently the controller's salaries are funded 100 percent by the FAA under the Contract Tower Association Program. The 100 percent funding level is based on our high number of operations (2012 had 138,000 operations).

The current contractor, Robinson Aviation Inc (RVA), provided the City with a projected cost to cover personnel at the current levels of service of \$65,388 per month. The tower is staffed by seven full-time contract employees and one manager. It is open seven (7) days a week from 7 a.m. - 10 p.m.

Exhibits Attached:

FAA Closure Letter
 Appeal Letter to the FAA regarding the Sequester, with backup documentation
 Memo to the FAA from Congressman Ron DeSantis
 Embry Riddle Aeronautical University (ERAU) Impact Report on the Tower Closures

Department Director:	Name	Signature
Airport Manager	Rhonda Walker	<i>Rhonda Walker</i>
Assistant City Manager	Khalid Resheidat	<i>Khalid Resheidat</i> 3/20/13
City Attorney	Frank Gummey, III	<i>Frank Gummey, III</i>
City Manager	Pam Brangaccio	<i>Pam Brangaccio</i>

Commission/AAB Special Joint Meeting - March 26, 2013

RON DESANTIS
6TH DISTRICT, FLORIDA

COMMITTEE ON FOREIGN AFFAIRS
COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM
COMMITTEE ON THE JUDICIARY

Congress of the United States
House of Representatives
Washington, DC 20515-0906

427 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2706

1000 CITY CENTER CIRCLE
SECOND FLOOR
PORT ORANGE, FL 32129
T: (306) 756-9798

3940 LEWIS SPEEDWAY
SUITE 2104
ST. AUGUSTINE, FL 32084
T: (904) 827-1101

March 15, 2013

Michael Huerta
Administrator
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC
20591

Dear Administrator Huerta,

The Federal Aviation Administration recently announced plans to close the vast majority of contract towers around the nation, supposedly due to budget cuts mandated by sequestration. The potential economic, safety and security issues posed by these closures would be of great concern under any circumstances, but they are especially distressing given that the FAA has apparently made no effort to identify budget cuts that would be less harmful to the flying public, and all Americans.

Other federal agencies and departments have decided to implement sequestration cuts in ways that are most politically advantageous, rather than ways that best serve the public. I would hope that the FAA would not do the same. However, given the importance of contract towers nationwide to safety, and economic activity, I find it hard to believe that the FAA's decision to focus on them for cuts is the best the agency can do for the public it serves.

The FAA's operations budget has increased by 41% between 2002 and 2012. Total domestic flight traffic has slumped by 27% since 2000. In other words, you currently have more money to handle less traffic than at times when these contract towers have been fully-funded. Additionally, your agency maintains a \$500 million budget for consultants, \$200 million for supplies and travel, and \$143 million to operate a fleet of 46 aircraft. In the last seven years, the FAA has sent more than 18,000 employees to taxpayer-funded conferences. In Fiscal Year 2010 alone, the cost of these conferences was over \$8 million.

Before shutting down a large chunk of our nation's tower infrastructure and furloughing critical personnel, I would hope that you would have considered every possible alternative. Many of my colleagues in Congress have inquired about what, if any, alternatives the FAA considered to its announced course of furloughs and tower closures. To date they have received no reply.

This issue is of great concern to my constituents, who could lose the services of contract towers in Ormond Beach, New Smyrna Beach and St. Augustine, Florida. These towers are crucial to the safe operation of flights in north and central Florida. All three of these towers maintain a high level of activity, and 30% of all flight training in the United States occurs in the region these towers serve. The decision to close these towers will merely shift costs to other towered airports, while harming the local economy and putting safety at risk.

I ask you to promptly provide to Congress a detailed explanation of the process your administration used in deciding how to implement sequestration cuts, and what alternative cuts were passed over in favor of this course of action.

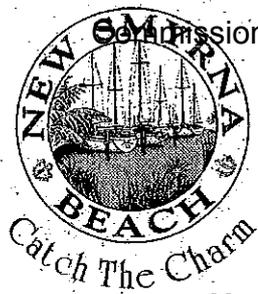
Sincerely,

A handwritten signature in black ink, appearing to read 'Ron DeSantis', with a large, stylized flourish at the end.

Ron DeSantis

Member of Congress, 6th District of Florida

Member, House Oversight and Government Reform Committee



City of New Smyrna Beach

March 13, 2013

Mr. J. David Grizzle
Chief Operating Officer
Federal Aviation Administration
800 Independence Ave., SW
Washington D.C. 20591

RE: Appeal for Continued Funding of Air Traffic Control at New Smyrna Beach Municipal Airport (EVB).

Dear Mr. Grizzle,

Please accept this letter as our initial communication in connection with a formal appeal to continue FAA funding of air traffic control services at New Smyrna Beach Municipal Airport (EVB) in New Smyrna Beach, Florida. While the FAA must make difficult choices in achieving budgetary reductions via sequestration, the loss of air traffic control services at EVB in light of our unique operational challenges will significantly jeopardize the safety of operations at EVB and may result in the loss of significant commercial activities at the airport. Given that the tower at EVB serves to relieve general aviation traffic in one of the largest metroplexes in the United States and provides critical notices to pilots flying through Class C airspace in the Daytona Beach area, it is clear that the closure of the tower at EVB would result in a degradation of efficiency and safety in one of the most congested and complex pieces of airspace in the nation.

EVB is located within the Daytona Beach Class C airspace and is classified as a reliever airport in the 2012 General Aviation ASSET study. The 2012 ASSET study classifies reliever airports as, "high activity general aviation airports that provide general aviation with alternatives to congested hubs (where their presence might cause additional delay)". In 2012, EVB had over 138,000 annual operations comprised predominantly of local and itinerant business jet operations into the Daytona Beach area. Our 2012 operation count would have been much higher had we not limited Sunday operations due to a voluntary noise abatement program underway at the airport. Using our daily average number of 448 operations, we estimate that had we had normal operations for the entire year, our 2012 operations would have been over 163,000 (89th in airport operations in the NAS). This number of operations is well above the average for reliever airports and also well above the FAA's newly announced ad hoc thresholds for continued funding of air traffic control services set forth in Mr. Grizzle's March 5, 2013 letter. EVB also has 80-based general aviation aircraft, which is average for reliever airports listed in the GA ASSET Report. It is safe to assume (as the FAA has in their definition of a national reliever airport) that if the tower at EVB were to close, the airport would not be able to effectively serve its role as a reliever airport for Daytona Beach International Airport (DAB) leading to increased GA traffic in one of the most congested airports in the United States. Finally, EVB provides critical air traffic control services for over 20 flight schools in the Daytona Beach area. For example, EVB serves as a critical diversionary airport for the 50 training aircraft at Embry Riddle University located at DAB.



If the tower at EVB were to close, there would be increased general aviation traffic at DAB leading to a national impact through an increase in delay and a reduction in safety (due to the mix of operations) in one of the nation's most congested and complex pieces of airspace.

In addition to the potential for loss of national airspace system (NAS) efficiency at DAB, EVB also provides critical air traffic control services to general aviation pilots flying through the complex Class C airspace around the Daytona Beach area. If the tower at EVB were to close, the Jacksonville En Route Center would be responsible for providing notices and clearances to general aviation pilots flying around EVB. **The closure of the EVB control tower will increase workload at Jacksonville Center and shift larger traffic to other airports increasing relative workloads. These increased workloads at FAA centers and approach controls will have an adverse ripple effect throughout the NAS.**

In addition to its role in relieving congestion at DAB and providing support to Jacksonville Center, the tower at EVB provides important support to aircraft during space launches at the Kennedy Space Center and Cape Canaveral Air Force Station in nearby Cape Canaveral, Florida. NASA and the Air Force and now commercial launches occur at the Kennedy Space Center and more frequently at the Cape Canaveral Air Force Station, just 50 miles south of EVB. Many of the launches are DOD including NRO. Each time NASA and the Air Force launches a craft into space, the tower at EVB coordinates with Jacksonville Center, NASA, the Air Force, and other organizations and also enforces vital Temporary Flight Restrictions (TFRs) in the airspace around the Kennedy Space Center. **If the tower at EVB were to close, there will be a significant national impact to the safety of aircraft flying in the airspace around EVB during launches at the Kennedy Space Center and Cape Canaveral Air Force Station. This is not only a significant imposition to safety but also a significant threat to the national security of the space program.**

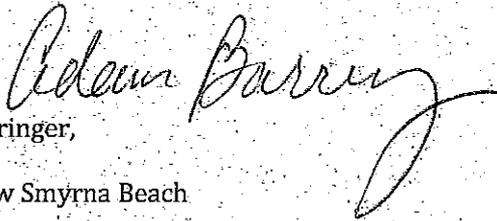
EVB wants to also make it clear that we believe that the FAA's own guidance and practices would establish that the closure of the tower at our airport would constitute a national impact on both safety and efficiency. As a condition of participation in the FCT program, the FAA's Office of Policy and Plans (APO) routinely conducts benefit-cost analysis (BCA) to determine if the presence of a tower at an airport is cost-beneficial to society. Specifically, APO calculates the safety and efficiency benefits associated with the tower at EVB by quantifying items such as the number of avoided collisions and time savings realized by the presence of the tower. Importantly, APO in its written guidance (APO 90-7) and its communications with the United States Contract Tower Association (USCTA) has explicitly noted that local benefits such as job creation and economic development associated with a tower are not and should not be included in the BCA. **However, the loss of jobs associated with the closing of our air traffic control towers (not only at EVB but across the country) will have a serious negative impact on our fragile national economic recovery.** APO, citing guidance from the Office of Management and Budget (OMB), notes that because the investment in air traffic control services is coming from the national level, it is only appropriate to include national safety and efficiency benefits in the calculation of B-C ratios. **Therefore, given EVB's impressive B-C ratio of 1.92, it is clear that removing this cost-beneficial tower from the airport would have a significant impact on safety and efficiency of the NAS at the national level.**

Commission/AAB Special Joint Meeting - March 26, 2013

As the FAA considers appeals from several other communities, I ask that you give increased attention to the uniqueness and complexity of the operation at EVB. **Let me be clear, without an assurance of continued FAA FCT funding, the tower at EVB will close. It is clear that the closure of the tower at New Smyrna Beach Municipal Airport will have serious and real national impacts.**

If you have additional questions or concerns regarding our appeal of your decision, please feel free to contact the Airport Manager, Rhonda Walker at rwalker@cityofnsb.com or by phone 386-424-2199.

Sincerely,



Adam Barringer,
Mayor
City of New Smyrna Beach

cc: Michael Huerta, FAA
Walt Cochran, FAA
Tony Mello, FAA
Florida Congressional Delegation
FAA Airport District Office
FDOT District Office



March 11, 2013

The Honorable Mayor Adam Barringer
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168

Dear Mayor Barringer,

The intent of this letter is to verbalize our support of the FAA keeping the control tower operational at New Smyrna Beach Municipal Airport located in New Smyrna Beach, Florida.

The cessation of funding the on-site air traffic control services for contract towers such as the New Smyrna Tower has many negative implications on a national level. As a nation, it is necessary to remain competitive and accommodate future growth, and we believe it is detrimental to discontinue air traffic control services when the FAA strives to enhance safety and security for the nation's air transportation.

A number of flight schools that utilize New Smyrna Beach Municipal Airport for training purposes, including students of Embry-Riddle Aeronautical University, the world-renowned university specializing in aviation and aerospace. The safety of the students would be gravely compromised if these towers were to close. Embry-Riddle has interfaced with this airport to a great degree. Professors of the university serve on committee to enhance its operations.

The NextGen Test Bed is the modernization of the National Airspace System to address the nation's need for increased airspace capacity and efficiency. The results of this effort include a reduction in fuel consumption, carbon emissions, noise footprint, and travel time— and will directly benefit consumers on a global level. NextGen is testing systems that reduce the risk for midair collisions and runway incursions. Impacts of a tower closure are in direct conflict with the efforts of this research. In addition, closing the New Smyrna Beach Municipal Airport Control Tower could hamper any future plans to start an unmanned aerial vehicle program at the airport.

In recent years, there were as many as 179,000 annual traffic operations that utilized the control tower services. In 2012, there were over 138,000 operations, which is 10,000 more operations than the prior year, so there is a significant likelihood that the 2013 operations may increase to nearly 150,000.

Team Volusia Economic Development Corporation plays a vital role as the business recruitment arm charged with generating economic activity to Volusia County. Team Volusia EDC is represented by our investors as a public/private partnership currently funded by Volusia County, nine cities, five colleges and universities, and over 45 private sector companies in Volusia County. It is our responsibility to enhance the business growth in our community and we feel that the towers should remain open as many businesses rely on the local airport to access the national and international aviation system. This community, like so many across the United States, is eager to see new job creation. The accessibility at New Smyrna Beach Municipal Airport is necessary for successful growth in Volusia County.

We hope you take this request into consideration to keep the control tower operational at New Smyrna Beach Municipal Airport as safety is the top priority in air traffic and funding cuts can be made elsewhere.

Sincerely,

A handwritten signature in black ink that reads "Keith A. Norden". The signature is written in a cursive, flowing style.

Keith A. Norden, CEcD
President & CEO

BUSINESS SHINES BRIGHTER HERE



March 12, 2013

To whom it may concern:

Closure of the New Smyrna Beach (KEVB) control tower will effect growth for the airport and the city of New Smyrna Beach. This will also affect current jobs as well as future hiring. Many significant national businesses use our airport but because of insurance concerns, efficiency, and safety they will not use an airport without a control tower. Having an uncontrolled airport will jeopardize safety and efficiency for transient and based aircraft as well as Airgate Aviation Inc part 135 charter services, which is based here. Our network of hundreds of local and national businesses who rely on the reliable, safe services provided by our controllers will be negatively impacted. Loss of the New Smyrna Beach Control Tower will mean a significant reduction in quality service to our passengers and corporate travelers.

Airgate Aviation Inc currently provides over 10,000 passengers service from and to the New Smyrna Beach airport. Fewer flights in and out of New Smyrna Beach will mean less fuel sales and other Services, which will result in fewer jobs.

Thank you,

A handwritten signature in dark ink, appearing to read 'Frank Norman', is written over a light-colored background.

Frank Norman
President
Airgate Aviation, Inc.
2022 Aero Circle
New Smyrna Beach, FL 32168
Tel: 386.478.0600 x 3551



TO:
Rhonda Walker
Airport Manager
New Smyrna Beach Municipal Airport

March 7th, 2013

SUBJECT: New Smyrna (KEVB) ATCT

Dear Rhonda,

On behalf of Epic Flight Academy, Inc. I would like to stress the importance of the services provided to us by the New Smyrna Air Traffic Control Tower. Being responsible for the training operations at Epic that originate and terminate daily at KEVB, I am keenly aware of the additional safety layer having a controlled airport affords my instructors and their students. KEVB is one of the busiest airports in the nation, with nearly all of those ~140,000 operations-per-year involving pilot training.

With this being said, the services furnished by the ATCT are invaluable and greatly enhance the experience of our students and the transient aircraft that visit. The organization, accountability and extra "set of eyes" have prevented an untold number of potential incidents. The closure of KEVB ATCT must be adverted to every practical extent.

Our flight school alone provides training services to over 150 customers at any given point. In addition, nearby flight training providers—such as Embry-Riddle and Phoenix East—daily utilize KEVB in their operations as well. The overall combination results in congested airspace that warrants the need for an ATCT. Compounding this is the fact that we work with student pilots who are still learning the fundamentals of safe airmanship.

Please consider my personal support and Epic's support in keeping our ATCT operational. If there is any additional way to help, please do not hesitate to ask.

Very Respectfully,

A handwritten signature in black ink, appearing to read "Russell Bariesheff", written over a white background.

Russell Bariesheff
Chief Flight Instructor
Epic Flight Academy, Inc.

600 Skyline Drive
New Smyrna Beach Municipal Airport
New Smyrna Beach, FL 32168

TEL: 386-409-5583
FAX: 386-409-5584
epicflightacademy.com



U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., SW.
Washington, DC 20591

March 5, 2013

CITY OF NEW SMYRNA BEACH
210 SAMS AVE
NEW SMYRNA BEACH, FL 32168

Dear Airport Sponsor:

Thank you for your participation in the FAA Contract Tower (FCT) Program. We regret to inform you that in order to implement the budget sequestration that went into effect on March 1, 2013, the FAA must make some critical decisions about funding for the FCT Program.

The FAA's guiding principles in implementing the budget sequestration are to maintain our high safety standards, and to minimize the impact to the greatest numbers of passengers. Therefore, the FAA's initial plans unfortunately affect smaller airports with fewer operations and lower passenger counts more significantly than locations serving larger blocks of passengers. We have identified and, on February 22, 2013, published a list of towers that had fewer than 150,000 total operations AND fewer than 10,000 commercial operations. We anticipate that we will cease to fund on-site air traffic control services at the vast majority of these facilities.

Your airport falls below the above stated criteria based on Fiscal Year 2012 traffic count, and therefore the tower is on the list of those for which we may cease providing funding. Between now and March 13, 2013, the FAA is reviewing its list of locations where it plans to discontinue air traffic control services to identify any locations where the national interest would be adversely affected by tower closure. Negative impact on the national interest is the only criterion the FAA will use for deciding to continue services to an airport that falls below the activity threshold. The FAA is unable to consider local community impact that does not affect the national interest.

The FAA will consider information concerning how closure of particular tower operations will adversely affect the national interest in submissions it receives on or before March 13, 2013. Submissions may be sent to ATO-Terminal Services at ClosureComments@faa.gov or fax to ATO-Terminal Services at (202) 493-4565. The FAA plans to finalize the list of facility closures by March 18, 2013.

While the timing of this action is driven by sequestration, continuing annual budgetary pressure may necessitate future reductions such as these. For communities where the continuation of air traffic control services is important to their airport, but the impact of closure is local and does not affect the national interest, the non-federal contract tower program continues to be an available option to maintain air traffic control services at the airport's expense. Additional information regarding the non-federal contract tower program is contained in Advisory Circular Number AC 90-93A (Operating Procedures for Airport Traffic Control

Towers (ATCT) that are not operated by, or under contract with, the United States (Non-Federal)).

If you have additional questions or need further information, please contact your FAA point of contact in the Service Center, or Tony Mello, Director of Terminal Operations at FAA Headquarters, at (202) 385-8533.

Sincerely,



Michael P. Huerta
Administrator



J. David Grizzle
Chief Operating Officer
Air Traffic Organization

Impact of the tower closures in central Florida

Justin Johnson, Director of Aviation Safety, Embry-Riddle Aeronautical University

Ivan Grau, Chief Flight Instructor, Embry-Riddle Aeronautical University

Nicola O'Toole, Assistant Chief Flight Instructor, Embry-Riddle Aeronautical University

Skylar Pond, Flight Safety, Aerosim Flight Academy

Thomas Stama, Flight Standards, Aerosim Flight Academy

Jason Maceyunas, Chief Flight Instructor, FIT Aviation

Shannon Ferry, Assistant Chief Flight Instructor, FIT Aviation

Patrick Petrilá, Flight Safety, FIT Aviation

Stuart Ochs, Director of Corporate Safety, Phoenix East Aviation

Purpose: This document highlights the importance of the control towers in the central Florida area. Operational impact, cost and most importantly safety will be the focus of this assessment.

It is generally accepted that Central Florida is a center for aviation flight training. Many large flight schools sharing the same airspace and ATC facilities; further restricted by the shorelines and large military restricted areas makes Central Florida an area of high risk operations.

The Central Florida Flight Training Group (CFFTG) convened a meeting on Monday March 10th to discuss the impact of the tower closures. The CFFTG is made up of several large flight training schools and organizations in the central Florida area.

Number of annual operations and airspace saturation

Aerosim Academy

Number of Aircraft - 70

Number of Flights for 2012 - 29,000

Number of Flight Hours for 2012 - 46,000

Embry-Riddle Operations

Number of Aircraft - 65

Number of Flights for 2012 - 41,456

Number of Flight Hours for 2012 - 66,160.7

Commission/AAB Special Joint Meeting - March 26, 2013

FIT Aviation

Number of Aircraft - 55
 Number of Flights for 2012 - 24,781
 Number of Flight Hours for 2012 - 42,831

Phoenix East Aviation

Number of Aircraft - 31
 Number of Flights for 2012 - 19,159
 Number of Flight Hours for 2012 - 33,115

Local Tower Operations:

Airports Frequently Used that are Scheduled for Closure- KABY, KAHN, KAPF, KCRE, KCRG, KDHN, KECP, KFTY, KEYW, KFMV, KFTY, KGNV, KISM, KLAL, KLEE, KOCF, KOMN, KSGJ, KSUA, KTIX, KVQQ,

This data is normalized taking into account the hours of tower operation. It is important to view the operations per hour (OPH). Red airports are scheduled for closure.

No.	ID	NAME	ST	FAA CONTRACT	OPH	OPS RANK	TOTAL OPS
				TOWERS - OPERATIONS PER HOUR			
1	CHD	CHANDLER MUN.	AZ	15	36.06	1	197,427
2	XFL	FLAGLER CO.	FL	14	30.06	5	153,585
3	PMP	POMPANO BCH AP.	FL	13	28.55	8	135,476
4	ORV	ORMOND BCH	FL	12	26.25	15	115,399
5	GOY	PHOENIX/GOODYEAR	AZ	14	26.33	6	144,172
6	SIG	SAN JUAN/ISLA GRANDE	PR	12	26.27	16	115,059
7	MLB	MELBOURNE INTL.	FL	18	25.29	2	166,180
8	NEW	NEW SMYRNA BCH	FL	15	25.22	7	138,093
9	HWP	HOLLYWOOD/W. PERRY	FL	14	24.93	9	127,640
10	DTO	DENTON MUN.	TX	18	24.05	3	157,986
11	IWA	PHOENIX-MESA GW.	AZ	24/18	24.04	4	157,915
12	TUC	TUCSON/RYAN FLD.	AZ	14	23.93	10	121,806
13	RAM	RAMONA	CA	12	23.43	21	100,630
14	STL	ST. AUGUSTINE	FL	14	22.42	17	110,342
15	ORL	ORLANDO/KISSIMEE	FL	15	22.22	11	121,065

Commission/AAB Special Joint Meeting - March 26, 2013

16	SJT	SAN ANGELO/MATHIS	TX	14	21.21	19	108,392
17	POP	KALAMAZOO	MI	16	20.73	12	121,064
18	MEM	MEMPHIS	TN	14	20.72	14	98,971
19	LIH	LIHUE	HI	16	20.28	13	118,443
20	OPF	MIAMI/OPA LOCKA	FL	14	20.25	22	103,490
21	KOA	KAILUA/KONA INTL.	HI	16	20.04	14	117,013
22	ATD	SAN ANTONIO/STINSON	TX	15	19.97	18	101,497
23	SCL	SAN CARLOS	CA	14	19.66	26	100,405
24	RNT	RENTON MUN	WA	13	19.55	32	92,761
25	TKX	TITUSVILLE/SPACE COAST	FL	14	19.58	27	99,340

It is important to note that this table below shows airports that are not scheduled for closure and have significantly fewer operations per hour than those aforementioned towers.

No.	ID	NAME	ST	OTHER FCT NOT CLOSING HRS	OPH	OPS RANK	TOTAL OPS
26	BET	BETHEL	AK	15	18.53	25	101,462
27	HND	HENDERSON EXEC	NV	14	18	33	92,002
28	RDD	REDDIND	CA	15	17.91	28	98,054
29	HYA	HYANNIS	MA	16	17.76	21	103,711
30	SLN	SALINA MUN.	KS	16	16.63	29	97,138
31	ARA	NEW IBERIA/ACADIANA	LA	15	15.67	40	85,783
32	HUM	HOUMA-TERREBONNE	LA	13	15.16	60	71,946
33	SBP	SAN LUIS OBISPO	CA	14	14.46	54	73,899
34	LRD	LAREDO INTL.	TX	18	14.28	30	93,789
35	MHR	SACRAMENTO/MATHER	CA	16	13.66	45	79,768
36	CHO	CHARLOTTESVILLE	VA	17	12.56	49	77,917
37	BZN	BOZEMAN/GALLATIN	MT	18	12.4	43	81,481
38	EYW	KEY WEST INTL.	FL	14	12.31	86	62,892
39	BLI	BELLINGHAM INTL.	WA	15.5	12.1	70	68,432
40	CIC	CHICO	CA	12	11.61	127	50,857
41	GNV	GAINESVILLE	FL	16	11.36	77	66,364

Commission/AAB Special Joint Meeting - March 26, 2013

42	LUK	CINCINNATI/LUNKEN	OH	16	11.34	78		66,245
43	BKL	CLEVELAND/BURKE	OH	16	10.48	93		61,179
44	GMJ	GREENVILLE DOWNTOWN	SC	15	10.28	104		56,300
45	FLG	FLAGSTAFF-PULLIAM	AZ	12	9.96	150		43,606
46	ECP	NW FL BEACHES INTL.	FL	16	9.95	103		57,530
47	MFE	McALLEN/MILLER INTL.	TX	18	9.27	94		60,920
48	MVY	MARTHA'S VINEYARD	MA	13	8.85	157		42,008
49	RDM	REDMOND	OR	14	8.76	144		44,778
50	SMX	SANTA MARIA/HANCOCK	CA	14	8.7	145		44,457
51	GJT	GRAND JUNCTION	CO	16	8.39	132		48,990
52	ENA	KENAI MUN.	AK	14	8.31	152		42,477
53	EGE	EAGLE CO.	CO	12	8.31	176		36,386

New Smyrna Airport annual operation growth:

For New Smyrna it is important to look at a 6 day operational week as ERAU (one of the main users) does not operate in KEVB on Sundays due to voluntary noise abatement procedures. This significantly increases the operations per hour.

Month	2011	OVR	2012	Total Monthly Sunday	OVR	2013	OVR
January	8,511	165	11,897	319	171	11,915	127
February	8,340	248	9,708	236	204	12,898	233
March	10,121	343	13,379	325	272		
April	13,859	293	15,110	377	226		
May	14,761	290	12,113	272	193		
June	14,301	225	10,998	383	217		
July	10,579	260	12,883	524	269		
August	8,116	178	10,764	253	126		
September	10,133	184	11,259	356	153		
October	9,406	174	11,223	363	174		
November	10,618	198	11,650	398	156		
December	7,242	131	10,050	497	160		

Total	125,987	2,689	141,034	4,303	2,321	24,813	360
		128,676		139,052	143,355		25,173
365 days avg		352.54		380.96	392.75		
313 days avg		411.11		444.26	458.00		

Risk Assessment

Risk Assessment Subject:

- OMN and EVB tower closure

Identifying hazards:

- Mid-air collision in pattern – Catastrophic in severity
 - Last two fatal accidents were in the traffic pattern at an uncontrolled airport – ERAU/Transient 1995 and ERAU/Phoenix East 1999
- Communications
 - Flight students lose their situational awareness
 - Tower often intervenes to correct potential mishaps
 - Currently the flight schools meet with the local towers to discuss operations issues
- Foreign student communication issues
 - Increased amount of foreign student training contracts
 - Foreign students rely on standard phraseology from tower controllers
- Non-standard pattern operations
 - Transient pilots may not follow established procedures leading to loss of separation and confusion for solo students
- Instrument approaches
 - Instrument approaches are a critical part of flight training. Having ATC oversight helps to decrease the operational risk of having two different types of training occurring in the same airspace. This is especially important in the light of recent incidents involving opposite direction approaches. Refer to FAA Notice JO 7110.596 and NTSB report MIA00FA041A.
- Lack of oversight for pattern operations
- Loss of separation
- Increase traffic flow to other towered airports increasing risk
- High speed jet traffic, helicopters, VFR training traffic needs the control

Applied Controls:

Removing the control towers would be to remove existing safety controls.

Current Risk Assessment Score:

Currently risk is assessed to be 1A; it will become 4A after removing the towers.

With the towers in place, the largest risk is a potential mid-air collision. This outcome is catastrophic. The probability of this at this time is improbable. The score is a 1A.

If the towers are removed, with the lack of ATC interventions, the risk will increase. The level of severity remains catastrophic. The probability will increase to likely, especially during the several month transition period. The risk assessment score then becomes a 4A. This level of risk is unacceptable for our operations.

Exhibit B - Safety Risk Matrix Tower Closure Elevates Risk of Catastrophic Event from 1A to 4A

Risk Probability	Risk Severity				
	Catastrophic A	Critical B	Moderate C	Minor D	Negligible E
5 - Frequent	5A	5B	5C	5D	5E
4 - Likely	4A	4B	4C	4D	4E
3 - Occasional	3A	3B	3C	3D	3E
2 - Seldom	2A	2B	2C	2D	2E
1 - Improbable	1A	1B	1C	1D	1E

Increased cost of towered airports:

The lack of controlled airports in the central Florida area would increase the amount of traffic at towered airports. The necessity for instrument approaches in the flight training environment, would funnel traffic into the controlled airports. Additional funding may be required to provide the amount of controller required at those airports.

Case study showing need for towers:

NTSB Identification: MIA00FA041A

Accident occurred Friday, December 03, 1999 in DELAND, FL Probable Cause Approval Date:
05/16/2001

Aircraft: Piper PA-44-180, registration: N3038N

Injuries: 4 Fatal.

NTSB investigators either traveled in support of this investigation or conducted a significant amount of investigative work without any travel, and used data obtained from various sources to prepare this aircraft accident report.

After the Seminole airplane departed, requests to perform instrument approaches to the DeLand airport were denied; the controller responded to the request, '...delands saturated right now unable any approaches at deland...'. The flight was vectored then cleared for a VOR approach to a runway 16 at Daytona Beach then vectored and cleared for a VOR approach to runway 23 at the DeLand airport. After the Cadet airplane departed, the flight proceeded to the DeLand airport and remained in the traffic pattern for runway 05; individuals heard the flight announce while in the traffic pattern. While inside the final approach fix inbound, radar service of the Seminole flight was terminated. Two individuals heard a voice announce on the DeLand CTAF, 'VOR 23.' The witnesses did not hear the distance, intentions, airport ID, or aircraft ID. The Seminole flight continued on the VOR approach; the last radar target of the Seminole was approximately .6 nautical mile from the approach end of runway 23. Several individuals heard the Cadet flight announce on the DeLand CTAF that the flight was departing runway 05. One witness reported that the Cadet used almost the full length of the runway, became airborne, then banked to the left and disappeared behind trees. The airplanes collided in-flight near the departure end of runway 05; the wreckage of both airplanes came to rest within approximately 1/2 nautical mile from the departure end of runway 05. An impact signature from one of the propeller blades from the left engine of the Seminole was noted on top of the engine of the Cadet; the impact signature was within approximately 25 degrees

from being perpendicular. Several individuals reported frequency congestion of the DeLand CTAF from other airports that utilize the same frequency. Prior to the accident, ERAU personnel had informally inquired about having the frequency changed due to that very reason; the frequency was not changed before the accident. Advisory circulars and the AIM does not address when to terminate a practice instrument approach to an uncontrolled airport.

The National Transportation Safety Board determines the probable cause(s) of this accident to be:

The inadequate visual lookout by the pilot-in-command (PIC)/certified flight instructor (CFI) of both aircraft. Contributing factors in the accident were: 1) the frequency congestion of the CTAF 2) the poor in-flight planning decision by the PIC/CFI of the Seminole for his continuing a practice instrument approach to within approximately .6 nautical mile from the approach end of the runway with opposing airplanes departing on the upwind leg, and 3) the absence of guidance in the Aeronautical Information Manual and Advisory Circulars as to how or when to terminate a practice instrument approach to an airport that does not have an operating control tower.

Conclusion:

It is the assessment of the CFFTG that the closure of the towers in the Central Florida area would significantly impact safety for all those who use the airspace. It is our formal request that serious consideration be given to the safety implications in this matter.

For more information please contact:

Ivan Grau
Chief Flight Instructor
Embry Riddle Aeronautical University
Daytona Beach, Florida
(386)226-6993 grauiva@erau.edu