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September 22, 2009

Mr. Colby Cataldi
Assistant Airport Director
Riverside County Economic Development Agency
1325 Spruce Street, Suite 400
Riverside, CA 92507

BY FAX

Dear Mr. Cataldi:

The Aircraft Owners and Pilots Association (AOPA) represents the general aviation interests of 415,000 members, more than two-thirds of the nation's pilots, including over 49,100 members in the State of California. AOPA is committed to ensuring the future viability and economic development of general aviation airports and their facilities as a vital part of a state and national transportation system. The Association strives to ensure that aviation users have access to airports without unjust economic discrimination and on a fair and reasonable basis.

We are writing to express our strong opposition to recent actions by the county through the Riverside Economic Development agency (EDA) to completely ban the basing and operation of soaring activity at Hemet-Ryan (HMT) Airport in Hemet, CA. We are also disappointed that an EDA spokesman stated in a September 18, 2009 story published in the Valley News that this action is being mandated by "either the FAA or Caltrans." The statement simply is not true.

Following an annual airport inspection, Caltrans indicated that soaring activity being conducted from an unapproved runway at HMT must be eliminated. Such action does not prevent or suggest that soaring activity cannot be conducted from the other, approved, runway at HMT. In fact, soaring activity occurs at airports across the United States from the same runway used for powered aircraft. Even AOPA's home airport in Frederick, Maryland has soaring activity on the airport, which is conducted, from the same runways used for powered aircraft – all without incident or safety issues.

Over the past 25 years, Riverside County has accepted over \$4 million of Federal Aviation Administration (FAA) airport development funds. Acceptance of these funds from the federal government is accompanied by a contractual obligation to abide by Federal Grant Assurances. These assurances are codified in federal law as Title 49 USC § 47107. One of those assurances, Assurance 22 Economic Nondiscrimination, states:

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial activities offering services to the public at the airport.

It is our opinion that the mandate to cease soaring activity violates this grant assurance.

While a public airport sponsor does have the right to restrict operations in the name of safety, such action may only be accomplished following an airport safety study conducted by the FAA. Such has not occurred at HMT.

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If fact, after a very lengthy discussion with the FAA's Western Pacific Office and their Airport Compliance Officer, Mr. Anthony Garcia, an e-mail message was sent by the FAA to Mr. Daryl Shipley, Mr. Tom Turner of EDA as well as Mr. Jeff Brown of Caltrans. In that message, Mr. Garcia stated:

Riverside County proposed to end all glider operations at HMT when the current glider FBO closes its airport glider business for good.

Presently, justification for a complete ban on all glider operations at HMT has not been established.

It appears that glider operations can be accommodated in the near term if rules are established that ensure safe glider operations.

Recently, Riverside County proposed a plan to allow glider operations to continue at HMT. It now appears that plan has been rescinded.

We are making the following recommendation because a complete ban on all glider operations at HMT does not appear justified at this time. Rather, it appears the airport can accommodate gliders as long as they operate safely, always cognizant of the other aeronautical users of the airport.

To permit safe airport operations and allow gliders to operate safely at HMT, the County should establish glider operating procedures.

We can surely understand EDA's desire to develop the airport for economic growth. At the same time though, there does not appear to be any concrete plan in place to do so that requires the immediate removal of soaring aircraft and cessation of soaring operations in the immediate future. Therefore, we urge you to withdraw the edict that soaring operations cease as of October 1, 2009 and allow continued operations of soaring activity to take place at HMT.

The soaring community is prepared to work with the county to develop operational guidelines that will address any safety issues that may arise due to this activity. They are also willing to voluntarily ground their operations during a fire strike and aircraft operations by the California Department of Forestry.

Should you wish to have further discussions, please feel free to contact my office at 301-695-2205.

Sincerely,



Bill Dunn
Vice President
Local Airport Advocacy

cc: Anthony Garcia, Federal Aviation Administration
Mr. Jeff Stone, Chairman, Riverside County Board of Supervisors