

**Okaloosa County Airports Department Responses to Public Comments
on Proposed Revisions to the Rules and Regulations and Minimum Standards
for Bob Sikes Airport and Destin Executive Airport**

Additional and Updated Responses

Note to readers:

On March 27, 2023, the Okaloosa County Airport Administration published responses to public comments on the County’s draft Rules and Regulations and Minimum Standards for Bob Sikes Airport (CEW) and Destin Executive Airport (DTS). We have since received several additional comments. We also learned that we did not receive one commenter’s submission through our public-comment email portal. In addition, since we published our responses to public comments, we have revised the section of the proposed Minimum Standards concerning Independent Service Providers (Section VII.O, formerly titled “Itinerant Maintenance Providers”) and the definition of Independent Service Providers.

In light of these revisions and the additional comments we have received, we are publishing the following additional and updated responses to public comments. The following are either (a) responses to comments we did not receive or address prior to March 27, 2023, or (b) updated responses to comments concerning Independent Service Providers or Itinerant Maintenance Providers.

This addendum includes only the new and revised comments below. Except for the new and updated responses below, the responses we published on March 27, 2023 remain our position with respect to their respective public comments.

Updated Responses to Comments

Comment #	Page	Section and Paragraph	Document	Comment	Commenter	Okaloosa County Airports Department Response
143	3		MS	Provision needed for specialized avionics, engine, prop, or instructors –type specific not found on field for transient & based A/C.	Lee	The Minimum Standards allow non-based mechanics pursuant to Section VII.G and Independent Service Providers pursuant to Section VII.O. Furthermore, no operating agreement is required for emergency or warranty work that cannot be provided by a local service provider.
253	42		MS	Many, if not most, services provided by an Itinerant Maintenance Provider do not require the provider to possess an FAA Inspection Authorization. It is unreasonable to require additional credentials that are not required by the FAA.	Barrett	We have revised paragraph VII.O.b to specifically state that an Independent Service Provider shall <i>not</i> provide services requiring an FAA authorization. As this commenter notes, many or most services that an Itinerant Service Provider would be expected to offer do not require such authorization. Services that do require FAA authorization are addressed in Section VII.G.

257			MS	<p>As a hanger renter and being based in KDTS. I want to be able to call any instructor I deem capable to come and train me in my aircraft at my home base. I should not be forced to train with whomever might be available at the flight school at my home base. I also want to be able to have any mechanic that I trust and deem competent to be able to work on my aircraft at my home base. These requirements and restrictions put forth in these agreements make it unachievable for anyone other than large corporations or established businesses to provide service at Okaloosa County airports. The only one paying the price for these rules and restrictions are the customers who utilize these services like myself. I strongly feel if enacted, these rules and regulations will result in subpar service and training available to the public and increase in costs to the customer due to its restriction of free market operations, effectively creating a monopoly at Okaloosa County airports. There is not enough room at these airports to facilitate the square footage requirements for local businesses to operate, not to mention the unnecessary insurance and business requirements that effectively make it cost prohibitive for any reasonable business owner to operate at Okaloosa County Airports. Thank you for your time and consideration.</p>	Stubbs	<p>We have revised the proposed Minimum Standards to allow an instructor to use a student’s aircraft. We have also included Section VII.O to permit a wide range of maintenance by Independent Service Providers and revised Section VII.G to allow non-based mechanics to operate.</p>
273	9		MS	<p>Please clarify if “Through-The-Fence” prohibits an external mechanics from coming to DTS to service an aircraft? If it does, it needs to be changed to allow an external mechanic to perform services at DTS.</p>	Israelsen	<p>The Through-the-Fence prohibition does not prohibit an off-Airport mechanic or other maintenance provider from servicing an aircraft on the Airport, so long as the provider complies with the Independent Service Provider requirements of Section VII.O or Section VII.G.</p>
354		VII.G.1	MS	<p>I doubt it’s possible for a one man operation to succeed with all the requirements in this section G. This stifles new business and promotes a monopoly.</p>	Mansfield	<p>While we do not intend to preclude a one-person operator from providing aircraft engine and airframe maintenance and accessory sales, we believe it is important that anyone who enjoys the benefits of providing such a service at an Airport do so with the qualifications and consistency necessary to be a reliable service provider for Airport users and meet the County's service standards. As Sections VII.G and VII.O provide, the County will permit non-based operators to offer maintenance services at the Airport as well.</p>

361		VII.O.F.3	MS	An Itinerant Maintenance Provider should be able to store heavy, difficult to move equipment (i. e.,jacks, compressors) in a hangar owners hangar, with that owners permission, in order to do his work efficiently.	Mansfield	We have removed this paragraph (which had been redesignated VII.O.e in the March 27, 2023 version of the draft Minimum Standards).
362		VII.O.H	MS	“Sufficient capacity” is too subjective a term. This rule leaves too much up the airport directors subjective decision making. “Sufficient capacity” should be defined objectively.	Mansfield	We have removed this paragraph (which had been redesignated VII.O.g in the March 27, 2023 version of the draft Minimum Standards).
363		VII.O.G.b-d	MS	(b) & (c) Should have no bearing and be removed. (d) OK	Mansfield	We have removed this paragraph.
457	28	VII.A.1	MS	SASO – Building requirement - Unreasonable standard as not all SASOs require building space.¶¶Unless the County/Sponsor has the ability and is willing to make the minimum square footages available to a prospective SASO, where only one SASO currently exist, the County/Sponsor has created an “exclusive right” in violation of federal law and the AIP grant assurances.¶¶The County should allow but not require a SASO to either lease or share space under an agreement with an existing tenant.¶	Smith	Please see our response to comment 454, which addresses a similar concern with respect to FBOs. Further, Sections VII.G and VII.O allow for non-based mechanics and Independent Service Providers to provide services on the Airport without leasing space.
475	42	VII.O	MS	Itinerant Maintenance Providers – ¶¶The County should allow aircraft operators to choose their own maintenance providers.¶¶The County should not place any restrictions on who a tenant may employ as a maintenance provider that is operating on behalf of a tenant on a tenant’s own aircraft inside a tenant’s leased hangar.¶¶Requirements are arbitrary, giving the County sole discretion to allow.¶¶Qualification of FAA Certificated maintenance providers are preempted to the FAA.¶¶What is the definition of “emergency?” An operator that needs their aircraft to travel or conduct business should not have to wait for the their maintenance provider to enter into an “Agreement with the County.”¶¶Because the FBOs primary business is to sell fuel and because the FBOs have the advantage of being the incumbent provider the FBOs have a natural advantage to provide maintenance. This advantage should be enough to allow the FBOs to be successful if the services they provide are up to the expectations of the public. ¶¶There are situations where the FBO will not be able to provide the service in a timely manner because they do not have employees that are uniquely trained or do not	Smith	The County respects the right of aircraft operators to self-service their aircraft, provided they use their own employees and not independent contractors. This standard accords with FAA policy; see FAA Order 5190.6B, Change 2, <i>Airport Compliance Manual</i> , ¶ 11.4 (2022). (The County discussed this self-service standard in a notice to tenants published on Nov. 1, 2022 at https://flydts.com/wp-content/uploads/2022/12/11.01.2022-Notice-to-Tenants-Self-Service-Labor-Requirement.pdf .) However, with respect to third-party service providers, for safety, operational, liability, and compliance reasons, the County cannot allow unauthorized maintenance providers to regularly provide commercial service at the Airports. We have revised several of the paragraphs within Section VII.O, which may address several of the commenter’s concerns. We have removed the provisions that concerned “emergency” service and stated that “[t]he County shall have sole reasonable discretion to determine whether to enter into an Agreement to permit a given Itinerant Maintenance Provider to provide Commercial Aeronautical Activities on the Airport” (formerly at paragraph VII.O.h) See also Section VII.G.

				have the necessary equipment or parts.¶¶¶The County should dictate where certain work may or may not be take place but should not dictate whom may provide that service.¶¶¶		We believe that the revised Sections VII.G and VII.O strike a balance between mitigating risk to the County, incentivizing entities to become on-Airport Commercial Aeronautical Operators, and providing Airport tenants access to their preferred service providers.
476	43	VII.O.g	MS	“In no event may annual inspections or heavy maintenance be performed in a common-use hangar.”¶¶¶Define “common-use hangar”¶¶¶Do any hangars exist that meet that definition at CEW or DTS?	Smith	We have removed this paragraph.

Responses to Additional Comments¹

Comment #	Page	Section and Paragraph	Document	Comment	Commenter	Okaloosa County Airports Department Response
620		C.IX.b	RR	<p>First, thank you very much for reviewing our comments and making the changes to the Airport Rules & Regulation document.</p> <p>I have one minor request. I did comment on this in the matrix (Comment 81 in your matrix), but I'm not sure it was totally clear.</p> <p>Our hangar lease (attached) has the following:</p> <p>11.1 Lessee shall keep said hangar and premises neat, clean, and orderly at all times. Hangars located on Airport property shall be used for aeronautical purposes. Lessee is permitted to store nonaeronautical items in the hangar provided the items do not interfere with the aeronautical use of the hangar and or impede the movement or access of the aircraft or other aeronautical contents of the hangar. All petroleum products, solvents, cleaners and flammable material shall be stored in an approved fireproof rated cabinet. Used petroleum products, solvents, cleaners and cleaning materials shall be disposed of both in accordance with all governmental regulations and off Lessor’s premises. No items, of</p>	Troop	<p>With respect to the commenter’s particular lease, we note that the excerpt he provides subordinates the lease to the Rules and Regulations as they exist or may be amended, so, were there a conflict between the Rules and Regulations and the commenter’s lease, the Rules and Regulations would control.</p> <p>However, we have revised paragraph C.IX.a of the proposed Rules and Regulations, concerning hangar storage, to adhere more closely to the FAA’s <i>Policy on the Non-Aeronautical Use of Airport Hangars</i> (Hangar Use Policy). Given the County’s federal grant obligations, we cannot waive an Airport user’s compliance with the Hangar Use Policy. Therefore, if, and to the extent that, there were a conflict between the hangar-storage provisions of a tenant’s lease and the Hangar Use Policy, which we intend paragraph C.IX.a to encapsulate, the County would be federally obligated to enforce the requirements of the Hangar Use Policy.</p>

¹ Includes responses submitted, but not received by the County’s public-comment portal, prior to March 27, 2023.

				<p>any nature or kind, are to be stored outside or in the vicinity of the hangar. The Lessee and all individuals associated with the Lessee's business are required to follow all current, future or amended Airport Rules and Regulations.</p> <p>The proposed rules are more expansive in this area. I feel our lease should be honored.</p> <p>In the proposed Airport Rules & Regulations Section IX. Non-Aeronautical Property Storage, paragraph b. it has a stipulation that if the lease has wording in conflict with the proposed Rules & Regulations the lease wins. It states, "unless explicitly precluded by a lease". Paragraph a. in that section should have similar language that honors what a lease says.</p> <p>For example, I added the text in red below to honor the existing lease.</p> <p>a. In accordance with the FAA's Policy on the Non-Aeronautical Use of Airport Hangars, unless otherwise specified in the lease the storage of</p>		
621	35	VII.J.3.a	MS	An IFR certified aircraft shouldn't be a requirement if the flight training to be done is within VFR. This would exclude a significant amount of aircraft to be used for flight training.	Gore	We have removed the requirement that at least one of a flight instructor's aircraft be equipped for IFR.
622	35	VII.J.3.b	MS	Adequate space varies. With modernization of technology and home based ground training apps; an office, classroom, and student service counter aren't necessary.	Gore	We agree that what constitutes "adequate" depends upon circumstances, which is why we used the qualitative phrase "adequate space" in lieu of the specific square-footage requirements that we previously proposed. It is possible that, under the circumstances, a single room can provide adequate classroom, office, and service-counter space to fully comply with paragraph VII.J.3.b. However, for Commercial Aeronautical Operators who provide flight training physically on an Airport, we feel it is important, as a matter of service to students, to provide at least the basic facilities set forth in paragraph VII.J.3.b.
623		Appx.A	MS	If found to be unattainable then there should be an adjustment available to the requirements.	Gore	The County believes that the insurances requirements established in Appendix A to the proposed Minimum Standards are reasonable. The County initially set these standards in consultation with a nationally recognized expert in aeronautical insurance; then, directly in response to

						<p>public comments, the County reduced certain insurance requirements in order to improve accessibility and affordability for Commercial Aeronautical Operators.</p> <p>However, the County notes that Section II.F of the proposed Minimum Standards expressly permits the County to grant variances to or waivers of the Minimum Standards as appropriate in specific, equitable circumstances. Were a Commercial Aeronautical Operator to advise the County that a certain insurance requirement is unattainable, the County would be willing to review whether a waiver or variance is appropriate in accordance with the standards of Section II.F.</p>
624	13	IV.7	MS	Many people didn't always have an excellent credit score, but have learned how to keep one.	Gore	In Section IV, the County has set forth factors that it will consider when reviewing applications to provide a Commercial Aeronautical Activity on the Airport. None of these factors is necessarily dispositive; the County recognizes that an applicant may have a weakness with respect to one or more factors that, nonetheless, does not justify denying the application. Section IV is intended to put applicants on notice regarding the factors that the County will consider in rendering a determination of whether an application should be approved. The County will work to evaluate applications equitably and consistently.
625	General	All	RR	This draft document contains several paragraphs and concepts that are beyond extreme by comparison to any other airport of which I am familiar (I've been flying GA since 1985). While reasonable rules could facilitate safety, unreasonable ones will likely invite operators to disregard sections entirely or to move to other airports. I certainly hope it is NOT the intent of this document to encourage operators and hangar owners to move to less restrictive airports.	Johnson	In preparing the proposed Rules and Regulations, it is the County's goal to promote the safe, secure and orderly use of the Airports, which we hope will attract operators and hangar owners to the Airports by providing a safe, well-managed, and welcoming environment. Please see our responses to each of the commenter's specific comments below.
626	1, 2	A.I.c, A.IV.a	RR	The current Airport Director (AD) has shown little interest in providing actual assistance in resolving issues at either airport (KCEW and KDTS). Candidly, his interest seems to lie in KVPS and its commercial activities. As such, vesting authority in the AD to "interpret and apply" the various paragraphs of this Draft document is problematic to airport operators who would be routinely required to ask "mother may I" of the AD. See comment #13 below regarding aircraft washing, as an example.	Johnson	<p>Please see our response to comment 5. While the original draft Rules and Regulations tracked the existing Rules and Regulations, we have nonetheless substantially revised proposed Section A.I to better define the limited scope of the Airports Director's authority with respect to urgent situations.</p> <p>With respect to Section A.IV, please see our response to comment 60.</p>

				Recommend codifying IN THIS DOCUMENT all the areas that would require coordination with the AD.		
627	4	B.I.a	RR	The Airport budget and expenditures should be made easily available to all operators to understand how the imposed rates and charges are being used. Operators already pay for hangar lease and pay FBOs for services like fuel and maintenance. The self-sustaining intent of this paragraph should be evident to the Public.	Johnson	Please see our response to comment 587 with respect to the process for setting rates and charges. The County anticipates that it will make public information that it uses in setting or amending rates and charges for the Airports.
628	4	B.I.d	RR	The concept of approving fees charged is akin to Price Fixing, an illegal practice and anti-American in our society of Capitalism and competition. This is ridiculous and should be removed from the Draft in its entirety. For example, the County has no business being involved in setting the price for Flight Instruction or Aircraft Rental at the airports. This is offensive and furthers the argument that the County is violating the Grant Assurances Federal guidance. The County should promote competition to ensure that residents and tax payers are afforded the best value for their money.	Johnson	Please see our response to comment 7.
629	5	C.I.g	RR	How can the County prohibit the consumption of alcohol at the Airport? If it is legal in the state and other areas of the County, why single out the Airports for this restriction? How does this improve safety?	Johnson	Please see our response to comment 9. We have revised the draft rule on alcohol consumption in response to tenants' concerns.
630	6	C.II.c	RR	Same as above...no loitering? These rules, if allowed to be "interpreted" by the AD could be used against reasonable operators performing reasonable actions on the Airport. This section is arbitrary in wording and intent, and it subjects operators to the discretion of the AD.	Johnson	Please see our response to comment 29.
631	6	C.II.i	RR	If Exhibit [X] exists, I could not find it. All charts and diagrams mentioned in this Draft document should be readily available for public view. Without the charts and diagrams, threatening punishment to violators is entirely unreasonable.	Johnson	The published version of the Rules and Regulations will contain this exhibit, which will feature Airport maps, including the Airports' respective AOAs and other relevant areas and facilities on the Airports.
632	7	C.III.b	RR	In the extreme, the AD could punish an operator for a bird strike or animal killed by aircraft. Perhaps "purposely kill any animal" resolves the issue.	Johnson	The County has no intention of punishing an aircraft operator for an incidental bird strike or animal collision. We think any reasonable reading of paragraph C.III.b implies intent to hunt, pursue, trap, catch, injure, or kill an animal.
633	7	C.IV.a	RR	It is beyond reasonable to think the County can prohibit operators from carrying legal weapons in complete compliance with State	Johnson	Please see our response to comment 10. We have revised the proposed Section C.IV to more clearly conform to state law and the County's Second Amendment Sanctuary policy.

				and Federal laws (e.g., concealed carry). This is a violation of so many rules and Constitutional Rights!!		
634	8	C.VIII.a,c	RR	Similarly, language that precludes demonstrating is a violation of the First Amendment of the US Constitution. Why would the County have any interest in even “flirting with” this type of language? Paragraph c. of this section is “too little, too late” in preventing a law suit. The entire section a. is a violation, so what sense does section c. make?	Johnson	Please see our response to comment 80. We have substantially revised this section (redesignated Section C.VI), and the County believes that this section accords with the Constitution and upholds the right to free expression. See <i>Int’l Soc’y for Krishna Consciousness, Inc. v. Lee</i> , 505 U.S. 672 (1992) and <i>Atlanta J. & Const. v. City of Atlanta Dep’t of Aviation</i> , 322 F.3d 1298 (11th Cir. 2003).
635	12	D.II.g	RR	Without a diagram of “areas designated” then the interpretation is left to the AD – a legitimate opportunity for conflict. THIS document should codify ALL areas and rules.	Johnson	We have removed this paragraph.
636	13	D.III.a	RR	Same as above – diagram required.	Johnson	We have removed this paragraph.
637	13	D.III.c	RR	Obtaining permission from the AD to wash a plane is absurd. What next, should I ask the AD for permission to start my plane? So if the AD does not provide the approval, no one can “legally” wash his own plane? Ridiculous! The County should detail the specifics of how and where planes can be washed.	Johnson	We have removed this paragraph.
638	15	E.I	RR	Both Airports should have self-service fuel pumps, either as an alternative to fuel trucks or to ensure AFTER HOURS access (i.e., 24/7). This should be written as a REQUIREMENT for the FBOs.	Johnson	The proposed Minimum Standards provide an FBO the option to install self-service fuel pumps for aircraft operators. However, the County does not believe it is necessary to mandate such installation. Aircraft operators will retain their right to self-fuel in accordance with FAA policy and in compliance with the Rules and Regulations (and, to the extent applicable, Minimum Standards).
639	16	E.II.a	RR	This “Fueler fee” should be codified as with all other fees – see comment #3 [comment 627] above.	Johnson	We have removed this paragraph. With respect to fees generally, please see our response to comment 587.
640	16	E.II.f	RR	Increase fees based on what OBJECTIVE criterion? See similar comment on #3 above [comment 627] above.	Johnson	We have removed this paragraph. With respect to fees generally, please see our response to comment 587.
641	18	E.IV.d	RR	Use of a concept or document like NFPA 407 without explanation or clarification is not helpful and confusing.	Johnson	We have removed this paragraph.
642	23	E.VIII.a	RR	Self-Service Fueling should be a REQUIREMENT for both FBOs. See #14 [comment 638] above.	Johnson	Please see our response to comment 638.
643	25	F.I.c	RR	To the best of my knowledge, these AOA diagrams and speed limits signs are NOT posted at KCEW.	Johnson	Please see our response to comment 638.
644	27	F.III.c	RR	This is entirely awkward and passive voice.	Johnson	We have removed this paragraph.
645	27	F.IV.a	RR	This paragraph is another moving target that is rife with possibilities for unknown requirements and AD interpretation. All	Johnson	The County will make public any training requirements necessary to operate a motor vehicle on the AOA. Because it may be appropriate to change such training from time to time, including in response to changes

				training requirements should be codified and made readily available to ALL airport operators.		to airfield facilities or federal, state, or local law or policy, the County does not feel that it is appropriate to set out all individual driver-training requirements in the proposed Rules and Regulations. However, we have removed the requirement to “obtain[] and hold all licenses” and comply with training requirements that, specifically, “the Airports Director may require,” as such training could be required by federal, state, or local law or regulation.
646	28	F.IV.j	RR	This paragraph is too vague. Every aircraft that is parked, unless there is another aircraft in front of it, will be “adjacent” to an airport building (if left open to the AD’s interpretation). At KCEW, the back row (east row) of parked aircraft, if no other aircraft are on the ramp, are essentially adjacent to the FBO. And, it is not possible to drive behind them, except on Taxiway A.	Johnson	We have removed this paragraph.
647	30	G.I.i	RR	Untenable – forcing all aircraft tied down, outside, to have a drip pan is not reasonable. How would the County propose keeping the pans in place during wind events?	Johnson	We have removed Section G entirely.
648	31	G.II.h	RR	Where is this plan available? Simply stating that all operators must comply with this Plan, then threatening penalties for violations of it is not reasonable. The County should make all such plans easily accessible to all Airport operators.	Johnson	We have removed Section G entirely.
649	33	H.II	RR	The AOA, while defined in the definition section, is not clearly communicated – must be clearly communicated to all Airport operators.	Johnson	We have removed Section H entirely.
650	35	J.II.a-f	RR	The entire “Penalties” section is offensive and should be deemed a FELONY. Come on, the threats need to stop. We are talking about a Public Use Airport and the operators utilizing it. Threats serve very little positive purpose here.	Johnson	Please see our response to comment 22.
651	36	J.III.b.3	RR	It is too vague of where one can go to seek help and remedy against an over-reach by the AD. This office and person or phone number needs to be codified.	Johnson	We have removed this paragraph. Please see our response to comment 57 regarding our proposed revisions to the enforcement process.
652	41	Appx.A	RR	Same comment as above #26 [comment 650]. Threatening termination of a hangar owner’s use of the hangar that he “purchased” is not reasonable. Is the County planning to force him to sell it or to simply commandeer it?	Johnson	Please see our response to comment 57. We have overhauled the enforcement and penalties provisions of the proposed Rules and Regulations to provide for cure opportunities, greater procedural rights, and Board of County Commissioners authority and discretion over penalties.
653	General		MS	The majority of this draft document reads like standards for a full-service FBO with multiple service elements, like fuel,	Johnson	We have responded to each of the commenter’s specific comments regarding the proposed Minimum Standards below. However, as a

				<p>maintenance, flight training, and parking/hangars. Or perhaps, it was written by, OR FOR the benefit of, the FBOs. Either way, there are elements of this document that are burdensome, unnecessary, and facilitate Exclusive Use of the Public Airports by the FBOs. Creating “Standards” that are simply onerous or unobtainable will continue to foster monopolies of service via the FBOs. If approved, this will be a codified document of Exclusive Rights granted to the FBOs and thereby violates the Federal mandate in the Assurances – Airport Sponsors requirement document for such airports (see section 23).</p>		<p>general matter, we have developed these proposed policies to conform to modern best practices and uphold the County’s own legal responsibilities as a federally recognized airport sponsor. In response to public comments, we have substantially revised both proposed policies with an eye toward minimizing Airport users’ compliance burden while maintaining the safety, security, and efficiency of the Airports.</p> <p>We disagree with the commenter that the proposed Minimum Standards are onerous or in any way provide exclusive rights in contravention of the County’s federal grant assurances, including AIP Grant Assurance 23. To the contrary, we believe that the proposed Minimum Standards provide substantial clarity for current and prospective Commercial Aeronautical Operators and promote consistency for such enterprises.</p>
654	General		MS	<p>The current Airport Director (AD) has shown no interest in resolving airport use issues in the context of competition with the FBOs. This document further codifies the exorbitantly high requirements for individuals to operate at the County Airports. The FBOs cannot be allowed to operate monopolies of service at these Public Use Airports.</p>	Johnson	<p>Please see our response to comment 653.</p>
655	1	I	MS	<p>Create new terms and definitions for part-time operations and full-time operations. This will tie directly to #5 [comment 657] below.</p>	Johnson	<p>We appreciate the commenter’s suggestion but do not believe that a “full-time” and “part-time” distinction is pertinent to the proposed Minimum Standards. Please see our response to comment 657 regarding the commenter’s suggestion with respect to flight instructors.</p>
656	3	I	MS	<p>Add “and for training of club members” so as to be consistent with the language on page 41.</p>	Johnson	<p>We believe the broad definition of a Flying Club, which includes providing its members non-commercial use of aircraft “for their personal use and enjoyment,” does not exclude non-commercial flight training of Flying Club members. Paragraph VII.N.d then provides greater specificity regarding the nature of the flight training permitted for Flying Clubs.</p>
657	5	II.D.1.a	MS	<p>This paragraph needs a codified standard and not an “interpretation” from the AD. Utilize the above definition of part-time operator to avoid conflict. This paragraph prevents an aircraft owner from receiving ANY flight instruction in his own aircraft. What purpose does that fill for the County? Shouldn’t the County be interested in supporting small businesses and airport tenants/aircraft owners?</p>	Johnson	<p>We have added a new paragraph II.D.2.b that expressly exempts flight instructors providing instruction in the student’s own aircraft. Separately, we believe it is appropriate to reserve the Airports Director’s reasonable discretion to determine whether a flight instructor is making regular or frequent use of an Airport for flight instruction.</p>

658	5	II.D.2.c	MS	Add line (c) “Flight instruction in privately owned aircraft.”	Johnson	We have added a new paragraph II.D.2.b that expressly exempts flight instructors providing instruction in the student’s own aircraft.
659	9	III	MS	The application process is arbitrary and onerous. A simple, standardized agreement (openly available to all potential operators) to codify reasonable terms of operations is all that is needed and what is available at ALL business-friendly Public Airports. To further this point, simply look at how many steps are required for an applicant – 21 so far! Outrageous	Johnson	We do not agree that the proposed application process is arbitrary or onerous. As the Airports’ operator, the County has a responsibility to maintain control over the Airports and to ensure that those who seek to provide commercial services thereon are qualified, responsible parties. As noted in response to comment 442, the FAA has expressly endorsed the right of an airport sponsor to “pursue agreements with [...] leaseholders that more nearly serve the interests of the public and provide for more professional business practices.” <i>Wilson Air Center, LLC v. Shelby County Airport Authority</i> , FAA Docket No. 16-99-10, Final Agency Decision (Aug. 30, 2001). We believe that the proposed application process helps the County to achieve these goals.
660	12	III.D.1-4	MS	What is the purpose for the County? This is unnecessary to seek 10 years of past business reports and to require a CPA report. This is NOT business friendly to small businesses.	Johnson	Section III.D reserves the County’s right to request financial information from an applicant in order to help the County determine whether the applicant is financially responsible and will be able to meet its financial obligations as a tenant and Commercial Aeronautical Operator. As the Airports’ operator, the County is entitled to ensure that its Airports’ commercial tenants are capable of providing reliable, high-quality service; an in-default or financially unreliable operator poses a relatively high risk of being unable to maintain such reliable service.
661	16	V.C	MS	Outrageous in its entirety! See comment #18 [comment 670].	Johnson	Please see our responses to comments 519 and 670.
662	26	VI.E.1	MS	Each FBO should be required to provide a 24/7 fuel service via self-service pump.	Johnson	Please see our response to comment 638.
663	29	VII.B	MS	Please define an Aircraft Rental – NON-Commercial. Is this what a flight instructor does with a single aircraft when allowing a Student Pilot to rent the aircraft for training and solos?	Johnson	We have removed “(Commercial Only)” from the header to Section VII.B.
664	29	VII.B.3.a-c	MS	Explain why the County would care how many aircraft a small business owns and rents. So if a SASO wanted to provide tail-wheel or aerobatic training (acro), he MUST have a 4-place aircraft? What risk is being eliminated in this paragraph? Further, mandating “on Airport” service is bolstering the FBOs again – monopoly of service!	Johnson	We have revised Section VII.B.3 to require only one aircraft, without place, gear, or IFR requirements.
665	36	VII.J.1	MS	What is the intent of reference to 14 CFR Part 141 when virtually all flight training is Part 61?	Johnson	We have removed the requirement for Part 141 certification.

666	36	VII.J.1	MS	What determines “competitive”? What if the rates are too low? Does that hurt the County? Seems to only stimulate the FBO to respond.	Johnson	We have removed this requirement.
667	37	VII.J.2	MS	Please provide a listing of all areas available to build an appropriately sized facility at both KDTS and KCEW. Requiring 2 tie-downs is absurd – reference #16 [comment 667] below.	Johnson	We have revised the tie-down or space requirement to one tie-down or hangar ramp space. Should an individual be interested in building a flight-training facility at either Airport, the County invites them to contact the Airports staff.
668	37	VII.J.3.b	MS	This is an FBO-level requirement. So if a flight instructor want to offer ONLY Private Pilot Training, this is unsatisfactory from the County’s perspective? AND the instructor MUST have 2 aircraft? To what end? This is the same level of requirement written for the FBO at KCEW that they failed to achieve for years on end...and now every instructor must meet this threshold? Instrument equipped aircraft are only necessary for instrument training.	Johnson	We have removed the requirement to provide an aircraft equipped for instrument flight instruction.
669	42	VII.N	MS	What is the process to start a Flying Club? It is a SASO, non-commercial per the definition in Section I. As such, Section III and V are not applicable. This document should codify ALL the standards and application processes.	Johnson	Because a Flying Club is by definition a nonprofit/not-for-profit entity that may not provide commercial use of aircraft, it is not a SASO, which the proposed Minimum Standards define as an Entity that is authorized to provide one or a combination of Commercial Aeronautical Activities that do not include commercial fueling. Therefore, the application requirements of the Minimum Standards applicable to SASOs and other Commercial Aeronautical Operators do not apply to Flying Clubs. The County leaves it to a proposed Flying Club’s organizers to determine how to organize themselves, provided that any Flying Club they do establish complies with all applicable provisions of the Rules and Regulations and Minimum Standards. The County does not feel it is necessary to regulate Flying Club establishment.
670	App A	Appx.A	MS	Notice that there is NO DIFFERENCE between an FBO (who provides multiple, discrete commercial services) and an individual providing just one service. A \$5M policy is absurd, unnecessary, and unobtainable for single aircraft owners providing flight instruction and is ridiculous when compared to industry standard insurance coverages and requirements. This chart is the most glaring evidence that these draft Standards violate the Grant Assurances requirement that an Airport Sponsor MUST honor. If the current FBOs are the only entities that can achieve these standards, the County has just codified Exclusivity!	Johnson	Please see our response to comment 519. We have reduced most SASO insurance-limit requirements to \$1 million.

671	18/19	VI.D.3	MS	<p><i>DTS is known as a Destination Location and not a business travel or aircraft maintenance hub. We would like to the Minimum standard to be worded as such:</i></p> <p>1. FBO can meet these Standards for the provision of aircraft maintenance by and through (i) an authorized subtenant who meets the minimum standards for an aircraft maintenance operator and operates from the FBO’s lease premises, or (ii) a licensed mechanic that operates on the FBO premises on a contract basis and has a valid operating agreement for such services with Okaloosa County Airports.</p>	Lewis	<p>The County does not object to an FBO that provides maintenance services through a sublease or subcontract, provided that such subtenant or subcontractor complies with all applicable Rules and Regulations and Minimum Standards.</p>
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