

# PRESERVE OUR AIRPORT

Do Not Shorten or Close Runway 2/20



Presented by Friends Of New Smyrna Beach Airport, Inc.





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# Section 1

# PRESERVE OUR

# AIRPORT

Do Not Shorten or Close Runway 2/20



Presented by Friends Of New Smyrna Beach Airport, Inc.





## **PRESERVE OUR AIRPORT**

### **Summary**

To the shock and dismay of the attendees, shortening runway 2/20 was proposed during the 4/29/08 Airport User's Meeting. "Justifications" given for closing down this extremely costly, useful infrastructure include poor pavement condition, low use, and the need to correct an error in some Airport Master Plan drawings. The proposed Hidden Lakes development ("Prop HL") has hired a consultant to lobby for shortening the runway, thus apparently confirming the real reason for the rush to shorten the runway: to bolster Prop HL's chances for approval.

None of these "justifications" for closing part of Rwy. 2/20 is valid: 1. The 1/2008 FDOT pavement report shows the pavement condition as serviceable, and forecasts the pavement to remain serviceable until at least 2017; 2. Around 1/3 of our airport's traffic uses Rwy. 2/20; 3. According to the FAA, there is no immediate need to correct the Master Plan typo; and 4. A single development is no reason to close part of a public airport.

To provide analysis in support of our position, FONSBA retained the expertise of Seth Young, Ph.D., Associate Professor of Airport Operations and Planning in the College of Business at Embry-Riddle Aeronautical University and President of the International Aviation Management Group, Inc. In his report, found in section 2 of this document, Dr. Young provides an analysis of the appropriate location of the RWY 20 Departure RPZ, and of what may occur in terms of environmental and safety risk impacts to airport users and the surrounding community should RWY 2/20 be shortened.

In fact, shortening Rwy. 2/20 would impose serious costs and penalties on the citizens of New Smyrna Beach, the passengers and aircrew who use this facility, and aircraft safety, which far outweigh any benefit to Prop HL. Penalties and costs incurred by shortening include: the noise mitigation function of this runway would be decreased by increasing traffic over the east-west corridor; the safety of the surrounding community, the passengers, and the pilots would be decreased; extremely costly public infrastructure would be spoliated; incompatible development would be encouraged; and increased taxiing noise, fuel burn and pollution would result.

The public outcry against this proposed spoliation of public property has been impressive. The airport Noise Abatement Committee condemned any shortening of Rwy. 2/20 by unanimous vote during its 6/12/2008 meeting. During the 6/24/2008 City Commission meeting NSBAirportNoise, Inc. presented its Resolution against shortening; during that same meeting Friends Of New Smyrna Beach Airport, Inc. also presented a Resolution against any shortening. On 7/16/2008 the Airport Advisory Board unanimously passed its resolution opposing any shortening of Rwy. 2/20. In the Petitions section (Section 4) a Petition signed by 334 people opposing shortening Rwy. 2/20 is attached, as are two additional Petitions signed by 925 and 135 individuals respectively requesting that the City adequately maintain our runways. More than 30 letters opposing shortening have been received by the Airport Manager; 32 are attached in the Letters section (Section 5).



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The cost and penalties of closing down part of our public airport far outweigh any benefits to a single private development. For reasons including noise mitigation, public safety, and prevention of waste of public property, Rwy. 2/20 should remain at its present length.

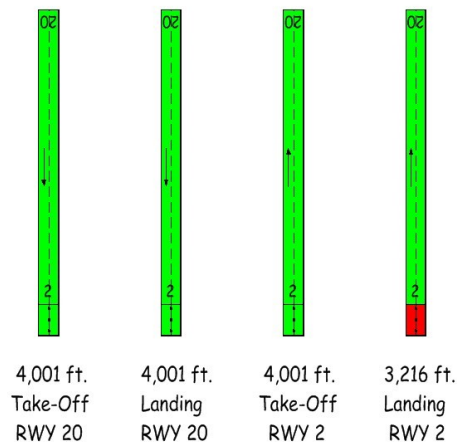
## I. INTRODUCTION.

It's useful to understand the proposal to shorten Rwy. 2/20 in order to assess its merits. To that end, the first part of this paper will summarize the proposal to shorten the runway. Next, costs and penalties of shortening will be brought out, after which the "justifications" for shortening will be addressed. Finally, a balancing between costs and benefits will unequivocally demonstrate that Rwy. 2/20 should not be shortened.

## II. THE PROPOSAL TO SHORTEN RWY. 2/20.

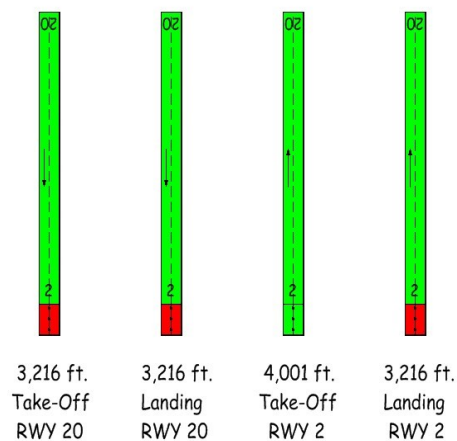
Currently 4,001 feet are available for most of the operations on Rwy. 2/20; only landings on Rwy. 2 are limited to 3,216 feet due to its displaced threshold. The actual Rwy. 2/20 lengths now available are depicted graphically below.<sup>1</sup>

Runway 2/20 Lengths Now Available:



If Rwy. 2/20 is shortened, the following approximate distances would be available<sup>2</sup>:

If Runway 20 is Shortened 785 ft.:



As may be appreciated, the landing and take-off distances of Rwy. 20 would decrease 785 feet. This method of runway shortening is via an arcane process called “declared distances”, and would involve publishing the reduced take-off and landing distances remaining on Rwy. 20.<sup>3</sup>

This proposal would shorten both the take-off and landing distances available on Rwy. 20 by approximately 785 feet.

### **III. REASONS TO PRESERVE RWY. 2/20’S PRESENT LENGTH.**

The runway-shortening proposal would decrease both the take-off and landing distances available on Rwy. 20 by approximately 785 feet. This is a terrible idea, for numerous reasons, including:

- A. Strong public sentiment against shortening the runway.
- B. Loss of noise mitigation function of runway 2/20.
- C. Decreased safety of the surrounding communities, passengers, and crew.
- D. Spoliation of valuable public property.

These compelling reasons to not shorten Rwy. 2/20 are explained below.

#### **A. Public Sentiment Runs Strongly Against Shortening Rwy. 2/20.**

The public outcry against this proposed spoliation of public property has been impressive. The airport Noise Abatement Committee condemned shortening by unanimous vote during its 6/12/2008 meeting.<sup>4</sup> During the 6/24/2008 City Commission meeting NSBAirportNoise, Inc. presented its Resolution against shortening;<sup>5</sup> during that same meeting Friends Of New Smyrna Beach Airport, Inc. also presented a Resolution against any shortening.<sup>6</sup> On 7/16/2008 the Airport Advisory Board unanimously passed its resolution opposing any shortening of Rwy. 2/20. In the Petitions section (Section 4) a Petition signed by 334 people opposing shortening Rwy. 2/20 is attached, as are two additional Petitions signed by 925 and 135 individuals respectively requesting that the City adequately maintain our runways. More than 30 letters opposing shortening have been received by the Airport Manager; 32 are attached in the Letters section (Section 5). Additional letters have been written to Congress and the FAA, among other agencies. During the 4/29/08 Airport Users’ Meeting 100% of the airport user attendees voted to strongly oppose any shortening or closure of runway 2/20.

#### **B. Shortening Runway 2/20 Would Increase Community Noise From the East-West Runways.**

The Higginbotham jet requires a minimum of 4,000 feet for take-off and landing.<sup>7</sup> The Vintage Props and Jets Beech 100s require a minimum of 3,500 feet for take-off and landing.<sup>8</sup> A 3,580 ft minimum runway length at our airport is recommended for small airplanes with fewer than 10 seats (mean daily maximum temperature of the hottest month of the year of 91 degrees F, for 100 % of the fleet, sea level airport)<sup>9</sup>.

Shortening 2/20 would divert traffic, including the Higginbotham jet and the VP&J jetprops, to the communities under the east-west runways extended centerlines.<sup>10</sup> These communities already receive a disproportionate amount of noise, commensurate with the approx. 70% of traffic the east-

west runways currently carry<sup>11</sup>. Adding jet traffic over these communities would exacerbate the noise problems already experienced by these communities.<sup>12</sup>

We know through bitter experience that shortening a runway is frequently a pre-cursor to closing that runway entirely, such as occurred with runway 15/33 at our airport. If 2/20 closes entirely, the approx. 32% of traffic it carries would all be diverted over the already noise-impacted east-west runway communities. Closing 2/20 would eviscerate any plan to rotate traffic around our different runways in order to schedule noise relief for the surrounding communities on a rotating basis, such has been the policy Heathrow airport for decades.

**Therefore, shortening or closing runway 2/20 would increase community noise from the east-west runways.**

**C. Closing the Southern 785 Feet Of Runway 2/20 Would Decrease the Safety of Residents, Passengers and Pilots.**

The Higginbotham jet requires a minimum of 4,000 feet for take-off and landing.<sup>13</sup> The Vintage Props and Jets Beech 100s require a minimum of 3,500 feet for take-off and landing.<sup>14</sup> A 3,580 ft minimum runway length at our airport is recommended for small airplanes with fewer than 10 seats (mean daily maximum temperature of the hottest month of the year of 91 degrees F, for 100 % of the fleet, sea level airport).<sup>15</sup>

Runway 2/20 is our airport's only cross-wind runway. It is important to the safety of the surrounding communities, the air passengers, and the pilots, to keep it open and unshortened. Just during the last few months there was an accident at Daytona Beach airport caused by cross-winds too strong for the pilot and his aircraft. In engine-failure scenarios (like last year's fatal Swift accident, right here at our NSB airport) it is safest to land straight ahead – longer runways are safer. Twin-engine aircraft landings with an engine out, where go-arounds are dangerous, are safer on longer runways. And a take-off engine failure in a twin-engine aircraft is much safer if the plane can land straight ahead on the remaining runway, rather than attempting to continue the take-off. If the runway is too short, landing straight ahead is not an option.

There are a number of situations where the full length of pavement and associated clear areas within the vicinity of the southern end of the airfield are critical, particularly when operating on Runway 20, including:<sup>16</sup>

1. Normal Departures
2. Departures with engine failure
3. Aborted departures due to engine failure
4. Missed Approaches
5. Long Landings
6. Brake Failures upon landing

Reducing the runway's effective length may have serious safety consequences associated with these operations, particularly if areas off the end of the reduced runway are developed.<sup>17</sup>

**Therefore, closing the southern 785 feet of Runway 2/20 would decrease the safety of residents, passengers and pilots.**

**D. Closing 785 Feet of Public Runway Would Amount to Spoliation of Public Property, and Would Reduce the Economic Viability of Our City and its Surrounding Areas.**

The Florida Department of Transportation estimates asphalt runways 75 feet wide cost \$1,100 per linear foot<sup>18</sup>, which would indicate asphalt runways 100 feet wide (like Rwy. 2/20) cost \$1,467 per linear foot. According to these numbers, the replacement cost of 785 feet of Rwy. 2/20 would be \$1,467/ft. X 785 ft. = \$1,151,333!

On April 10, 1947 the federal government gave the City of New Smyrna Beach our municipal airport, including its very valuable runways. By accepting the airport, the City promised to maintain the entire landing area of the airport, or risk reversion of the property back to the federal government.<sup>19</sup> Thus, the airport is an extremely valuable asset of the citizens of New Smyrna Beach.

The City of New Smyrna Beach has an affirmative obligation to wisely safeguard its assets on behalf of its citizens, as does any other government by, for and of the people. Arbitrarily closing valuable public property would constitute a waste of the property of the people. In addition, failing to maintain the runway puts the City in violation of the 1947 Quitclaim Deed, and risks reversion of the airport property to the federal government, which would constitute a huge loss of very valuable property by the citizens of New Smyrna Beach.

If our airport were a single entity, it would be New Smyrna Beach's 4<sup>th</sup> largest private employer, with 172 employees.<sup>20</sup> They generate a payroll of \$4.4 million per year, having an estimated local economic impact of around \$13 million.<sup>21</sup> Estimating 2.96 dependents per employee yields 445 of our neighbors who rely on the airport to put food on the table and keep a roof over their heads.<sup>22</sup>

Damaging this economic engine would be shooting ourselves, our neighbors, and our community's economic viability in the foot. James Wickstrom's 3/4/2008 comments were eerily prophetic when he wrote, as part of the FDOT's reasons for opposing Prop. HL: *"...this property can be better served by the construction of a more compatible development such as commercial or industrial development. Further non-compatible development, such as a residential development, could restrict the operations of the airport and therefore have a significant direct impact on the City and surrounding area in terms of economic development."*<sup>23</sup> (Emphasis added).

As FDOT's Wickstrom warned, the Prop HL is not even approved, and already it threatens to close part of our airport, to the economic detriment of our neighbors, our City, and the surrounding area. In the broader perspective, closing part of our airport reduces the viability of our state and national air transportation systems, and of our national economy.

**Therefore, shortening runway 2/20 would constitute spoliation of public property, and would reduce the economic viability our City and its surrounding areas.**

**E. Shortening runway 2/20 would increase pollution and waste jet fuel.**

The proposed shortening of runway 2/20 would divert the Higginbotham jet traffic to the east-west runways. This added taxiing would waste substantial jet fuel each year, and increase the associated pollution and jet taxiing noise.<sup>24</sup>

Therefore, shortening or closing runway 2/20 would increase pollution and waste scarce jet fuel, *contra* our City's green objectives of saving energy and reducing pollution.

**IV. THE “JUSTIFICATIONS” PROVIDED ARE NOT VALID REASONS FOR CLOSING PART OF OUR AIRPORT.**

“Justifications” given for closing down this extremely costly, useful infrastructure include poor pavement condition, low use, and the need to correct an error in some Airport Master Plan drawings. The proposed Hidden Lakes development (“Prop HL”) has hired a consultant to lobby for shortening the runway, thus apparently confirming the real reason for the rush to shorten the runway: to bolster Prop HL's chances for approval. None of these “justifications” are valid reasons to close part of our airport.

**A. Rwy. 2/20 Is In Serviceable Condition, And Forecast To Remain In Serviceable Condition At Least Through 2017.**

In 1998 runway 2/20 averaged a Pavement Condition Index (“PCI”) of 29<sup>25</sup> (higher is better); as of 1/2008 runway 2/20 averaged a PCI of 43<sup>26</sup>; any PCI over 11 is serviceable<sup>27</sup>. Thus, it cannot be credibly argued that 2/20 has deteriorated unacceptably during the last decade, nor that its current PCI of 43 is non-serviceable. To the contrary, it's predicted that in 2017 Rwy. 2/20 will still average a respectable (and serviceable) PCI of 31<sup>28</sup>. Therefore, there is no reason to shorten Rwy. 2/20 due to its condition.

**B. Rwy. 2/20 Is Used Extensively - Around 1/3 Of Our Airport's Traffic Uses Rwy. 2/20.**

The Airport Master Plan puts Rwy. 2/20 usage at 32.5% of our total operations.<sup>29</sup> During the 4/29/08 Airport Users' Meeting Tower Chief R. Dobelaar estimated 30% of current airport operations use runway 2/20<sup>30</sup>. During that same meeting, 100% of airport user attendees voted that they used runway 2/20 “a lot”.

Therefore, Rwy. 2/20 is a vitally important component of our airport, and any shortening or diminishing of its capabilities would negatively affect the function of the entire airport.

### **C. There Is No Immediate Need to Correct the Master Plan Typo.**

The RWY 20 Departure Runway Protection Zone (RWY 20 Departure RPZ) is correctly depicted in the Airport Master Plan Executive Summary, but was mistakenly omitted from some of the Airport Layout Plan drawings pages during the last update.<sup>31</sup> The FAA recognizes the proper location as it is illustrated in the Executive Summary: an e-mail from the FAA Airport District Office in Orlando, Florida, to this effect is included in the Supporting Materials section. The key determination in this e-mail explains:

*“In a recent review of the 2005 EVB Airport Layout Plan (ALP), the FAA discovered the Runway 2 departure RPZ was omitted from the plan. However, the RPZ is an imaginary surface, and although it is not shown on the ALP, it still exists based on the current use of the runway”*

This determination is consistent with a variety of published sources that depict the useable length of Rwy. 20 as 4,001 feet. These sources are widely used by aviators for flight planning purposes, and include: the FAA’s Airport Master Record, NOAA and Jeppesen Airport Charts, the State of Florida official Airport Directory, the AOPA Airport Directory, and the official FAA Airport Facilities Directory. Some of these sources are included in the Supporting Materials section.

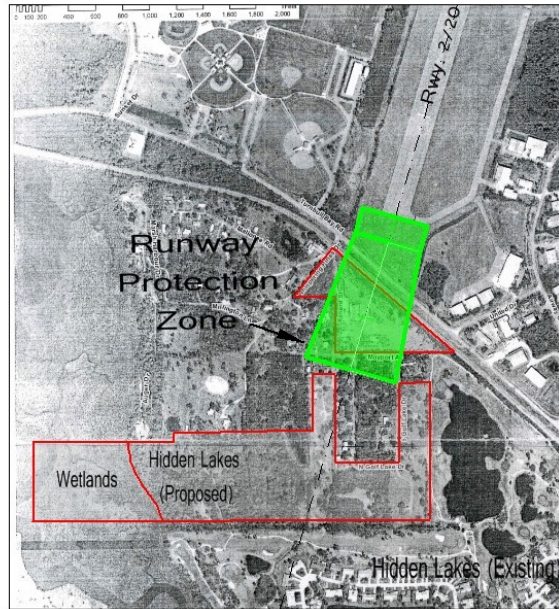
The Rwy. 20 Departure RPZ location is proper and in full compliance with FAA design standards, as is the current length of Rwy. 2/20. No modifications to the runway, including consideration of declared distances, is either necessary or recommended.<sup>32</sup>

The FAA has determined that the Rwy. 20 Departure RPZ stretches south from a point 200 ft. south of the pavement of Rwy. 20, and its omission from some of the drawings was an error. Seizing on this typo in an attempt to justify closing part of the runway is analogous to correcting a word processor typo by cutting off part of the hard drive – bizarre overkill.

### **D. A Single Private Development Is No Reason To Close Part of Our Public Airport.**

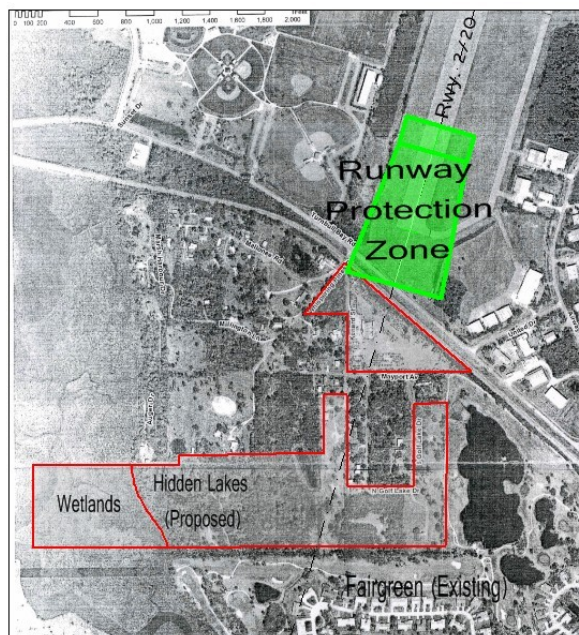
The only apparent reason for shortening 2/20 is to benefit the proposed Hidden Lakes (“Prop. HL”) development: the Rwy. 20 Departure RPZ currently covers approx. 70% of the Prop. HL northern triangle, where Prop. HL offices are proposed. These are prohibited in RPZs<sup>33</sup>. Shortening 2/20 would remove the 2/20 RPZ from the Prop. HL northern triangle.

As may be observed in the figure below, the current Rwy. 20 Departure RPZ location covers approximately 70% of the Prop. HL northern triangle<sup>34</sup>. The RPZ’s function is to enhance the protection of people and property on the ground.<sup>35</sup> Land uses prohibited from RPZs include residences and places of public assembly (such as churches, schools, hospitals, office buildings, shopping centers and other uses with similar concentrations of persons, and fuel storage facilities).<sup>36</sup> Automobile parking facilities, although discouraged, may be permitted outside the RPZ central portion.<sup>37</sup> For airport projects receiving Federal grant-in-aid assistance, the use of these standards is mandatory.<sup>38</sup>



The Rwy. 20 Departure RPZ Covers Around 70% of the Prop HL North Triangle

If the southern 785 feet of 2/20 were closed, the Rwy. 20 Departure RPZ would move north, off of the Prop. HL northern triangle, thereby removing one of the impediments preventing the Prop. HL goal of putting offices there:



It should be noted that closing part of Rwy. 2/20 would in no way guarantee the ultimate approval of Prop HL, because the Rwy. 20 Departure RPZ is only one obstacle among several. The DCA objects due to noise and safety incompatibility<sup>39</sup>, and could prevent construction by enforcing its objections. Also, Prop HL lies largely within Airport Impact Zones 1, 2 and 5, wherein the FAA recommends residential uses be prohibited.<sup>40</sup>

The following organizations object to Prop. HL on the grounds that it is incompatible with the airport due to safety and/or noise reasons: DCA<sup>41</sup>, FDOT<sup>42</sup>, FAA<sup>43</sup>, NSB AAB<sup>44</sup>, AOPA<sup>45</sup>, and Friends Of New Smyrna Beach Airport, Inc.<sup>46</sup>

A single development is no reason to close part of a public airport, which as previously noted would amount to spoliation of the property of the people of New Smyrna Beach.

The City of New Smyrna Beach has already expended many man hours on Prop HL, yet received no revenue from Prop HL.<sup>47</sup> The City does not maintain records of projected costs or revenue from proposed developments.<sup>48</sup> Thus, Prop HL has already cost the City “many man hours”, no revenue has been received (nor projected), and now a proposal to close runway whose replacement cost exceeds \$1M is being entertained, all for the benefit of a single private company. This cost to the people of New Smyrna Beach far out-weighs the benefits to the City.

In addition, Prop HL’s future is in question. Despite the City’s 1/14/2008 Resubmittal of Proposed Plan Amendment – 07-01, the DCA has not withdrawn its objections, and could prevent construction by enforcing its objections. Ironically, the fact that the Prop HL developer hired a consultant to lobby the City Commission to close part of the airport proves the incompatibility of Prop HL with the airport: if Prop. HL *were* compatible with our airport, *it wouldn’t require closing part of the airport* to increase its chances of approval.

Even if the DCA somehow permits construction, given the abysmal housing market, it could be a long time before the 132 houses of Prop HL are built, delaying any millage tax income to the City. Further darkening Prop HL’s prospects, golf is not faring well across the country. Between 1990 and 2003, developers built more than 3,000 new golf courses in the United States, bringing the total to about 16,000.<sup>49</sup> Several hundred have closed in the last few years, mostly in Florida, Michigan, and South Carolina.<sup>50</sup> Since 2000, the number of golfers has dropped from 30 million to 26 million; the number of golfers who play 25 times a year fell to 4.6 million in 2005 from 6.9 million in 2000, a loss of about a third.<sup>51</sup>

In the New Smyrna Beach area, numerous golf courses compete for this shrinking pool of golfers, including the Municipal golf course, which is losing taxpayer money at a rate of approximately \$500,000 a year, despite a recent \$3.2 million renovation.<sup>52</sup> Closing expensive public runway to subsidize a competing private golf course doesn’t appear to be in the best fiscal interests of the citizens of New Smyrna Beach.

Thus, gambling 785 feet of public runway on the uncertain future prospects of Prop HL is insufficient justification for closing part of Rwy. 20, because in the very real possibility that Prop HL is never built, part of our airport will have been closed for no reason.

## **V. CONCLUSION.**

The only apparent reason for shortening 2/20 is to benefit Prop HL. In sharp contrast, closing the southern 785 feet of Runway 2/20 would decrease the safety of residents, passengers and pilots; increase community noise from the east-west runways; reduce our City's economic viability; and increase fuel waste and pollution.

If Prop HL is never built, because of the poor housing market, because of DCA objections, or for some other reason, valuable and useful runway will have been closed for no reason.

On balance, the certain and immediate costs and penalties to the citizens of New Smyrna Beach of closing part of Rwy. 2/20, far outweigh any uncertain future benefits the private Prop HL development may or may not derive.

Therefore, we, Friends Of New Smyrna Beach Airport, Inc., respectfully request that any proposal to shorten or close runway 2/20 be permanently scrapped.



## <sup>1</sup>End Notes

See, e.g. Flight Guide Volume III Eastern States Florida section pg. 52 (Airguide Publications, Inc., Long Beach CA Rev 107), *in the Supporting Materials section*.

<sup>2</sup> During 6/9/08, 6/16/08 and 6/27/2008 telcons with Jack Reynolds, he stated he had been hired by the Prop HL developer, had worked for the FAA, and presented the plan of shortening Rwy. 20 take-off and landing distances by 785 feet.

<sup>3</sup> FAA Advisory Circular AC150/5300-13 Appendix 14 pg. 275 §§ 1, 2 (Change 11).

<sup>4</sup> See transcription except of the Noise Abatement Committee 6/12/2008 meeting in Section 3 Resolutions.

<sup>5</sup> See NSBAirportNoise, Inc. resolution in Section 3 Resolutions.

<sup>6</sup> See Friends Of New Smyrna Beach Airport, Inc. resolution in Section 3 Resolutions.

<sup>7</sup> See D. Higginbotham letter to R. Walker dated 4/30/2008, *in the Letters section*.

<sup>8</sup> Per R. Waldren (Vintage Props & Jets CEO) telcon 4/28/2008.

<sup>9</sup> See New Smyrna Beach Municipal Airport Master Plan pg. 1-19 ¶ 2) and FAA AC 150/5325-4B Runway Lengths Requirements for Airport Design Fig. 2-1 pg. 7.

<sup>10</sup> Evaluation of the RWY 20 Departure RPZ and Potential Effects of Reducing the Useable Length of RWY 2/20 at New Smyrna Beach Municipal Airport pg. 10 (Dr. Seth Young, Ph.D., C.M. 7/15/2008).  
<sup>11</sup> R. Dobelaar, 2/29/08 airport user's meeting.

<sup>12</sup> Evaluation of the RWY 20 Departure RPZ pg. 10 (Dr. Seth Young, Ph.D., C.M. 7/15/2008).

<sup>13</sup> See D. Higginbotham letter to R. Walker dated 4/30/2008.

<sup>14</sup> Per R. Waldren (Vintage Props & Jets CEO) telcon 4/28/2008.

<sup>15</sup> See New Smyrna Beach Municipal Airport Master Plan pg. 1-19 ¶ 2) and FAA AC 150/5325-4B Runway Lengths Requirements for Airport Design Fig. 2-1 pg. 7.

<sup>16</sup> Evaluation of the RWY 20 Departure RPZ pg. 6 (Dr. Seth Young, Ph.D., C.M. 7/15/2008).

<sup>17</sup> Id.

<sup>18</sup> Florida Department of Transportation – Transportation Costs Report (Asphalt – General Aviation – Runway Construction (New, 75' width) <http://www.dot.state.fl.us/planning/policy/costs>.

<sup>19</sup> Quitclaim Deed Par. 9(2) (4/10/1947).

<sup>20</sup> See KEVB Economic Survey presented to the NSB City Commission 4/8/2008, documented in The Truth About Our Airport pg. 26 and Supporting Materials pgs. 10 and 11 (Friends Of New Smyrna Beach Airport, Inc. 2008).

<sup>21</sup> Id.

<sup>22</sup> Id.

<sup>23</sup> See James Wickstrom 3/4/07 e-mail.

<sup>24</sup> See D. Higginbotham letter to R. Walker dated 4/30/2008.

<sup>25</sup> See New Smyrna Beach Municipal Airport Master Plan Update Appendix B pgs. 4, 5 (1/2005).

<sup>26</sup> See Pavement Evaluation Report Appendix C pgs. C-2, C-3 (URS et al. 1/28/2008).

<sup>27</sup> R. Walker, 2/29/08 airport users meeting.

<sup>28</sup> See Pavement Evaluation Report Appendix C pg. C-5 (URS et al. 1/28/2008).

<sup>29</sup> See New Smyrna Beach Municipal Airport Master Plan Update pg. 1-6 (1/2005).

<sup>30</sup> R. Dobelaar, 2/29/08 airport users meeting.

<sup>31</sup> Evaluation of the RWY 20 Departure RPZ pg. 3 (Dr. Seth Young, Ph.D., C.M. 7/15/2008).

<sup>32</sup> Id. pg. 11.

<sup>33</sup> See FAA AC 150/5300-13 Airport Design §212.a.(2)(b) pg. 13 (9/29/1989).

<sup>34</sup> Per R. Walker during the 4/29/08 airport users meeting, the FAA has determined that the 2/20 south RPZ is anchored at the end of the concrete, not at the displaced threshold (as is incorrectly depicted in the New Smyrna Beach Municipal Airport Master Plan Update Airport Plans Dwg. 7 (1/2005).

<sup>35</sup> FAA AC 150/5300-13 Airport Design §212. pg. 13 (9/29/1989).  
<sup>36</sup> Id. §212.a.(2)(b) pg. 13.  
<sup>37</sup> Id. §212.a.(2)(a) pg. 13.  
<sup>38</sup> Id. pg. ii. *See also* Bart Varnace's (FAA Orlando, Ass't. Manager) 3/19/2008 letter stating the RPZ standard is a requirement if the City has zoning jurisdiction over the land.  
<sup>39</sup> *See, Objections, Recommendations and Comments* pgs. 5, 6 (DCA 7/27/2007).  
<sup>40</sup> Evaluation of the RWY 20 Departure RPZ pg. 7 (Dr. Seth Young, Ph.D., C.M. 7/15/2008).  
<sup>41</sup> *See, e.g. Objections, Recommendations and Comments* pgs. 5, 6 (DCA 7/27/2007).  
<sup>42</sup> *See, e.g.* James Wickstrom 3/4/07 e-mail.  
<sup>43</sup> Per R. Walker, during the 4/29/08 Airport Users' Meeting, the FAA had determined the Rwy. 20 Departure RPZ overlays the Prop HL north triangle, and during a meeting *ca.* 4/23/08 FAA representatives objected to Prop HL offices being built in the Rwy. 20 Departure RPZ. *See also* FAA AC 150/5300-13 Airport Design §212 pg. 13 (9/29/1989).  
<sup>44</sup> AAB resolution adopted 4/14/2007.  
<sup>45</sup> *See, e.g.*, Bill Dunn, AOPA Vice-President-Airports correspondence of 12/21/2007 *and* 2/21/2008.  
<sup>46</sup> *See, e.g.*, Friends Of New Smyrna Beach Airport, Inc. correspondence of 1/2/2008 *and* 2/7/2008.  
<sup>47</sup> *See* Johnny Bledsoe, CMC (New Smyrna Beach City Clerk) 7/3/2008 letter.  
<sup>48</sup> Id.  
<sup>49</sup> More Americans Are Giving Up Golf (Paul Vitello, New York Times NY Region 2/21/2008).  
<sup>50</sup> Id.  
<sup>51</sup> Id.  
<sup>52</sup> Report: Golf Course Needs More Golfers News pg. 3 (Melanie Stawicki Azam News Journal 2/10/2008).