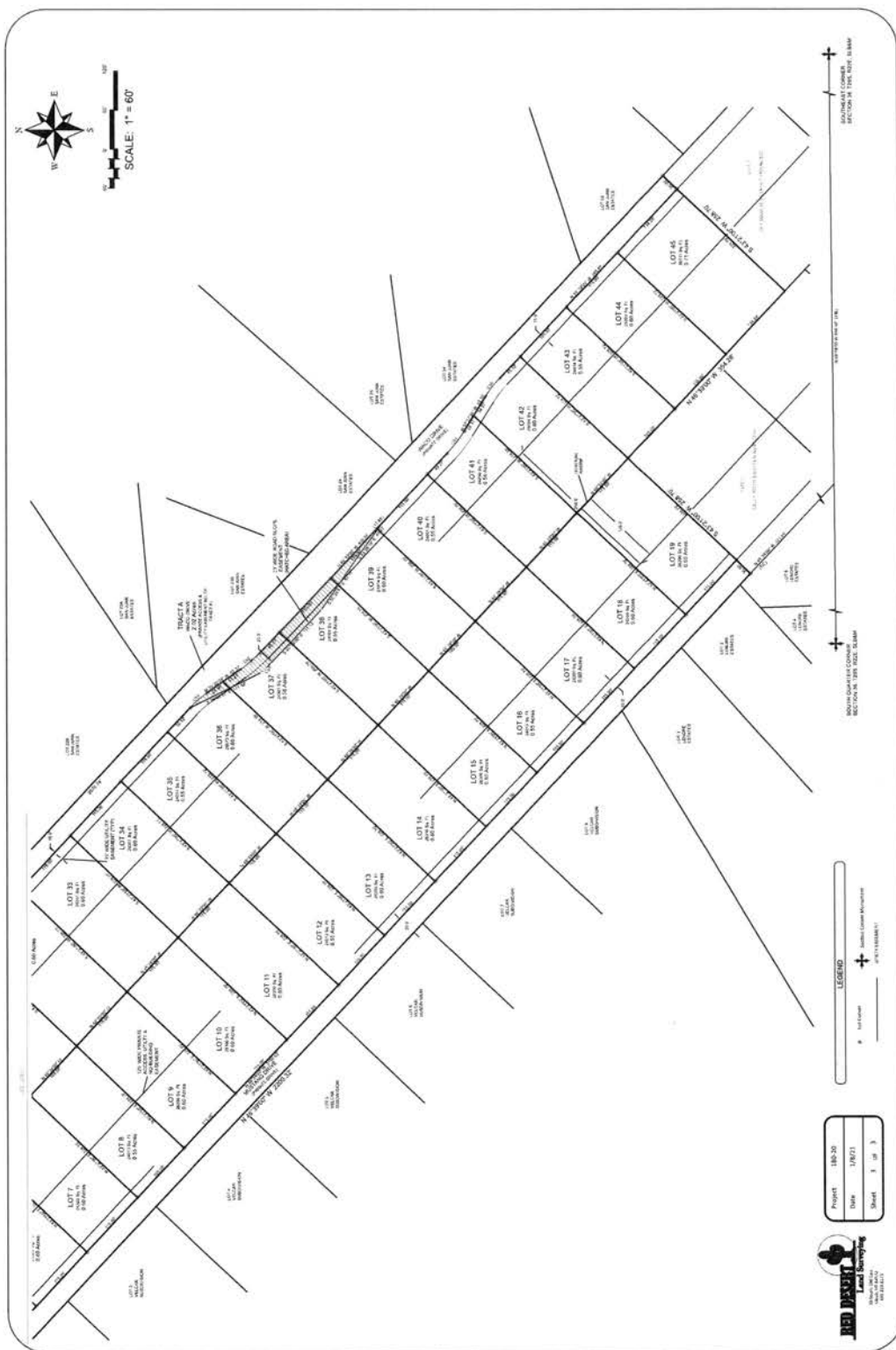


# EXHIBIT 1









# EXHIBIT 2

Marsha Hofer

05/06/2004 12:29 PM

To: Gwen Law/AWA/FAA

cc:

cc:

Subject: Changes to 5010

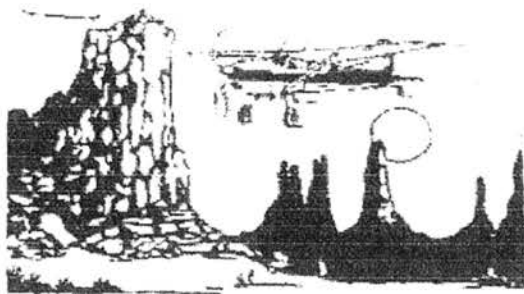
Gwen:

Re: Sky Ranch, Moab, UT, Site #25205.2\*A

Please have the following changes (submitted by Karl Spielman) made to the Airport Master Record:

- (5) County: San Juan
- (7) Sect Aero Cht: Denver
- (13) Phone: 702-451-1779
- (14) Manager: Karl Spielman
- (15) Address: 59 S. Main St., #208, Moab, UT 84532
- (16) Phone: 435-259-1796
- (21) Airport Elev: 4875' Est.
- (31) Length: 5140'
- (32) Width: 60'
- (51) Displaced Thr: 300' (Rwy 12)
- (82) Unicom: 122.9
- (90) Based single engine: 1
- (93) Based helicopters: 1
- (110) Remarks:  
Unattended, own risk, prior permission required 702-451-1779 or 435-259-1796  
South end of runway 12/30 50' higher than north end  
North 3000' of runway paved; south 2140' dirt  
Parking at north end  
For noise abatement normally land on runway 30 and takeoff runway 12  
Watch for helicopter operations on south end

Thanks!



**Moab Sky ranch**  
**Airpark Association**  
59 South Main Street # 208  
Moab, Utah 84532  
(435) 259-1796

Scott Fredericksen  
Federal Aviation Administration  
Denver Airports District Office  
26805 east 68th Ave. Rm. 224  
Denver, CO 80249-6361

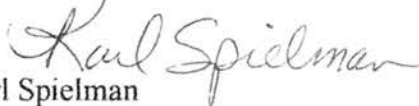
04/30/03

Re; 5010 Master Record Update for Sky ranch Airport (UT 53)

Dear Mr. Fredericksen,

Please update our 5010 Airport Master Record for Sky ranch as follows. I have included, line by line, the pertinent changes and additions. All other lines not listed would be presumed to be unchanged or not applicable.

Thank You,

  
Karl Spielman

Line number:

- 5) County, San Juan
- 7) Sectional Aero Chart, Denver
- 13) Phone, 702-451-1779
- 14) Manager, Karl Spielman
- 15) Address, 59 S. Main St. #208 Moab, Ut. 84532
- 16) Phone, 435-259-1796
- 21) Airport El. 4875' Estimated
- 31) Length, 3000' paved North portion, plus 2140' dirt South portion, 12/30 is 5140' total
- 32) Width, 60' paved North portion, plus 100' dirt South portion
- 51) Displaced Threshold 300' North end of RWY 12
- 82) Unicom 122.9
- 90) Based single engine, 1- September 10 to June 1
- 93) Based helicopters, 1- June 1 to September 10
- 103) 2 takeoffs and 2 landings per week
- ~~104) 6 takeoffs and landings per week~~
- 110) Remarks; Unattended, Own Risk, Prior Permission Required 702-451-1779 or 435-259-1796, South end of runway 12/30 is 50 feet higher than North end, Parking at North end, For noise abatement, normally land on runway 30 and takeoff runway 12, Watch for helicopter operations on South end

## AIRPORT MASTER RECORD

PRINT DATE: 04/22/2003  
AFD EFF 03/20/2003  
Form Approved OMB 2120-0015> 1 ASSOC CITY: MOAB  
> 2 AIRPORT NAME: SKY RANCH  
> 3 CBD TO AIRPORT (NM): 07 S

4 STATE: UT

LOC ID: UT53

5 COUNTY: GRAND UT

FAA SITE NR: 25205.2'A

6 REGION/ADO: ANM/DEN

7 SECT AERO CHT: LAS VEGAS

GENERAL> 10 OWNERSHIP: PRIVATE  
> 11 OWNER: RICHARD TANGREN  
> 12 ADDRESS: 3114 EAST CHARLESTON BLVD.  
LAS VEGAS, NV 89104  
> 13 PHONE NR: 702-457-2622  
> 14 MANAGER:  
> 15 ADDRESS:> 16 PHONE NR: NONE  
> 17 ATTENDANCE SCHEDULE:  
MONTHS DAYS HOURS  
UNATNDD18 AIRPORT USE: PRIVATE  
19 ARPT LAT: 38-29-15.942N ESTIMATED  
20 ARPT LONG: 109-26-55.418W  
21 ARPT ELEV: 5000 ESTIMATED  
22 ACREAGE:  
> 23 RIGHT TRAFFIC: NO  
> 24 NON-COMM LANDING: NO  
25 NPIAS/FED AGREEMENTS:  
26 FAR 139 INDEX:RUNWAY DATA> 30 RUNWAY IDENT: 12/30  
> 31 LENGTH: 3,400  
> 32 WIDTH: 100  
> 33 SURF TYPE-COND: GRVL  
> 34 SURF TREATMENT:  
35 GROSS WT: SW  
36 (IN THSDS) DW  
37 DTW  
38 DDTWLIGHTING/APCH AIDS> 40 EDGE INTENSITY:  
> 42 RWY MARK TYPE-COND - / -  
> 43 VGS I /  
44 THR CROSSING HGT /  
45 VISUAL GLIDE ANGLE /  
> 46 CNTRLN-TDZ - / -  
> 47 RVR-RVV - / -  
> 48 REIL /  
> 49 APCH LIGHTS /OBSTRUCTION DATA50 FAR 77 CATEGORY /  
> 51 DISPLACED THR /  
> 52 CTLG OBSTN /  
> 53 OBSTN MARKED/LGTD /  
> 54 HGT ABOVE RWY END /  
> 55 DIST FROM RWY END /  
> 56 CNTRLN OFFSET /  
57 OBSTN CLNC SLOPE :1 / :1  
58 CLOSE-IN OBSTN N / NDECLARED DISTANCES> 60 TAKE OFF RUN AVBL (TORA) /  
> 61 TAKE OFF DIST AVBL (TODA) /  
> 62 ACLT STOP DIST AVBL (ASDA) /  
> 63 LNDG DIST AVBL (LDA) /SERVICES> 70 FUEL:  
> 71 AIRFRAME RPRS:  
> 72 PWR PLANT RPRS:  
> 73 BOTTLE OXYGEN:  
> 74 BULK OXYGEN:  
75 TSNT STORAGE:  
76 OTHER SERVICES:FACILITIES> 80 ARPT BCN:  
> 81 ARPT LGT SKED:  
> 82 UNICOM:  
> 83 WIND INDICATOR: YES  
84 SEGMENTED CIRCLE:  
85 CONTROL TWR: NONE  
86 FSS: CEDAR CITY  
87 FSS ON ARPT: NO  
88 FSS PHONE NR: 435-586-3806  
89 TOLL FREE NR: 1-800-WX-BRIEFBASED AIRCRAFT90 SINGLE ENG: 0  
91 MULTI ENG: 0  
92 JET: 0  
TOTAL: 0  
93 HELICOPTERS: 0  
94 GLIDERS: 0  
95 MILITARY: 0  
96 ULTRA-LIGHT: 0OPERATIONS100 AIR CARRIER: 0  
101 COMMUTER: 0  
102 AIR TAXI: 0  
103 G A LOCAL: 0  
104 G A ITNRNT: 0  
105 MILITARY: 0  
TOTAL: 0  
OPERATIONS FOR  
MOS ENDING

(&gt;) ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY &gt;

110 REMARKS:

## AIRPORT MASTER RECORD

> 1 ASSOC CITY: MOAB 4 STATE: UT LOC ID: UT53  
> 2 AIRPORT NAME: SKY RANCH 5 COUNTY: GRAND UT FAA SITE NR: 25205.2\*A  
> 3 CBD TO AIRPORT (NM): 07 S 6 REGION/ADO: ANM/DEN 7 SECT AERO CHT: LAS VEGAS

GENERALSERVICESBASED AIRCRAFT

10 OWNERSHIP: PRIVATE  
> 11 OWNER: RICHARD TANGREN  
> 12 ADDRESS: 3114 EAST CHARLESTON BLVD.  
LAS VEGAS, NV 89104  
> 13 PHONE NR: 702-457-2622  
> 14 MANAGER:  
> 15 ADDRESS:

> 70 FUEL:  
> 71 AIRFRAME RPRS:  
> 72 PWR PLANT RPRS:  
> 73 BOTTLE OXYGEN:  
> 74 BULK OXYGEN:  
75 TSNT STORAGE:  
76 OTHER SERVICES:

90 SINGLE ENG: 0  
91 MULTI ENG: 0  
92 JET: 0  
TOTAL: 0  
93 HELICOPTERS: 0  
94 GLIDERS: 0  
95 MILITARY: 0  
96 ULTRA-LIGHT: 0

> 16 PHONE NR: NONE  
> 17 ATTENDANCE SCHEDULE:  
MONTHS DAYS HOURS  
UNATND

FACILITIESOPERATIONS

18 AIRPORT USE: PRIVATE  
19 ARPT LAT: 38-29-15.942N ESTIMATED  
20 ARPT LONG: 109-26-55.418W  
21 ARPT ELEV: 5000 ESTIMATED  
22 ACREAGE:  
> 23 RIGHT TRAFFIC: NO  
> 24 NON-COMM LANDING: NO  
25 NPIAS/FED AGREEMENTS:  
26 FAR 139 INDEX:

> 80 ARPT BCN:  
> 81 ARPT LGT SKED:  
> 82 UNICOM:  
> 83 WIND INDICATOR: YES  
84 SEGMENTED CIRCLE:  
85 CONTROL TWR: NONE  
86 FSS: CEDAR CITY  
87 FSS ON ARPT: NO  
88 FSS PHONE NR: 435-586-3806  
89 TOLL FREE NR: 1-800-WX-BRIEF

100 AIR CARRIER: 0  
101 COMMUTER: 0  
102 AIR TAXI: 0  
103 G A LOCAL: 0  
104 G A ITNRNT: 0  
105 MILITARY: 0  
TOTAL: 0  
OPERATIONS FOR  
MOS ENDING

RUNWAY DATA

> 30 RUNWAY IDENT: 12/30  
> 31 LENGTH: 3,400  
> 32 WIDTH: 100  
> 33 SURF TYPE-COND: GRVL  
> 34 SURF TREATMENT:  
35 GROSS WT: SW  
36 (IN THSDS) DW  
37 DTW  
38 DDTW

LIGHTING/APCH AIDS

> 40 EDGE INTENSITY:  
> 42 RWY MARK TYPE-COND  
> 43 VGS  
44 THR CROSSING HGT  
45 VISUAL GLIDE ANGLE  
> 46 CNTRLN-TDZ  
> 47 RVR-RVV  
> 48 REIL  
> 49 APCH LIGHTS

OBSTRUCTION DATA

50 FAR 77 CATEGORY  
> 51 DISPLACED THR  
> 52 CTLG OBSTN  
> 53 OBSTN MARKED/LGTD  
> 54 HGT ABOVE RWY END  
> 55 DIST FROM RWY END  
> 56 CNTRLN OFFSET  
57 OBSTN CLNC SLOPE  
58 CLOSE-IN OBSTN

DECLARED DISTANCES

> 60 TAKE OFF RUN AVBL (TORA)  
> 61 TAKE OFF DIST AVBL (TODA)  
> 62 ACLT STOP DIST AVBL (ASDA)  
> 63 LNDG DIST AVBL (LDA)

(>) ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY >

110 REMARKS:

>1 ASSOC CITY: MOAE 4 STATE: UT FAA SITE NR: 25285-2A  
>2 AIRPORT NAME: SKY RANCH 5 COUNTY: GRAND UT  
>3 CPD TO AIRPORT(KM): 87 S 6 REG/ADO: ANM/DEN 7 SECT AERO CHT: LAS VEGAS

GENERAL	SERVICES	BASED AIRCRAFT
>10 OWNERSHIP: PRIVATE	>70 FUEL:	90 SINGLE ENG:
>11 OWNER: RICHARD TANGREN	>71 AIRFRAME RPRS:	91 MULTI ENG:
>12 ADDRESS: 3114 EAST CHARLESTON BLVD.	>72 PWR PLANT RPRS:	92 JET:
LAS VEGAS NV 89184	>73 BOTTLE OXYGEN:	TOTAL
>13 PHONF NR: 782-457-2622	>74 BULK OXYGEN:	93 HELICOPTERS:
>14 MANAGER:	75 TSNT STORAGE:	94 GLIDERS:
>15 ADDRESS:	76 OTHER SERVICES:	95 MILITARY:
		96 ULTRA-LIGHT:
>16 PHONE NR: NONE		
>17 ATTENDANCE SCHEDULE:		
MONTHS DAYS HOURS		
UNATACD		
	FACILITIES	OPERATIONS
18 AIRPORT USE: PRIVATE	>80 ARPT BCN:	100 AIR CARRIER:
19 ARPT LAT: 38-25-16N ESTIMATED	>81 APT LGT SKED:	101 COMMUTER:
20 ARPT LONG: 109-26-53W	>82 UNICOM:	102 AIR TAXI:
21 ARPT-ELEV: 5000 ESTIMATED	>83 WIND INDICATOR: YES	103 G A LOCAL:
22 ACFTAGE:	84 SEGMENTED CIRCLE: NONE	104 G A ITNRNT:
>23 RIGHT TRAFFIC: NO	85 CONTROL TWR: NO	105 MILITARY:
>24 NON-COMM LANDING FEE: NO	86 FSS: GRAND JUNCTION	TOTAL:
25 NASP/FEDERAL AGREEMENT:	87 FSS ON ARPT: NO	
26 FAR 139 INDEX:	88 FSS PHONE NR: 383-243-5233	OPERATIONS FOR 12
	89 TOLL FREE NR:	MOS ENDING

## RUNWAY DATA

>30 RUNWAY IDENT 12/38  
>31 LENGTH: 3420  
>32 WIDTH: 100  
>33 SURF TYPE-COND GRVL  
>34 SURF TREATMENT  
35 GROSS WT: SW  
36 (IN THS) DW  
37 DTW  
38 DDTW

## LIGHTING/APCH AIDS

	12/38				
>40 EDGE INTENSITY	/	/	/	/	/
>41 MOV ELEMENT R1	/	/	/	/	/
>42 RWY MARK TYPE-COND	/	/	/	/	/
>43 VASI	/	/	/	/	/
>44 THR CROSSING HGT	/	/	/	/	/
>45 VISUAL GLIDE ANGLE	/	/	/	/	/
>46 CNTRLN-TDZ	/	/	/	/	/
>47 PVR-RVV	/	/	/	/	/
>48 REIL	/	/	/	/	/
>49 APCH LIGHTS	/	/	/	/	/

## OBSTRUCTION DATA

	12/38				
50 FAR 77 CATEGORY	/	/	/	/	/
>51 DISPLACED THR	/	/	/	/	/
>52 CTLG OBSTN	/	/	/	/	/
>53 OBSTN MARKED/LGTD	/	/	/	/	/
>54 HGT ABOVE RWY END	/	/	/	/	/
>55 DIST FROM RWY END	/	/	/	/	/
>56 CNTRLN OFFSET	/	/	/	/	/
57 OBSTN CLNC SLOPE	/	/	/	/	/
58 CLOSE-IN OBSTN	/	/	/	/	/

## 20:1 LANDING LENGTH

	12/38				
60 LANDING RWY-LENGTH	/	/	/	/	/
61 CTLG OBSTACLE	/	/	/	/	/
62 HGT-ABOVE THR	/	/	/	/	/
63 DIST FROM THR	/	/	/	/	/
64 CNTRLN CFFSET	/	/	/	/	/

(>) ARPT MGR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY >

>110 REMARKS:

JUN 20 1984

(303) 340-5545

Mr. Richard Tangren  
3114 East Charleston Blvd.  
Las Vegas, Nevada 89104

Dear Mr. Tangren:

An airspace analysis of the proposed privately-owned private use Sky Ranch Airport, Moab, Utah has been completed. Based on this study, the Federal Aviation Administration (FAA) has no objection from an airspace utilization standpoint; however, it is recommended that departures be restricted to the northwest due to surrounding terrain.

This determination does not mean FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effect the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA) and known natural objects within the affected area would have on the airport proposal.

The FAA cannot prevent the construction of structures near an airport. The airport environs can only be protected through such means as local zoning ordinances or acquisitions of property rights.

No evaluation of the environmental aspects of the proposal was made in reaching this determination. Therefore, this determination is not to be construed as approval of the proposal from an environmental standpoint under Public Law 91-190 (National Environmental Policy Act of 1969).

CONCURRENCES
RTG. SYMBOL
INITIALS/SIG.
DATE
RTG. SYMBOL
INITIALS/SIG.
DATE
RTG. SYMBOL
INITIALS/SIG.
DATE
RTG. SYMBOL
INITIALS/SIG.
DATE
RTG. SYMBOL
INITIALS/SIG.
DATE
RTG. SYMBOL
INITIALS/SIG.
DATE
RTG. SYMBOL
INITIALS/SIG.
DATE

When the airport becomes operational, please complete and return the enclosed FAA Form 5010-5, Airport Master Record. If the airport does not become operational by December 31, 1985, this airspace determination will expire unless you request a time extension.

If in the future you wish to open the airport to public use, a new airspace determination will be required.

Thank you for your cooperation in this matter. If you have any questions, please contact me at the above number.

Sincerely,

Signature of David P. Gabbert  
David P. Gabbert

David P. Gabbert  
State Engineer

Enclosure

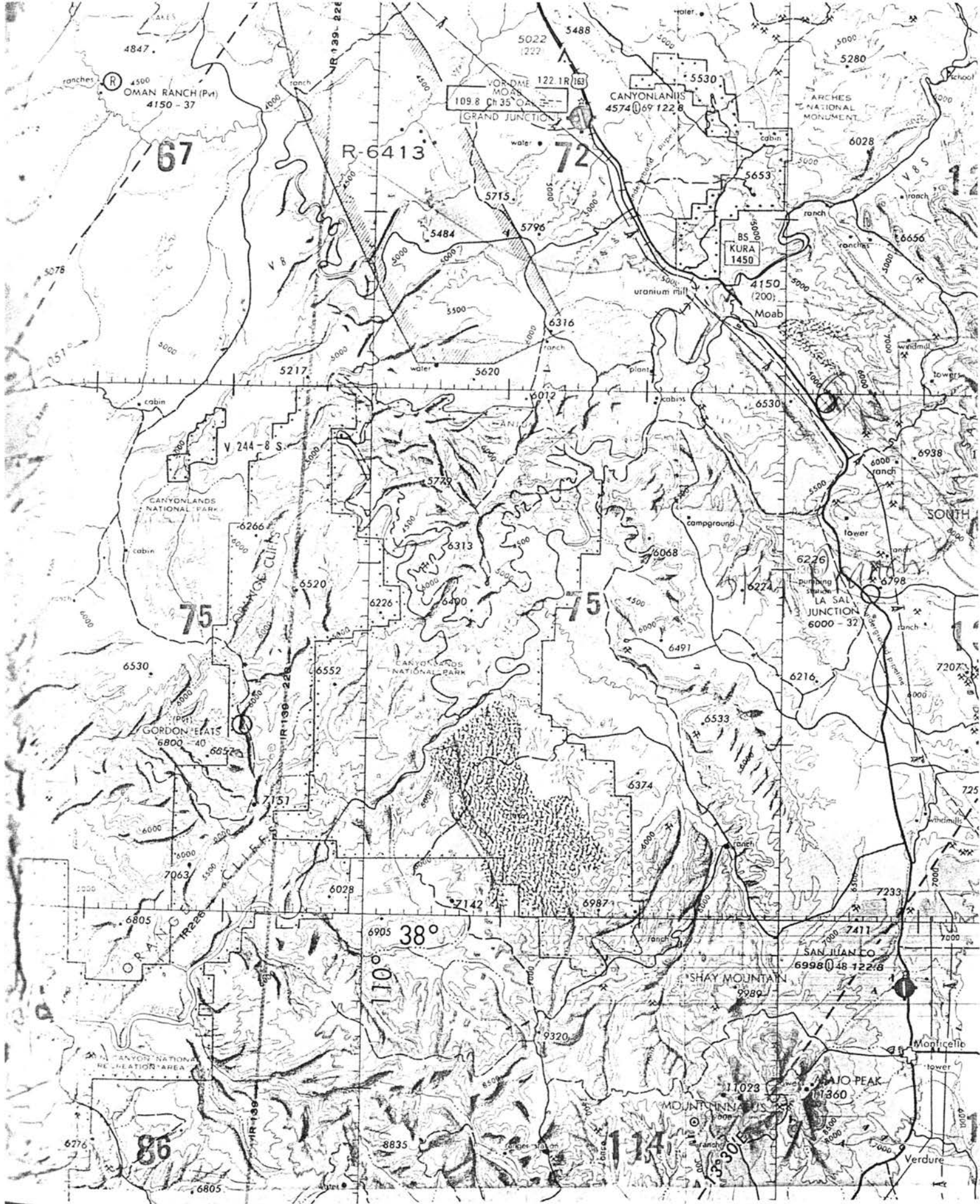
cc:

AAS-300 w/7480-1 & sketch

AWM-530 airspace case number 84-AW1-020-NRA

DEN-631:DGabbert:mm:6/19/84:WP14:A13





4847.

OMAN RANCH (Pvt)  
4150 - 37

67

R-6413

72

VOR DME 122.1R/163  
109.8 Ch 35  
GRAND JUNCTION

CANYONLANDS  
4574 0 69 122.8

5280

ARCHES NATIONAL MONUMENT

BS KURA  
1450

4150 (200)  
Moab

CANYONLANDS NATIONAL PARK

75

GORDON ETATS  
6800 - 40

CANYONLANDS NATIONAL PARK

75

LA SAL JUNCTION  
6000 - 32

SAN JUAN CO  
6998 0 48 122.8

SHAY MOUNTAIN  
9980

SAJO PEAK  
11360

86

114

Monticello

Verdure

DATE:

1/30/84REPLY  
REFER TO:DEN ADO DEN 631 David P. Gebbert

SUBJECT:

Proposed Sky Ranch Airport, moab ut-  
Private use -

TO: ANM-530

Attached is the FAA Form 7480-1 for the subject proposal. The following are our comments on this proposal:

1. Consistent With Current NASP: YES \_\_\_\_\_ NO \_\_\_\_\_ N.A. X

COMMENT Private owned

2. In Accordance with ALP: YES \_\_\_\_\_ NO \_\_\_\_\_ N.A. X

COMMENT \_\_\_\_\_

3. Apparent Potential Noise Problem: YES \_\_\_\_\_ NO X

COMMENT \_\_\_\_\_

4. Apparent Potential Conflict With Planned and/or Existing Development:

COMMENT none

5. Recommended FAR Part 77 Criteria:

Runway Identification 12/30Primary Surface Width 250'Approach Slope 20:1Horizontal Surface Radius 5000'

6. Other Recommendations and Comments: This rwy is adjacent  
to the abandoned Grand County Airport.

J. Engr  
Community Planner, DEN-ADO/ANM-610-631

Attachments:

7480-1 & Copy of Sectional-

# SPEED MEMO

631 m2

SUBJECT

84-ANM-020-NRA Proposed Spy Ranch  
Airport - Moab, UT - Private - Use

TO:

[  
Klenner ADD  
Kane Gabbert  
]

DATE OF INITIAL MESSAGE

6-6-84

SIGNATURE OF ORIGINATOR

Kathy Paul

TITLE

ROUTING SYM.

ANM-535

INITIAL MESSAGE

We have conducted an aeronautical study and have no objection to the proposal as there is no impact on the safe & efficient utilization of airspace.

It is recommended that departures be restricted to the northwest due to surrounding precipitous terrain.

REPLY MESSAGE

REL  
JUN 13 1984

FROM:

[  
ANM-535  
]

DATE OF REPLY FAA DEN:

SIGNATURE OF REPLIER

TITLE

ROUTING SYM.

631 28

# SPEED MEMO

SUBJECT: 84-ANM-020-NRA-Proposed Sky Ranch Airport,  
Moab, UT - Private Use

TO:

Denver ADD  
Dave Gahbert

DATE OF INITIAL MESSAGE

5-22-84

SIGNATURE OF ORIGINATOR

Kathy Paul

TITLE

ANM-535

ROUTING SYM.

INITIAL MESSAGE

We have conducted an aeronautical study and have no objection to the proposal. No impact on safe & efficient utilization of airspace.

REPLY MESSAGE

FROM:

ANM-535

DATE OF REPLY

SIGNATURE OF REPLIER

TITLE

ROUTING SYM.





US Department of Transportation  
Federal Aviation Administration

# NOTICE OF LANDING AREA PROPOSAL

## NAME OF PROPONENT, INDIVIDUAL OR ORGANIZATION

*Richard Tangren*  
ADDRESS (No., Street, City, State, Zip Code)  
*3114 East Charleston Blvd. Las Vegas Nev. 89104*

- ☒ Establishment or Activation  
☐ Alteration  
☐ Deactivation or Abandonment  
☐ Change of Status

- ☒ Airport ☐ Ultralight Flightpark  
☐ Heliport ☐ Seaplane Base  
☐ Other (Specify) \_\_\_\_\_

## A. Location of Landing Area

1. NEAREST CITY OR TOWN <i>Moab, Utah</i>	2. COUNTY <i>Grand</i>	3. STATE <i>Utah</i>	4. DISTANCE AND DIRECTION TO NEAREST CITY OR TOWN Miles Direction <i>2 Miles North</i>
5. NAME OF LANDING AREA <i>Sky Ranch</i>	6. LATITUDE <i>38°13'11.6"</i>	7. LONGITUDE <i>109°26'15.3"</i>	8. ELEVATION <i>5000</i>

## B. Purpose

Type Use <input type="checkbox"/> Public <input checked="" type="checkbox"/> Private <input type="checkbox"/> Personal	Type Ownership <input type="checkbox"/> Public <input checked="" type="checkbox"/> Private	If Change of Status or Alteration, Describe Change. <i>New</i>	Construction Dates To Begin/Began Est. Completion <i>ASAP 90 Days</i>
---	--	---	---

## C. Other Landing Areas

C. Other Landing Areas	Ref. A5 Above	Direction from Landing Area	Distance from Landing Area	D. Landing Area Data			Existing (If any)			Proposed		
				1. Magnetic Bearing of Runway(s) or Sealane(s)	Rwy #1	Rwy #2	Rwy #3	Rwy	Rwy	Rwy		
<i>Canyonlands</i>	<i>N 11°</i>	<i>25 mi</i>	Airport, Seaplane base, or Flightpark	Length of Runway(s) or Sealane(s) in Feet								
				Width of Runway(s) or Sealane(s) in Feet								
				Type of Runway Surface (Concrete, Asphalt, Turf, Etc.)								
				Dimensions of Landing and Takeoff Area in Feet								
			Heliport	Dimensions of Touchdown Area in Feet								
				Magnetic Direction of Ingress/Egress Routes								
				Type of Surface (Turf, rooftop, etc.)								
E. Obstructions		Direction from Landing Area	Distance from Landing Area	3. Description of Lighting (If any)		Direction of Prevailing Wind						
Type	Height Above Landing Area			All								
<i>Hills to the East</i>	<i>1000'</i>	<i>East</i>	<i>3/4 mile</i>		<i>None</i>		<i>N-S-</i>					

## F. Operational Data

1. Estimated or Actual Number Based Aircraft					
Airport, Flightpark, Seaplane base	Present (If est. indicate by letter "E")	Anticipated 5 Yrs Hence	Heliport	Present (If est. indicate by letter "E")	Anticipated 5 Yrs Hence
Multi-Engine			Under 3500 lbs. MGW		
Single-Engine			Over 3500 lbs. MGW		
Glider					

## G. Noise Considerations

Identification	Direction from Landing Area	Distance from Landing Area	2. Average Number Monthly Landings					
			Jet	Turboprop	Prop	Helicopter	Ultralight	Glider
<i>Sparsely Developed Cattle grazing + hunted - farming</i>		<i>1/2 mile</i>						
			3. Are IFR Operations Anticipated <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Within _____ Years Type Navaid: _____					
			H. Application for Airport Licensing <input type="checkbox"/> Has Been Made <input type="checkbox"/> Not Required <input type="checkbox"/> County <input type="checkbox"/> Will Be Made <input type="checkbox"/> State <input type="checkbox"/> Municipal Authority					

## I. CERTIFICATION: I hereby certify that all of the above statements made by me are true and complete to the best of my knowledge.

Name, title, (and address if different than above) of person filing this notice—  
type or print.

*Same*

Signature (In ink)

*Richard Tangren*

Date of Signature

*1-13-84*

Telephone No. (Precede with area code)

*202-457-2622*

# EXHIBIT 3

A RESIDENTIAL SUBDIVISION WITHIN THE SE1/4 SECTION 36, T 20 S, R 22 E, S14M,  
SAN JUAN COUNTY, UTAH

A FINAL MEET OF

WITHIN THE SEL/4 SECTION  
SAN JUAN COUNTY, UTAH

SURVIVORS' NARRATIVE

THE PURPOSE OF THIS TEST WAS TO IMPROVE AND FLAT THE FIRST RUNS OF THE SET BACK CHARTS FOR THE UNDER-100 CLUB THROUGH "SAND" WAS 5/16" TO ACCOMPLISH THE SAME AS BEFORE (100 FT. MIN.)

ANALYSIS WAS CONDUCTED BY THE STATE LAB. 3/15/68 TO DETERMINE HOW MUCH OF THE SAND WAS IN THE SET BACK CHARTS.

**REQUIRE:** THE READER WITH THE LABORATORY AND  
ANALYTICAL, THIS IS THE REQUISITION  
OF THE READER TO BE SENT TO WASHINGTON  
CROSSING THE READER TO WASHINGTON

LEGEND

FOUND CONCRETE BRASS CAN MINORITIES  
REPAIR WITH PLASTIC CAP SET BY  
T.S. 100-15-100

GRAPHIC SCALE:

COUNTY HEALTH DEPARTMENT  
DAY OF 1900 A.D. 2000 BY

PLANNING COMMISSION CERTIFICATE  
APPROVED THIS 20 DAY OF JULY A.D. 2003 BY

### COUNTY SURVEYORS APPROVAL

COUNTY COMMISSION APPROVAL

COUNTY RECORDER NO. 52823

APPROVAL AS TO FORM  
APPROVED AS TO FORM THIS 21<sup>ST</sup> DAY OF July

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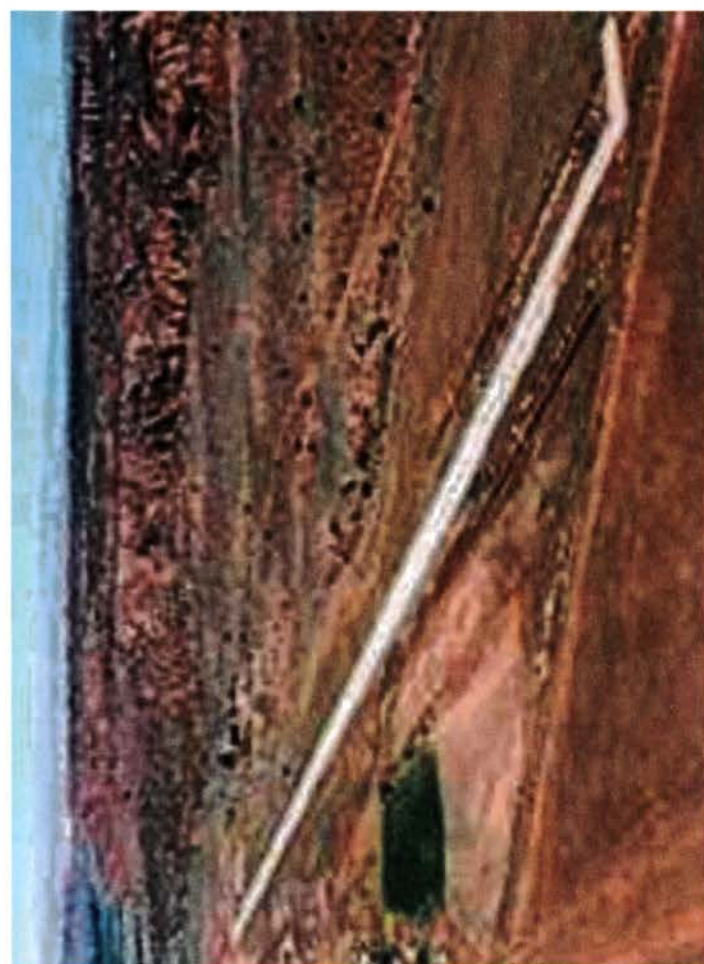
*[Signature]*

177. Thesaurus by Johnson

James E. Jones

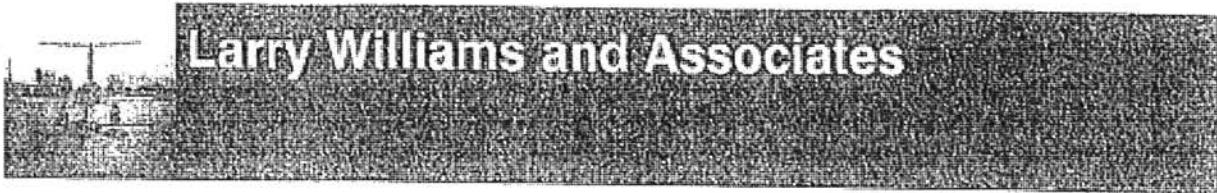
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# EXHIBIT 4



205 Citadel Drive  
Mt. Juliet, TN 37122

(615) 685-9989  
lw1964@gmail.com

October 28, 2021

Mike Bynum  
Business Resolutions, LLC  
50 West 100 South  
Moab, Utah 84532

Re: Analysis of Sky Ranch Estates Subdivision Phase II

Dear Mr. Bynum:

You have asked me to review and analyze the Sky Ranch Estates Subdivision Phase II for operational safety issues. It is my professional opinion that the Sky Ranch Subdivision can be operated in a safe and efficient manner as currently designed and approved by the San Juan County Board of Commissioners.

#### BACKGROUND

Sky Ranch Estates Subdivision Phase I is an existing subdivision of 6 Lots arranged on either side of the south end of a private airstrip. The airstrip has been in existence and registered with the FAA as a private airport since the 1980s. An Amended Plat for Phase I was recorded on May 16, 2018. The owners of Sky Ranch properly followed FAA rules by submitting a FAA Form 7480-1, Notice for Construction, Alteration, and Deactivation to the appropriate FAA Airports office as required by 14 CFR 157. The FAA subsequently issued FAA Form 5010-2 (Airport Master Record) with no objections, and published the information publicly, including its depiction on the FAA Aeronautical Charts with no objections or apparent safety concerns.

Phase II of Sky Ranch Estates includes 45 additional residential lots (Phase II Lots 1-45) arranged on either side of the airport's runway. The Phase II lots are smaller than Phase I lots, although several lots on the north side of the runway appear to be unbuildable because of existing utility easements.

The runway is 3700 feet long. The paved portion of the runway is 50 feet wide with sloping shoulders of approximately 10 feet. As in the past, only small, propeller aircraft will use the runway once the Sky Ranch Subdivision is developed. The runway has 300 feet of displaced threshold at each end. Sky Ranch has developed safety and operational rules that will govern its operation. Sky Ranch has also established proposed arrival and departure procedures.

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1. THE 250 FOOT RUNWAY EASEMENT IS SUFFICIENT FOR THE PROPOSED USE.

Phase II, like Phase I, has a 250 foot no-build easement (125 feet from either side of the centerline of the runway) for protection of the runway and to allow for safe take off and landings. Thus, no structures can be built within 125 feet of centerline of the runway. Although the proximity of houses to the runway is less than recommended by an FAA Advisory Circular (AC 150/5300-13A), it should be noted this circular is "advisory" in nature and more applicable to larger open to the public airports. A good example of this is the FAA guideline that there should be a no development zone of 500'. This guideline clearly would not apply or be appropriate for small, private airports. After a comprehensive review, no FAA rules, required inspections, or surveillance procedures could be found pertaining to private airports. Thus, public civil airports (over 5,200) and private airports (over 14,700) are not required to adhere to any of the advisory guidance in the document. However, the runway does comply with the recommendation that there be a 125 foot "Object Free Area" be maintained on either side of the runway centerline. The FAA does not approve or license airports. The FAA only issues an "Operating Certificate" for airports with scheduled or unscheduled air carrier aircraft with more than 30 seats or scheduled air carrier operation with aircraft with more than 9 seats but less than 31 seats. (14 CFR 139.1).

There are numerous examples of fly-in communities that do not comply with the Advisory Circular. For example, Spruce Creek Airport located in Port Orange, Florida has trees and buildings that are 125 feet from (or within 125') the center line of the runway. Spruce Creek has over 445 aircraft based in the subdivision and has thousands of landings and take offs every year. Ridge Landing Airport in Frostproof, Florida appears to have 125 foot building setbacks, but trees line the runway within approximately 100 feet of the centerline. Tailspin Airport in Weatherford, Texas has a grass runway with some buildings located within approximately 100 feet of the runway centerline. Duchy Airport in Melbane, North Carolina has 100 foot setbacks with trees and homes on 100 feet of either side of the runway centerline. Long Island Airport in Sherrills Ford, North Carolina is a grass strip runway with residences located within 100 feet of the centerline. Lake Riverside Estate Airport in Aguanga, California is a dirt landing strip with buildings and residences with what appear to be 125 foot setbacks. Aerial photographs of the runways for each of these fly-in communities are attached.

As stated previously, very few (if any) private runways associated with fly-in communities comply with the Advisory Circular. Therefore, the fact that Sky Ranch does not comply is not a basis upon which to deny the subdivision application or to conclude that it will be unsafe. Conversely, it is my professional opinion that Sky Ranch's 250 foot runway easement is sufficiently wide to provide safe operating parameters and is consistent with

Mike Bynum  
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many examples of similar private runways already in safe-operation within the United States.

2. THE LENGTH OF THE RUNWAY AND 300' DISPLACED THRESHOLDS ARE MORE THAN SUFFICIENT FOR SAFE OPERATIONS.

The Sky Ranch runway is 3700 feet long and will be marked with 300 foot displaced thresholds. A displaced threshold "is a threshold located at a point on the runway other than the designated beginning of the runway. Displacement of a threshold reduces the length of runway available for landings and requires the pilot to plan their touchdown at or beyond the displaced threshold marking. The portion of runway behind a displaced threshold is available for takeoffs in either direction and landings from the opposite direction."<sup>1</sup> Displaced thresholds limit landings to within 300 feet of the start of the runway to ensure that landings will not be too close to property boundaries and that aircraft will not be flying too low over any neighboring property.

Sky Ranch has included 300-foot displaced thresholds which is not required, but as an extra margin of safety for landing aircraft to avoid runway excursions. Additionally, the displaced thresholds will provide for aircraft to approach at a higher and safer altitude above adjoining properties. The displaced threshold also provides for open and obstacle free areas near the ends of the runway.

Complaints from the neighbors on the south end of the runway are overstated in my opinion. The runway has been in operation for several decades and Phase I of Sky Ranch was already approved to have lots on the south end of the runway. A copy of an aerial photograph in the 1980s shows that there are no residences near the runway when it was constructed. Mr. Spielman, the adjacent neighbor to the south, operates his own dirt strip runway and the O'Neills granted an aviation easement for the use of and the benefit of both the Spielman and Sky Ranch properties in 2003. In any event, the 300 foot displaced thresholds require that aircraft will not be landing close to the property boundaries.

Moreover, there are numerous examples of other airports that have very short displaced thresholds but yet operate in a safe manner, including the following:

1. Example 1 shows a runway at LaGuardia International Airport with the runway end less than 150 feet and the overrun less than 10 feet from a public road. This airport has over 210,000 annual operations with large airline jets with approach speeds of over 170 miles per hour.
2. Example 2 shows the runway at Washington International runway end at less than 500 feet and the overrun area less than 10 feet from a public road. This airport has

<sup>1</sup> [https://www.faa.gov/air\\_traffic/publications/atpubs/aim\\_html/chap2\\_section\\_3.html](https://www.faa.gov/air_traffic/publications/atpubs/aim_html/chap2_section_3.html)

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nearly 300,000 operations annually with large airline jets with some approach speeds over 170 miles per hour.

3. Example 3 shows the runway at Spruce Creek Airpark, Florida with buildings near the approach end of runway 6 less than 100 feet from the runway.

The length of the runway (3,700') is more than sufficient for small propeller aircraft but is not long enough for jet or larger propeller airplanes. The length of the runway, therefore, is self-limiting to the types of aircraft that will use it. Concerns about larger (and noisier) aircraft using the Sky Ranch runway are unfounded. It is my opinion that the length of the Sky Ranch runway and the displaced thresholds are more than sufficient.

**3. SKY RANCH'S SAFETY REGULATIONS AND OPERATING PROCEDURES MITIGATE POTENTIAL HAZARDS.**

The operator of Sky Ranch has published an effective arrival and departure procedure, and safe operations practices (attached) to mitigate potential hazards such as:

- a. No nighttime operations.
- b. No touch and goes.
- c. No aircraft operated by non-property owners unless approved by the Owners Association.
- d. No low passes.
- e. No aerobatic maneuvers.

This statement is included in the document: IT IS IMPERATIVE THAT ALL AIRCRAFT OPERATIONS AT DESERT SKYRANCH BE CONDUCTED IN A SAFE AND COURTEOUS MANNER. WE HAVE NEIGHBORS WHO ARE NOT PART OF SKYRANCH AND WE HAVE PROPERTY OWNERS WHO ARE NOT AIRCRAFT OPERATORS. NOISE ABATEMENT PROCEDURES SHOULD ALWAYS BE MAINTAINED.

The accident rate for general aviation aircraft has averaged, less than 5.79 per 100,000 hours flown since 2012 averages with only 872 general aviation non-commercial accidents and a rate of only 4.88 per 100,000 hours flown in 2020 as reflected in the latest Joseph T. Nall Report (example 4). These statistics are an example of the fact that it is extremely unlikely that an accident would occur at Sky Ranch. The Sky Ranch operating rules and procedures provide an additional level of safety for the subdivision.

**4. USAGE OF THE SKY RANCH RUNWAY WILL LIKELY BE MINIMAL AND THE NEIGHBORS WHO ARE COMPLAINING DO NOT HAVE A REASONABLE BASIS TO DO SO.**

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Phase II of Sky Ranch Estates includes 45 additional residential lots (Phase II Lots 1-45) arranged on either side of the airport's runway. The Phase II lots are smaller than Phase I lots, although several lots on the north side of the runway appear to be unbuildable because of existing utility easements. Based upon preliminary interest from prospective buyers, Business Resolutions, LLC (the developer) reports that it is likely that many of these smaller lots will be combined by owners who will elect to purchase more than one lot. This conclusion seems reasonable given that having a larger lot provides more optionality to maintain a residence and a hangar. Sky Ranch Phase II also includes 30 lots (Lots 46-75) that are not located adjacent to the runway. Lots 46-70 will not have the option of maintaining an aircraft on those lots but some owners of those lots will have an option to lease limited hangar space planned for the north end of the runway. Thus, it is estimated that approximately 30-40 lots from Phase II will be built with residences that can either accommodate a private aircraft or who would maintain an aircraft in the hangar space. It is assumed that each of the 6 lots from Phase I will maintain an aircraft at their residence. Comparatively speaking, Sky Ranch is a normal sized fly-in community and much smaller in comparison to some of the larger subdivisions that exist in other places in the country (like Florida and Texas). Given that many of the homes at Sky Ranch are likely to be used as vacation homes and not primary residences, it is estimated that at any given time, there would be approximately 20 to 30 active aircraft at Sky Ranch.

For comparison, there are approximately 30 private aircraft maintained at the Canyonlands Field Airport located north of Moab. Based upon an examination of refueling records at the Canyonlands airport, there were only 2 flights per day on average<sup>2</sup> from these 30 Moab based private aircraft. This number of aircraft is in the range of what might be reasonably expected at Sky Ranch. Nevertheless, assuming 30 aircraft are maintained or active at Sky Ranch at any given time, it is estimated that there would be 2 to 3 flights per day on average from the Sky Ranch. This number of flights is reasonable and is far less than the estimates given by some of the neighbors.

Furthermore, this number of flights is likely less than if the Sky Ranch property were not developed as a private fly-in subdivision but instead open to the public where the owner could permit anyone to use the runway. The owner reports receiving numerous inquiries about landing and maintaining private aircraft at the property, but so far has refused the vast majority of these requests because of its plans to develop Phase II of the Sky Ranch subdivision. If the Sky Ranch runway were opened to any private party wishing to land there and not just residents of the subdivision, the usage and impacts would likely be more substantial than impacts from the subdivision.

<sup>2</sup> Records were examined and reported by John Ramsey during a 30 day period from May 25 to June 25. Mr. Ramsey reported the maximum number of flights from the 30 Moab based aircraft was 5 flights per day, while some days there were zero flights.

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October 28, 2021  
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Also, the neighbors who submitted declarations in opposition to the Sky Ranch subdivision have no reasonable basis to complain. Spielman operates his own runway on his adjacent property. Spielman's runway, however, is a dirt strip and not registered with the FAA. As previously mentioned, the O'Neills have already consented to operation of runways on both the Spielman and Sky Ranch properties. The aviation easement granted by the O'Neills provides in part as follows:

Avigation and Hazard Easement. O'Neills hereby grant and convey to Spielman-Elkin and Richard L. Tangren, Trustee of the Tangren Family Trust, for the use and benefit of the public an easement and right-of-way pertinent to the following described real property located in San Juan County, State of Utah: . . . .

[Spielman-Elkin Tract and Tangren Tract legal descriptions]

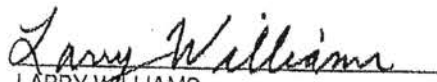
for the unobstructed use and passage of all types of aircraft (as hereinafter defined), in the vicinity of and through the airspace to an infinite height above the O'Neill Tract, hereafter known as the "Runway Protection Zone". Said easement shall be appurtenant to and for the benefit of Parcels 1-3 listed above . . . Including any additions thereto wherever located, hereafter made by SPEILMAN-ELKIN, or TANGREN, or their administrators, successors and assigns, guests, and invitees, including any and all persons operating aircraft to or from the properties."

The Tangren Tract of land described in the avigation easement is now the Sky Ranch property. Therefore, use of the Sky Ranch runway by residences of the subdivision will be fairly minimal on average and would likely be less than if the subdivision is not developed.

#### CONCLUSION

It is my professional opinion with over 34 years as an FAA Inspector and 10 years as a professional aviation safety consultant that the Sky Ranch subdivision can be safely and efficiently operated as a fly-in community as currently planned and approved.

Sincerely,

  
LARRY WILLIAMS



EXHIBITS

- A. Final Plat Map of Sky Ranch Estates-Amended Phase I
- B. Plat Maps for Sky Ranch Phase II
- C. 14 CFR 157
- D. March 13, 2003 Federal Aviation Regulation Interpretation, 14 CFR 91.119
- E. December 1, 2020 FAA Chief Counsel Opinion
- F. 2020 U.S. Civil Airmen Statistics
- G. FAA Form 5010-1 for Sky Ranch Airport and FAA Aeronautical Chart for Moab, Utah Area
- H. Sky Ranch Airport Arrival & Departure Procedure Diagram
- I. Google Earth maps of Private Airport Runways
- J. Desert Sky Ranch Safety Rules and Regulations Regarding Operation Practices
- K. Cross Easement Agreement
- L. Curriculum Vitae of Larry Williams

ADDITIONAL DOCUMENTS REVIEWED

- 1. March 22, 2021. Lyn Loyd Creswell, ALJ, San Juan County Pre-Hearing Memorandum and Order of Commissioners' 16 February 2021 action approving an application for Sky Ranch Estates Subdivision Phase II.
- 2. February 26, 2021 Letter from Clyde Snow & Sessions, PC re Appeal of Land Use Decision regarding Sky Ranch Estates Subdivision Phase II.
- 3. February 26, 2021 Declaration of Karl Spielman
- 4. February 26, 2021 Declaration of Tim O'Niell
- 5. Declaration of Covenants, Conditions, Restrictions and Easement for Desert Sky Ranch
- 6. Bylaws of Desert Sky Ranch Owners Association



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# EXHIBIT A

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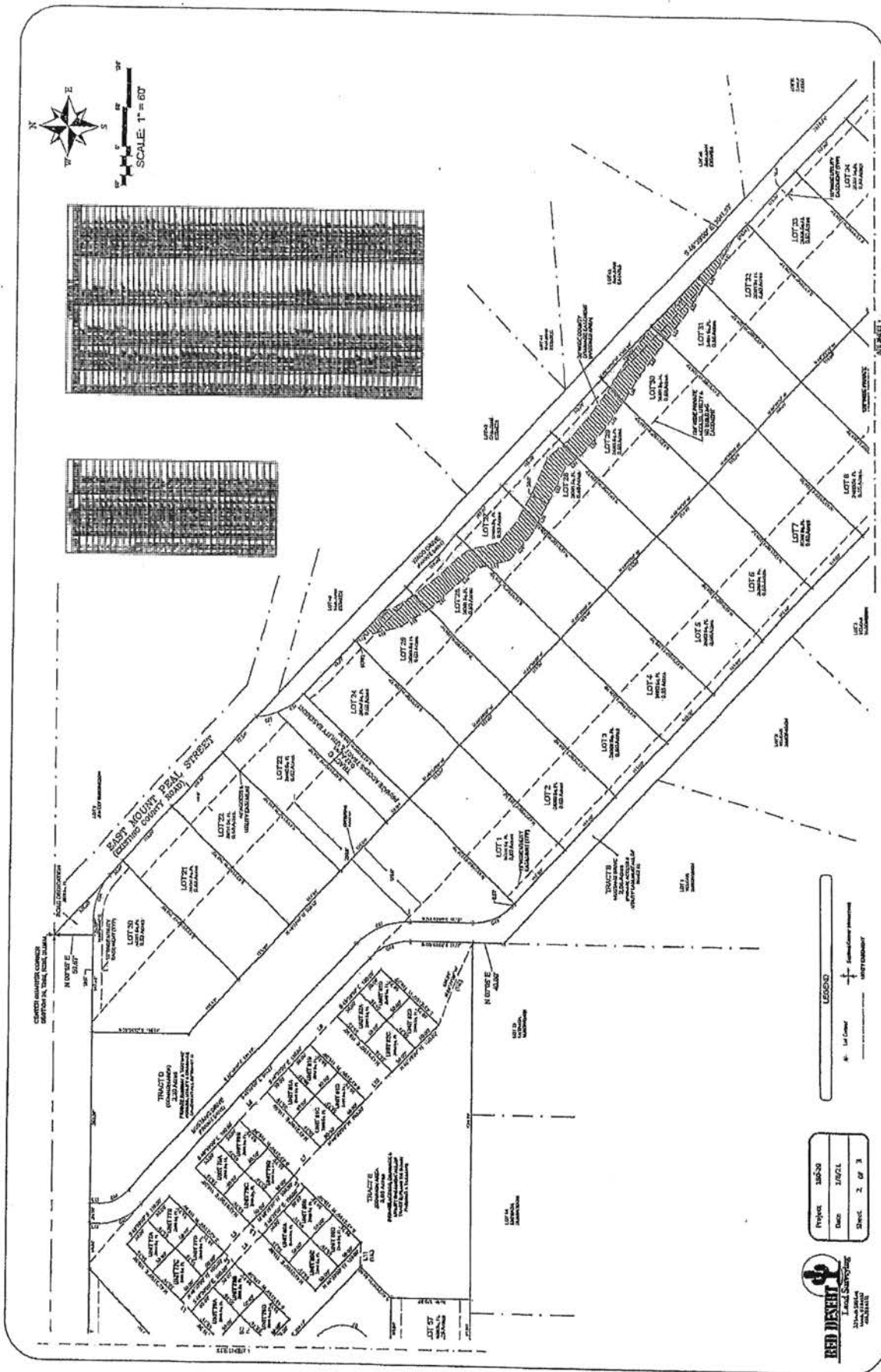
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# EXHIBIT B

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PATNOTES





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# EXHIBIT C

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## 14 CFR 157

### § 157.1 Applicability.

This part applies to persons proposing to construct, alter, activate, or deactivate a civil or joint-use (civil/military) airport or to alter the status or use of such an airport. Requirements for persons to notify the Administrator concerning certain airport activities are prescribed in this part. This part does not apply to projects involving:

- (a) An airport subject to conditions of a Federal agreement that requires an approved current airport layout plan to be on file with the Federal Aviation Administration; or
- (b) An airport at which flight operations will be conducted under visual flight rules (VFR) and which is used or intended to be used for a period of less than 30 consecutive days with no more than 10 operations per day.
- (c) The intermittent use of a site that is not an established airport, which is used or intended to be used for less than one year and at which flight operations will be conducted only under VFR. For the purposes of this part, *intermittent use of a site* means:
  - (1) The site is used or is intended to be used for no more than 3 days in any one week; and
  - (2) No more than 10 operations will be conducted in any one day at that site.

Through Part 157 of the federal aviation regulations, the government mandates that anyone establishing, altering, or permanently closing an airfield notify the government. This requirement enables the FAA to maintain a central database of airport information - useful for identifying and resolving potential airspace problems. Beyond this self-reporting system, however, the federal government does little to regulate or police private facilities. That duty is left to state transportation authorities, and each state's requirements differ.

Working from the FAA's National Flight Data Digest (NFDD, affectionately pronounced "Nifty"), mapmakers can see data on all of the country's known private airports and chart them as space allows. In remote areas, mapmakers often chart as many private fields as possible for safety's sake. Private airports make ideal emergency landing sites in inhospitable terrain.



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# EXHIBIT D

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March 13, 2003

Sara Baker  
5801 Waterford Court  
North Richland Hills, TX 76180

Re: Request for Interpretation of Federal Aviation Regulation  
(FAR) Section 91.119 (14 C.F.R. 91.119)

Dear Ms. Baker:

This is in response to your letter of January 13, 2003, for a legal interpretation of FAR 91.119 based on the following:

I live on a small private residential airport. Our airport has a homeowner's association. The homeowner's association has decreed that all incoming airplanes be required to "buzz" or overfly the runway at approximately 200 feet a.g.l. before landing to alert people on the ground that an airplane is coming in. I believe that this overflight is a direct violation of FAR 91.119.

We are aware that your request involves a private airstrip allegedly owned by the members of the Hillcrest Homeowners Association in Keller, Texas. We have been advised by the Fort Worth Flight Standards District Office (AFW-FSDO) that their office has not formally been requested to consider nor are they considering any form of operating restrictions at the Hillcrest Airport other than existing Federal Aviation Regulations (FARs). AFW-FSDO's position is that operations at all airports, including Hillcrest, must be conducted with the highest regard for safety and in full compliance with the FARs.

The United States Congress has vested the Federal Aviation Administration (FAA) with exclusive responsibility for developing plans and policy for the use of the navigable airspace and assigning by regulation or order the use of the airspace necessary to ensure the safety of aircraft and the efficient use of the airspace of the United States. 49 U.S.C. §40103. The regulation of aircraft in flight is preempted by Federal law, and limitations on aircraft flight may only be imposed by the FAA. See, City of Burbank v. Lockheed Air Terminal, 411 U.S. 624 (1973); Blue Sky Entertainment v. Town of Gardiner, 711 F.Supp. 678 (1989); U.S. v. New Haven, 496 F.2d 452 (2<sup>nd</sup> Cir. 1974); American Airlines v. Town of Hemstead, 272 F.Supp. 226 (E.D.N.Y. 1967); aff'd, 398 F.2d 369 (2<sup>nd</sup> Cir. 1968); cert. denied, 393 U.S. 1017 (1969); and Allegheny Airlines v. Village of Cedarhurst, 238 F.2d 812 (2<sup>nd</sup> Cir. 1956).

Thus, the FAA has preempted the operation of aircraft in flight and any attempt by local or state authorities, or any other organization, to implement flight restrictions on aircraft in an area preempted by

preempted regulation of the altitude at which aircraft may operate.  
See FAR Section 91.119 (14 C.F.R. §91.119).

Enforcement actions taken on the basis of a violation of FAR Section 91.119, as with any FAR, are made on a case-by-case determination of the facts in each instance and case precedent as issued through decisions of the National Transportation Safety Board (NTSB). Whether a particular operation complies with applicable FARs, including such an operation that the above operating restriction as the Homeowners Association envisions, will vary under any given set of factual circumstances and thus no more specific opinion can be issued. You may research NTSB decisions regarding FAR Section 91.119, and other FARs, by accessing the NTSB website at: <http://www.nts.gov>. Click on "Opinions and Orders" under the Data and Information Products menu on the right hand of the screen.

Sincerely,

Lynette Word  
Regional Counsel  
Southwest Region

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# EXHIBIT E

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U.S. Department  
of Transportation  
Federal Aviation  
Administration

Office of the Chief Counsel

800 Independence Ave., S.W.  
Washington, D.C. 20591

December 1, 2020

Kathleen A. Yodice, Esq.  
Yodice Associates  
12505 Park Potomac Avenue  
Sixth Floor  
Potomac, MD 20854

RE: State of Florida Regulation of Air Traffic Patterns and Aviation Safety

Dear Ms. Yodice:

Thank you for your letter requesting a legal interpretation concerning a Florida state law regarding airport licensing requirements. You advise that you represent an airport landing site owner who has applied for public airport site approval under Chapter 14-60 of the Florida Administrative Code, *Airport Licensing, Registration, and Airspace Protection Airport Site Approval*, and that the State's application of that law to your client raises preemption issues.

We understand that the land for the heliport (X44), an existing seaplane facility on Watson Island in Miami, is owned by the City of Miami, leased to your client, and that the City supports the establishment of the heliport. You suggest that application of the Florida Administrative Code, Rule 14-60.005, *Airport Site Approval*, unlawfully regulates air traffic patterns and is thus preempted by Federal statutory and regulatory law. You note that the Federal Aviation Administration (FAA) has issued a Notice of Airport Airspace Analysis Determination under 14 CFR part 157 finding no safety or airspace objection to the proposed heliport.

You state that the Florida Department of Transportation (FDOT) has refused to accept the FAA's safety determination as sufficient to meet the state's requirement that applicants demonstrate "that safe air traffic patterns can be established for the proposed airport with all existing and approved airport sites within three miles of the proposed airport site." Fla. Admin. Code R. 14-60.005(5)(j).

You advise that in discussions with FDOT concerning Rule 14-60.005(5)(j), that office asserted that a signed memorandum from each airport owner or operator is required in order to "deconflict" the airspace between the airport sites. You argue that the State lacks the authority to regulate air traffic and mention that FDOT does not provide any enforcement mechanism or remedy should a nearby airport refuse to execute an agreement or should the State refuse to accept such an agreement.

You state that in accordance with the provisions of State law detailed above, to acquire a state license your client must obtain and submit to FDOT written and signed documentation from approximately 12 aircraft landing sites that are within three miles of your client's proposed airport site. Fla. Admin. Code R. 14-60.005(5)(j). You indicate that most of these airports are uncontrolled and thus are only able to document the posted traffic patterns. Otherwise, you state that the traffic

representing the proposed airport and any existing airport(s) or approved airport site(s) located within three miles of the proposed site.

Fla. Admin. Code R. 14-60.005(5)(j).

#### The Federal Statutory and Regulatory Framework

By statute, the FAA has authority to regulate for safety; the efficient use of the airspace; protection of people and property on the ground; air traffic control; navigational facilities; and the regulation of aircraft noise at its source. 49 U.S.C. §§ 40103, 44502, and 44701-44735. Congress has directed the FAA to "develop plans and policy for the use of the navigable airspace and assign by regulation or order the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace." 49 U.S.C. § 40103(b)(1). Congress has further directed the FAA to "prescribe air traffic regulations on the flight of aircraft (including regulations on safe altitudes)" for navigating, protecting, and identifying aircraft; protecting individuals and property on the ground; using the navigable airspace efficiently; and preventing collision between aircraft, between aircraft and land or water vehicles, and between aircraft and airborne objects. 49 U.S.C. § 40103(b)(2). Since 1926, Federal law has provided that a citizen of the United States has a public right of transit through the navigable airspace. 49 U.S.C. § 40103(a)(2).

In furtherance of these statutory commands, the FAA has established a comprehensive regulatory scheme, governing, among other things, the certification of aircraft, airports, pilots and mechanics; aircraft equipage; air traffic control systems; aviation navigation and communication; airspace classifications, and more. See generally 14 CFR parts 21-193. Part 91, "General Operating and Flight Rules," sets forth extensive requirements concerning, among other things, aircraft operations and the regulation of airport traffic patterns. See, e.g., 14 CFR §§ 91.130(b); 93.119, 93.163, and 93.339(c) and (d).

Federal courts have upheld the Government's preemption of aircraft flight, including flight altitude and airport traffic patterns. See, generally, *Burbank v. Lockheed Air Terminal Inc.*, 411 U.S. 624 (1973). "Common sense, of course, required that exclusive control of airspace allocation be concentrated at the national level, and communities were therefore preempted from attempting to regulate planes in flight." *British Airways Board v. Port Authority of New York and New Jersey*, 564 F.2d 1002, 1010 (2d Cir. 1977).

Under 14 CFR part 157, *Notice of Construction, Alteration, Activation, and Deactivation of Airports*, persons proposing to construct, alter, activate, or deactivate a civil airport (including heliports) or to alter the status or use of such an airport must provide notice to the FAA using Form 7480-1. The FAA then conducts an aeronautical study of an airport proposal and, after consultations with interested persons, issues a determination to the proponent ("no objection," "conditional," or "objectionable"). In its determination, the FAA considers matters such as the effects the proposed action would have on existing or contemplated traffic patterns of neighboring airports; the effects the proposed action would have on the existing airspace structure and projected programs of the FAA; and the effects that existing or proposed manmade objects (on file with the FAA) and natural objects within the affected area would have on the airport proposal. 14 CFR § 157.7(a). The purpose of an aeronautical study is to determine what effect the proposal may have on "... the safe and efficient utilization of the navigable airspace by aircraft, and the safety of persons and property on the ground." FAA Order JO 7400.2M, *Procedures for Handling Airspace Matters* (Jan. 28, 2019), ¶ 10-2-1(a). A complete study consists of "... an airspace analysis, a flight safety review, and a review of

the proposal's potential effect on air traffic control operations and air navigation facilities." ¶ 10-2-1(b).

While part 157 determinations consider the effects of the proposed action on the safe and efficient use of airspace by aircraft and the protection of persons and property on the ground, they "do[] not relieve the proponent of responsibility for compliance with any local law, ordinance or regulation, or state or other Federal regulation." 14 CFR § 157.7(a).

### Analysis

The State's application of Rule 14-60.005 attempts to regulate the areas of aircraft safety, flight management, the protection of persons and property on the ground, and the efficiency of the navigable airspace. By conditioning approval of the proposed helicopter landing site on

compli[ance] with all the requirements of Section 330.30, F.S., subject to any reasonable conditions necessary to protect the public health, safety, or welfare [such as] ... operations limited to VFR flight conditions, restricted approach or takeoff direction from only one end of a runway, [and] specified air-traffic pattern layouts to help prevent mid-air collision conflict with aircraft flying at another nearby airport ... (Rule 14-60.005(4)),

the Rule, through § 330.30, intrudes into an area fully occupied by the Federal Government, and therefore is preempted. 49 U.S.C. §§ 40103(a)(2), (b)(1) and (2); *Burbank*, 411 U.S. at 638-639; *Montalvo v. Spirit Airlines*, 508 F.3d 464, 473-474 (9th Cir. 2007) ("...federal law occupies the entire field of aviation safety. Congress' intent to displace state law is implicit in the pervasiveness of the federal regulations, the dominance of the federal interest in this area, and the legislative goal of establishing a single, uniform system of control over air safety."). The FAA's regulations in the areas of aviation safety and airspace efficiency are comprehensive. See, e.g., 14 CFR §§ 91.130(b); 93.119, 93.163, and 93.339(c) and (d).

Under these principles, the State lacks the authority to regulate the safety of air traffic patterns, including whether traffic patterns between two nearby airports conflict; whether an airport can be used under instrument meteorological conditions; and runway operational usage. For example, in *Piolo v. City of Clearwater*, 711 F.2d 1006, 1008 (11th Cir. 1983), *reh'g denied*, 720 F.2d 688 (11th Cir. 1983), the court held that local ordinances prohibiting night operations and proscribing air traffic patterns were federally preempted and therefore violated the Supremacy Clause. U.S. Const. art. VI, cl. 2. In *Hoagland v. Town of Clear Lake*, 415 F.3d 693, 698 (7th Cir. 2005), a case involving the operation of a heliport on private property, the court noted, "[i]t would be unmanageable—say nothing of terrifying—to have local control of flight routes or of flight times. Such things require nationwide coordination." See also *Menard v. FAA*, 548 F.3d 353, 359-60 (5th Cir. 2008) ("[t]he FAA submits that ... it has authority to establish non-standard traffic patterns, assign specific traffic pattern altitudes, or develop special operating procedures to mitigate potential airspace conflicts ... We agree ... Above all, adjusting air traffic patterns is part of the FAA's mandate. See *id.* § 40103(b)(1).").

Rule 14-60.005 requires that the applicant provide: (1) for proposed airport or seaplane landing facilities, a "list [of] all VFR airports and heliports within five nautical miles and all IFR airports within 20 nautical miles, or (2) for proposed heliports, a "list [of] all VFR airports and heliports within three nautical miles and all IFR airports within 10 nautical miles." Fla. Admin. Code R. 14-60.005(5)(e)(1)(2). The State also requires applicants to submit



written confirmation, including a graphical depiction, demonstrating that safe air traffic patterns can be established for the proposed airport with all existing and approved airport sites within three miles of the proposed airport site [and provide] a copy of written memorandum(s) of understanding or letter(s) of agreement, signed by each respective party, regarding air traffic pattern separation procedures between the parties representing the proposed airport and any existing airport(s) or approved airport site(s) located within three miles of the proposed site.

Fla. Admin. Code R. 14-60.005(5)(j).

Utilizing this air safety and airspace information to make determinations concerning the effects of the proposed landing facility or heliport on the safety of "all existing and approved airport sites" in the vicinity of the proposed site is beyond the scope of the State's authority.

Moreover, the State's assertion that its police power authority over "public health, safety, or welfare" would authorize it to determine whether to limit airport "operations ... to VFR flight conditions, restricted approach or takeoff direction from only one end of a runway, [and] specified air-traffic pattern layouts to help prevent mid-air collision conflict with aircraft flying at another nearby airport" (Rule 14-60.005(4)) is without merit. State police power authority (including land use) does not permit regulation of aircraft safety, flight management, the protection of persons and property on the ground, or the efficiency of the navigable airspace. In *Burbank*, 411 U.S. at 638-639, the court held that Federal control over the management of airspace prevented the non-proprietor City of Burbank from exercising police power authority over aircraft operations. Noting that the "the Federal Aviation Act requires a delicate balance between safety and efficiency, and the protection of persons on the ground ... The interdependence of these factors requires a uniform and exclusive system of federal regulation if the congressional objectives underlying the Federal Aviation Act are to be fulfilled," the court reasoned that the "pervasive control" vested in the Federal Government "seems to us to leave no room for local curfews or other local controls." See also *San Diego Unified Port District v. Gianturco*, 651 F.2d 1306 (9th Cir. 1981), cert. denied, 455 U.S. 1000 (1982) (non-proprietor, police power curfews on aircraft flights preempted). State and local governments may protect their citizens through land use controls and other police power measures not affecting aircraft operations.

If you have any questions, please do not hesitate to contact Jonathan Cross, Senior Attorney for Airport Certification, Regulations Division, at (202) 267-7173.

Sincerely,

Lorelei Peter  
Assistant Chief Counsel for Regulations



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# EXHIBIT F

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## U.S. Civil Airmen Statistics, 2020

The U.S. Civil Airmen Statistics is an annual study published to meet the demands of FAA, other government agencies, and the industry. It contains detailed airmen statistics not published in other FAA reports.

Statistics about airmen, both pilot and nonpilot, are obtained from the official airmen certification records maintained at FAA's Aeronautical Center, Oklahoma City, Oklahoma.

The term "airmen" in this report includes men and women certified as pilots, mechanics or other aviation technicians. An active airman is one who holds both an airmen certificate and a valid medical certificate. Airmen who must have a valid medical to exercise the privileges of their certificate are all airplane pilots, rotorcraft pilots, flight navigators, and flight engineers. Glider pilots are not required to have a medical examination.

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TABLE 1  
ESTIMATED ACTIVE AIRMEN CERTIFICATES HELD  
as of DECEMBER 31

CATEGORY	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Pilot--Total	691,691	664,665	633,317	609,306	584,362	590,039	593,499	599,086	610,576	617,128
Student 1/	222,629	197,665	167,804	149,121	128,501	122,729	120,546	120,285	119,946	118,667
Recreational (only)	105	127	144	153	175	190	220	238	218	227
Sport (only)	6,643	6,467	6,246	6,097	5,889	5,482	5,157	4,824	4,493	4,066
Airplane 2/										
Private	160,860	161,105	163,695	162,455	162,313	170,718	174,883	180,214	188,001	194,441
Commercial	103,879	100,863	99,880	98,161	98,081	101,164	104,322	108,206	116,400	120,865
Airline Transport	164,193	164,947	162,145	159,825	157,894	154,730	152,933	149,824	145,590	142,511
Rotorcraft (only) 3/	13,629	14,248	15,033	15,355	15,518	15,566	15,511	15,114	15,126	15,220
Glider (only) 4,5/	19,753	19,143	18,370	18,139	17,991	19,460	19,927	20,381	20,802	21,141
Pilot Total w/o Student Category 1/	469,062	466,900	465,513	460,185	455,861	467,310	472,953	478,801	480,630	498,471
Flight Instructor Certificates 6/	117,558	113,445	108,584	106,692	104,382	102,628	100,993	98,842	98,328	97,409
Instrument Ratings 6,7/	316,651	314,168	311,017	306,652	302,572	304,329	306,086	307,120	311,952	314,122
Remote Pilots 9/	206,322	160,302	106,321	69,166	20,362	N/Ap	N/Ap	N/Ap	N/Ap	N/Ap
Non Pilot--Total 8/	724,307	714,201	688,002	671,222	652,943	728,329	717,399	707,155	701,291	695,515
Mechanics 8/	306,301	301,087	292,002	286,268	279,435	342,628	341,409	338,844	337,775	335,431
Repairmen 8/	36,741	36,294	35,382	35,040	34,411	39,363	39,566	39,952	40,444	40,802
Parachute Rigger 8/	7,014	6,800	6,430	6,192	5,851	5,846	5,702	5,491	5,474	5,491
Ground Instructor 8/	71,991	69,991	67,784	66,423	65,053	70,957	71,755	72,493	73,599	74,586
Dispatcher 8/	23,286	22,598	21,465	20,664	19,768	23,754	23,113	22,401	21,862	21,363
Flight Navigator	36	40	58	64	67	102	115	126	141	146
Flight Attendant	248,742	245,699	231,355	222,037	212,607	200,319	188,936	179,531	172,357	167,037
Flight Engineer	30,196	31,692	33,526	34,534	35,761	42,460	43,803	45,317	46,639	47,659

Note: The term airmen includes men and women certified as pilots, mechanics or other aviation technicians.

1/ In July 2010, the FAA issued a rule that increased the duration of validity for student pilot certificates for pilots under the age of 40 from 36 to 60 months. This resulted in the increase in active student pilots to 119,119 from 72,280 at the end of 2009.

Starting with April 2018, there is no expiration date on the new student pilot certificates, which generates a cumulative increase in the numbers.

2/ Includes pilots with an airplane only certificate. Also includes those with an airplane and a helicopter and/or glider certificate. Prior to 1995, these pilots were categorized as private, commercial, or airline transport, based on their airplane certificate. In 1995 and after, they are categorized based on their highest certificate. For example, if a pilot holds a private airplane certificate and a commercial helicopter certificate, prior 1995, the pilot would be categorized as private; 1995 and after as commercial.

3/ See table 7 for the total number of pilots with a helicopter certificate.

4/ See table 8 for the total number of pilots with a glider certificate.

5/ Glider pilots are not required to have a medical examination. Beginning with 2002, glider pilots with another rating but no current medical are counted as "Glider (only)."

6/ Not included in total.

7/ Special ratings shown on pilot certificates, do not indicate additional certificates.

8/ Historically, numbers represented all certificates on record. No medical examination required. In 2016, Federal Regulation required that airmen without a plastic certificate no longer considered active. Therefore, starting with 2016, those airmen with a paper certificate only were excluded. Data for 1998 and 1997 are limited to certificates held by those under 70 years of age.

9/ Remote pilot certification started in August 2016. These numbers are not included in the pilot totals.

N/Ap Not applicable.

TABLE 2  
ESTIMATED ACTIVE WOMEN AIRMEN CERTIFICATES HELD  
as of DECEMBER 31

CATEGORY	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Pilot--Total	58,541	52,740	46,463	42,694	39,187	39,287	39,322	39,621	40,621	41,316
Student 1/	31,687	27,255	22,266	19,219	15,971	14,580	14,369	14,405	14,643	14,683
Recreational (only)	6	7	10	14	15	16	16	17	16	18
Sport	259	254	240	229	223	211	192	174	152	135
Private 2/	11,316	10,683	10,255	9,971	10,009	11,339	11,652	11,909	12,456	12,927
Commercial 2/	7,724	7,038	6,556	6,267	6,081	6,587	6,685	6,911	7,536	7,956
Airline Transport 2/	7,549	7,503	7,138	6,994	6,888	6,654	6,408	6,205	6,818	6,597
Pilot Total w/o Student Category 1/	26,854	25,486	24,197	23,476	23,216	24,707	24,953	25,216	25,978	26,633
Flight Instructor Certificates 4/	8,592	7,967	7,335	7,105	6,843	6,669	6,521	6,386	6,371	6,350
Remote Pilots 6/	14,882	10,818	6,188	3,462	793	N/Ap	N/Ap	N/Ap	N/Ap	N/Ap
Non Pilot--Total	218,964	215,905	203,725	195,993	187,914	183,259	174,000	166,294	160,452	155,918
Mechanic 5/	7,660	7,573	7,133	6,855	6,536	8,419	8,151	7,917	7,729	7,487
Repairmen 5/	1,995	1,996	1,868	1,847	1,822	2,289	2,278	2,286	2,307	2,278
Parachute Rigger 5/	711	681	631	597	540	811	783	712	697	683
Ground Instructor 5/	5,603	5,340	5,085	4,924	4,772	5,907	5,888	5,869	5,853	5,880
Dispatcher 5/	4,586	4,389	4,086	3,867	3,615	4,503	4,326	4,115	3,930	3,744
Flight Navigator	0	0	0	0	1	1	1	1	1	1
Flight Attendant	196,902	194,578	183,519	176,471	169,170	159,703	150,941	143,701	138,223	134,114
Flight Engineer	1,307	1,348	1,403	1,432	1,458	1,626	1,651	1,691	1,712	1,731

Note: The term airmen includes men and women certified as pilots, mechanics or other aviation technicians. This table (Table 2) represents data for females only. Data in the Pilot Categories does not directly correspond to the same category in Table 1 as glider and/or helicopter and/or gyroplane certs are not broken out separately. Data in the Non Pilot Categories as well as Flight Instructor Certificates does directly correspond to the same category in Table 1.

1/ In July 2010, the FAA issued a rule that increased the duration of validity for student pilot certificates for pilots under the age of 40 from 36 to 60 months. This resulted in the increase in active student pilots to 14,767 from 8,450 at the end of 2009.

Starting with April 2016, there is no expiration date on the new student pilot certificates, which generates a cumulative increase in the numbers.

2/ Includes those with an airplane and/or a helicopter and/or glider and/or a gyroplane certificate.

3/ Glider and lighter-than-air pilots are not required to have a medical examination.

4/ Not included in total.

5/ Historically, numbers represented all certificates on record. No medical examination required. In 2016, Federal Regulation required that airmen without a plastic certificate no longer considered active. Therefore, starting with 2016, those airmen with a paper certificate only were excluded.

6/ Remote pilot certification started in August 2016. These numbers are not included in the pilot totals.

N/Ap Not applicable.

TABLE 3  
ESTIMATED ACTIVE PILOT CERTIFICATES HELD  
BY CLASS OF CERTIFICATE AND BY FAA REGION  
December 31, 2020

CLASS OF CERTIFICATE	Total 1/	Alaskan	Central	Eastern	Great Lakes	Northwest Mountain	Southern	South-west	Western-Pacific	Outside U.S. /2
Total--All Pilots	691,691	8,795	49,866	113,703	93,313	78,586	113,089	91,669	103,583	39,087
Student	222,629	2,239	16,079	38,456	29,104	23,683	36,931	30,715	33,235	12,187
Recreational Airplane (only)	105	0	13	38	27	9	6	7	6	1
Sport (only)	6,643	67	694	1,110	1,505	746	999	768	830	34
Airplane 3/										
Private --Total	160,860	2,507	13,040	27,268	25,488	18,724	22,508	20,822	25,087	5,426
Private Airplane (only)	154,809	2,454	12,591	26,267	24,629	17,933	21,799	19,860	24,035	5,251
Private Airplane, Private Glider	2,044	18	111	398	248	277	274	233	435	62
Private Airplane, Private Gyroplane	37	0	5	1	6	4	6	9	6	0
Private Airplane, Private Helicopter	1,982	30	135	308	221	280	297	244	393	74
Private Airplane, Private Glider, Private Helicopter	65	0	3	11	3	9	8	5	17	9
Private Glider	2	0	0	1	0	0	0	0	1	0
Private Airplane-Other	1,921	7	195	282	381	221	124	471	200	40
Commercial--Total	103,879	1,496	6,688	14,598	12,750	10,827	16,575	13,070	16,161	11,714
Commercial Airplane (only)	84,386	1,241	5,150	11,106	10,472	8,462	13,525	10,449	12,754	11,227
Commercial Airplane, Private Glider	959	21	63	171	119	146	112	122	187	19
Commercial Airplane, Commercial Glider	1,744	25	119	324	250	255	224	192	334	21
Commercial Airplane, Commercial Gyroplane, Commercial Glider	5	0	0	1	2	1	0	1	0	0
Commercial Airplane, Private Helicopter	840	19	60	153	91	103	131	94	143	46
Commercial Airplane, Commercial Glider, Private Helicopter	54	0	1	16	5	8	8	7	8	1
Commercial Airplane, Commercial Helicopter	7,508	111	523	1,480	667	739	1,433	1,018	1,344	193
Commercial Airplane, Private Glider, Commercial Helicopter	102	2	5	11	18	12	26	7	19	2
Commercial Airplane, Commercial Glider, Commercial Helicopter	243	6	18	48	31	31	39	24	43	4
Commercial Airplane, Commercial Helicopter, Commercial Gyroplane	26	0	3	2	2	2	8	6	2	1
Commercial Airplane, Commercial Gyroplane	15	1	3	2	0	0	3	5	1	0
Commercial Airplane, Commercial Gyroplane, Commercial Helicopter, Commercial Glider	16	0	4	1	1	1	4	1	4	0
Commercial Helicopter, Private Airplane, Commercial Glider	16	0	2	4	1	1	3	3	2	0
Commercial Helicopter, Private Airplane	3,593	52	299	518	368	645	631	479	642	59
Commercial Glider, Private Airplane	375	3	21	96	59	55	37	33	69	2
Commercial-other	3,997	16	417	665	664	467	391	629	609	139
Airline Transport --Total	164,193	2,180	11,627	26,470	21,391	19,751	31,583	22,504	21,795	6,892
Airline Transport Airplane (only)	159,426	2,093	11,374	25,470	21,048	19,272	30,613	21,675	21,151	6,730
Airline Transport Airplane, Airline Transport Helicopter	2,339	60	129	498	184	225	504	354	320	75
Airline Transport Airplane-other	2,428	37	124	502	159	254	466	475	324	87

TABLE 3  
ESTIMATED ACTIVE PILOT CERTIFICATES HELD  
BY CLASS OF CERTIFICATE AND BY FAA REGION  
December 31, 2020

CLASS OF CERTIFICATE	Total 1/	Alaskan	Central	Eastern	Great Lakes	Northwest Mountain	Southern	South-west	Western-Pacific	Outside U.S. 2/
Rotorcraft (only) 4/ --Total	13,629	167	808	1,802	979	2,208	1,928	1,632	2,370	1,735
Private Gyroplane	14	0	1	1	3	2	3	3	1	0
Private Helicopter	2,807	34	118	418	242	618	295	268	547	367
Commercial Helicopter	9,025	118	621	1,110	643	1,493	1,380	1,058	1,638	966
Commercial Helicopter, Private Glider	2	0	0	0	0	0	2	0	0	0
Commercial Gyroplane	3	0	0	0	0	1	1	0	1	0
Commercial Helicopter, Commercial Glider	2	0	0	0	0	1	1	0	0	0
Commercial Helicopter, Commercial Gyroplane	8	0	2	0	2	1	2	0	0	1
Airline Transport Helicopter	1,753	16	65	271	88	190	241	301	181	400
Recreational Gyroplane	0	0	0	0	0	0	0	0	0	0
Recreational Helicopter	2	0	0	1	0	1	0	0	0	0
Rotorcraft-other	13	1	1	1	1	1	3	2	2	1
Glider (only) 5,6/ --Total	19,753	149	1,017	3,973	2,069	2,638	2,559	2,151	4,099	1,098
Private Glider	11,007	55	564	2,249	1,176	1,411	1,243	1,101	2,368	840
Commercial Glider	4,672	32	196	1,015	520	626	596	501	936	150
Air Transport (other)	4,174	62	257	709	373	601	720	549	795	108
Flight Instructor Certificates 7/	117,558	1,511	8,572	19,507	17,013	14,768	20,180	15,209	17,578	3,220
Instrument Ratings 7,8/	316,651	3,987	22,004	49,792	40,905	35,874	55,249	41,725	45,421	20,694
Remote Pilot Certificates 7/	206,322	1,442	16,107	43,192	30,784	24,004	29,904	28,897	30,294	1,698

1/ Includes Outside U.S. total.

2/ Outside U.S. includes airmen certified by the FAA, who live outside the 50 states and other U.S. areas, territories, and affiliates. Also includes those with unidentifiable address.

3/ Includes pilots with an airplane only certificate. Also includes those with an airplane and a helicopter and/or glider certificate.

Prior to 1995, these pilots were categorized as private, commercial, or airline transport, based on their airplane certificate.

In 1995 and after, they are categorized based on their highest certificate. For example, if a pilot holds a private certificate and a commercial helicopter certificate, prior 1995, the pilot would be categorized as private; 1995 and after as commercial.

4/ See table 7 for the total number of pilots with a helicopter certificate.

5/ See table 8 for the total number of pilots with a glider certificate.

6/ Glider pilots are not required to have a medical examination. Beginning with 2002, glider pilots with another rating but no current medical are counted as "Glider (only)".

7/ Not included in total.

8/ Special ratings shown on pilot certificates, do not indicate additional certificates.

TABLE 4  
ESTIMATED ACTIVE PILOT CERTIFICATES HELD  
BY CLASS OF CERTIFICATE  
as of DECEMBER 31

CLASS OF CERTIFICATE	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Total--All Pilots	691,691	664,666	633,317	609,306	584,362	590,039	593,499	599,086	610,576	617,128
Student --Total 1/	222,629	197,666	167,804	149,121	128,501	122,729	120,546	120,265	119,946	118,657
Recreational Airplane (only)	106	127	144	153	175	190	220	238	218	227
Sport (only)	6,643	6,467	6,246	6,097	5,889	5,482	5,157	4,824	4,493	4,066
Airplane 2/										
Private --Total	160,860	161,105	163,695	162,455	162,313	170,718	174,883	180,214	188,001	194,441
Private Airplane (only)	154,809	154,972	157,396	156,173	156,058	162,969	167,018	172,195	179,738	186,005
Private Airplane, Private Glider	2,044	2,154	2,254	2,267	2,245	2,328	2,403	2,486	2,586	2,712
Private Airplane, Private Gyroplane	37	40	37	36	33	32	32	32	27	35
Private Airplane, Private Helicopter	1,982	1,998	2,111	2,100	2,128	2,216	2,207	2,237	2,310	2,332
Private Airplane, Private Glider, Private Helicopter	65	69	76	74	70	72	75	76	84	78
Private Airplane-other	1,923	1,872	1,821	1,805	1,779	3,101	3,148	3,188	3,266	3,279
Commercial--Total	103,879	100,863	99,880	98,161	96,081	101,164	104,322	108,206	116,400	120,865
Commercial Airplane (only)	84,386	80,975	79,538	77,993	76,448	79,957	82,703	85,771	93,180	97,167
Commercial Airplane, Private Glider	959	970	1,012	1,020	1,016	1,092	1,139	1,175	1,242	1,302
Commercial Airplane, Commercial Glider	1,744	1,810	1,859	1,872	1,785	1,907	1,964	2,134	2,245	2,324
Commercial Airplane, Commercial Gyroplane, Commercial Glider	5	4	6	7	5	8	7	7	8	7
Commercial Airplane, Private Helicopter	840	834	817	794	804	789	809	837	840	836
Commercial Airplane, Commercial Glider, Private Helicopter	54	45	43	46	46	63	62	64	62	56
Commercial Airplane, Commercial Helicopter	7,508	7,802	8,007	7,856	7,586	7,800	7,794	8,112	8,443	8,648
Commercial Airplane, Private Glider, Commercial Helicopter	102	102	102	111	100	106	108	108	116	112
Commercial Airplane, Commercial Glider, Commercial Helicopter	243	241	251	257	250	269	279	281	298	309
Commercial Airplane, Commercial Helicopter, Commercial Gyroplane	26	26	26	32	22	23	30	30	37	35
Commercial Airplane, Commercial Gyroplane	15	15	14	14	14	14	13	11	10	12
Commercial Airplane, Commercial Gyroplane, Commercial Helicopter, Commercial Glider	16	16	18	18	17	16	16	13	16	16
Commercial Helicopter, Private Airplane, Commercial Glider	16	14	19	18	16	17	16	17	20	21
Commercial Glider, Private Airplane	375	388	413	404	381	395	391	394	422	429
Commercial Helicopter, Private Airplane	3,593	3,689	3,650	3,842	3,765	3,816	3,909	3,999	4,062	4,083
Commercial-other	3,997	3,933	3,906	3,877	3,828	4,912	5,092	5,253	5,399	5,518
Airline Transport --Total	164,193	164,947	162,145	159,825	157,894	164,730	162,933	149,824	145,590	142,511
Airline Transport Airplane (only)	159,426	160,117	157,270	154,942	153,024	149,957	148,156	145,128	140,958	137,967
Airline Transport Airplane, Airline Transport Helicopter	2,339	2,383	2,360	2,339	2,324	2,322	2,379	2,367	2,403	2,391
Airline Transport Airplane-other	2,428	2,447	2,515	2,544	2,546	2,451	2,398	2,329	2,229	2,153



TABLE 4  
ESTIMATED ACTIVE PILOT CERTIFICATES HELD  
BY CLASS OF CERTIFICATE  
as of DECEMBER 31

CLASS OF CERTIFICATE	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Rotorcraft (only) 3/--Total	13,629	14,248	15,033	15,355	15,518	15,566	15,511	15,114	15,126	15,220
Private Gyroplane	14	18	17	15	11	11	7	9	11	14
Private Helicopter	2,807	2,912	3,307	3,420	3,719	3,856	3,997	3,952	4,165	4,532
Commercial Helicopter	9,025	9,510	9,900	10,066	9,935	9,870	9,780	9,588	9,505	9,402
Commercial Helicopter, Private Glider	2	1	2	2	3	3	5	6	6	7
Commercial Helicopter, Commercial Glider	2	2	1	1	1	2	3	2	3	5
Commercial Gyroplane	3	3	2	3	3	2	2	3	3	4
Gyroplane	8	10	10	10	7	7	6	6	5	4
Airline Transport Helicopter	1,753	1,775	1,777	1,823	1,824	1,806	1,704	1,541	1,420	1,242
Recreational Gyroplane	0	1	1	2	2	1	1	1	1	1
Recreational Helicopter	2	2	2	2	1	0	0	0	0	0
Rotorcraft-other	13	14	14	11	12	8	6	6	7	9
Glider (only) 4,5/--Total	19,763	19,143	18,370	18,139	17,991	19,480	19,927	20,381	20,802	21,141
Private Glider	11,007	10,759	10,401	10,266	10,141	13,714	14,023	14,309	14,559	14,732
Commercial Glider	4,672	4,457	4,319	4,293	4,348	3,723	3,877	4,013	4,137	4,280
Air Transport (other)	4,174	3,927	3,650	3,580	3,502	2,023	2,027	2,059	2,106	2,149
Flight Instructor Certificates 6/	117,658	113,445	108,664	106,692	104,382	102,628	100,993	98,842	98,328	97,409
Instrument Ratings 6,7/	316,651	314,168	311,017	308,652	302,672	304,329	306,066	307,120	311,952	314,122
Remote Pilot Certificates 8/	206,322	180,302	106,321	69,166	20,362	N/Ap	N/Ap	N/Ap	N/Ap	N/Ap

1/ In July 2010, the FAA issued a rule that increased the duration of validity for student pilot certificates for pilots under the age of 40 from 36 to 60 months. This resulted in the increase in active student pilots to 119,119 from 72,230 at the end of 2009.

Starting with April 2016, there is no expiration date on the new student pilot certificates, which generates a cumulative increase in the numbers.

2/ Includes pilots with an airplane only certificate. Also includes those with an airplane and a helicopter and/or glider certificate. Prior to 1995, these pilots were categorized as private, commercial, or airline transport, based on their airplane certificate. In 1995 and after, they are categorized based on their highest certificate. For example, if a pilot holds a private certificate and a commercial helicopter certificate, prior 1995, the pilot would be categorized as private; 1995 and after as commercial.

3/ See table 7 for the total number of pilots with a helicopter certificate.

4/ See table 8 for the total number of pilots with a glider certificate.

5/ Glider pilots are not required to have a medical examination. Beginning with 2002, glider pilots with another rating but no current medical are counted as "Glider (only)".

6/ Not included in total.

7/ Special ratings shown on pilot certificates, do not indicate additional certificates.

8/ Remote pilot certification started in August 2016. These numbers are not included in the pilot totals.

N/Ap Not applicable.



TABLE 5  
ESTIMATED ACTIVE PILOTS AND FLIGHT INSTRUCTORS  
BY FAA REGION AND STATE  
DECEMBER 31, 2020

FAA REGION AND STATE	Total Pilots	Students	Private 1/	Commercial 1/	Airline Transport 1/	Misc. 2/	Flight Instructor 3/	Remote Pilots 3/
Total 4/	691,689	222,629	172,945	119,245	170,120	6,750	117,658	208,322
United States--Total	663,329	210,832	166,520	106,439	162,819	6,719	114,496	204,687
Alaskan Region--Total	8,796	2,239	2,576	1,666	2,258	57	1,511	1,442
Central Region--Total	49,866	16,079	13,609	7,622	11,949	607	8,572	16,107
Iowa	5,559	1,830	1,917	905	801	106	858	2,355
Kansas	7,495	2,408	2,412	1,234	1,346	96	1,366	2,389
Kentucky	7,050	2,230	1,667	919	2,163	71	1,213	2,293
Missouri	10,571	3,587	2,929	1,675	2,208	172	1,705	3,630
Nebraska	3,966	1,384	1,231	658	655	38	594	1,475
Tennessee	15,225	4,640	3,453	2,231	4,777	124	2,836	3,965
Eastern Region--Total	113,703	38,456	29,617	17,033	27,450	1,147	19,507	43,192
Connecticut	4,946	1,456	1,401	729	1,329	31	860	1,784
Delaware	1,494	485	342	213	440	14	280	658
District of Columbia	687	271	194	76	140	6	108	262
Maine	2,667	816	779	477	539	56	409	1,099
Maryland	8,937	3,538	2,204	1,331	1,770	94	1,420	3,481
Massachusetts	8,676	3,261	2,526	1,215	1,613	71	1,255	3,184
New Hampshire	4,045	964	988	570	1,469	54	814	1,071
New Jersey	9,572	3,358	2,437	1,354	2,372	51	1,691	3,648
New York	17,824	7,024	4,791	2,658	3,200	151	2,781	6,925
North Carolina	17,386	5,206	4,512	2,664	4,826	178	3,131	7,303
Pennsylvania	17,004	5,417	4,460	2,421	4,490	216	3,016	5,843
Rhode Island	1,072	389	277	156	242	8	158	425
Vermont	1,336	406	419	261	239	10	223	456
Virginia	16,118	5,128	3,737	2,628	4,461	164	3,080	6,146
West Virginia	1,940	747	550	280	320	43	281	907
Great Lakes Region--Total	93,313	29,104	26,736	14,089	21,852	1,532	17,013	30,784
Illinois	18,253	5,779	4,776	2,575	4,805	318	3,596	6,662
Indiana	11,837	3,900	3,477	1,709	2,539	212	1,935	3,857
Michigan	15,423	4,765	4,509	2,353	3,675	231	2,786	5,012
Minnesota	14,000	3,781	3,987	2,194	3,918	120	2,903	4,106
North Dakota	3,796	1,494	1,059	957	287	29	519	1,135
Ohio	17,020	5,474	4,877	2,408	3,984	277	3,067	5,776
South Dakota	2,578	755	797	500	467	59	446	787
Wisconsin	10,406	3,196	3,254	1,393	2,277	286	1,761	3,447
Northwest Mountain Region--Total	78,686	23,683	20,426	13,180	20,542	756	14,788	24,004
Colorado	20,978	5,926	4,791	3,231	6,873	157	4,219	6,773
Idaho	6,310	1,862	1,845	1,160	1,346	97	1,128	1,964
Montana	4,480	1,386	1,348	921	762	43	764	1,512
Oregon	10,391	3,221	3,239	2,167	1,650	114	1,814	3,712
Utah	10,923	3,441	2,542	1,999	2,854	87	2,165	3,228
Washington	23,393	7,135	5,963	3,363	6,697	235	4,342	6,109
Wyoming	2,131	712	697	339	360	23	336	706
Southern Region--Total	113,088	36,931	23,802	18,806	32,644	1,005	20,180	29,904
Alabama	8,563	2,863	2,100	1,968	1,548	86	1,728	2,886
Florida	72,499	24,357	14,401	12,565	20,572	604	12,710	17,072
Georgia	21,504	6,217	4,761	2,763	7,588	175	4,026	6,282
Puerto Rico	1,848	891	299	250	360	48	257	504
South Carolina	8,453	2,496	2,199	1,235	2,432	91	1,434	3,135

TABLE 5  
ESTIMATED ACTIVE PILOTS AND FLIGHT INSTRUCTORS  
BY FAA REGION AND STATE  
DECEMBER 31, 2020

FAA REGION AND STATE	Total Pilots	Students	Private 1/	Commercial 1/	Airline Transport 1/	Misc. 2/	Flight Instructor 3/	Remote Pilots 3/
Virgin Islands	221	107	42	27	44	1	26	26

TABLE 6  
ESTIMATED ACTIVE PILOTS AND FLIGHT INSTRUCTORS  
BY FAA REGION AND STATE  
DECEMBER 31, 2020

FAA REGION AND STATE	Total Pilots	Students	Private 1/	Commercial 1/	Airline Transport 1/	Misc. 2/	Flight Instructor 3/	Remote Pilots 3/
Southwest Region--Total	91,668	30,716	21,980	14,844	23,364	776	15,209	28,897
Arkansas	6,167	2,289	1,725	1,076	973	94	854	1,902
Louisiana	6,042	2,113	1,590	1,098	1,174	67	944	2,278
Mississippi	4,848	1,905	1,100	833	974	36	657	1,710
New Mexico	4,633	1,490	1,463	968	642	80	604	1,537
Oklahoma	9,467	3,714	2,431	1,617	1,642	63	1,452	2,534
Texas	60,521	19,204	13,681	9,252	17,949	435	10,698	18,936
Western-Pacific Region--Total	103,683	33,235	27,664	19,077	22,771	836	17,578	30,294
American Samoa	0	0	0	0	0	0	0	1
Arizona	24,176	6,826	5,423	5,771	5,962	194	4,796	5,413
California	66,633	22,911	19,739	11,099	12,233	561	10,181	21,147
Guam	174	42	20	19	93	0	46	55
Hawaii	3,894	1,147	619	741	1,369	18	782	1,294
Nevada	8,793	2,304	1,863	1,442	3,111	73	1,773	2,382
North Mariana Islands	13	5	0	5	3	0	0	2
U.S. Affiliates 6/	17	5	1	8	3	0	0	2
Outside United States and FS Total 8/	39,087	12,187	6,537	12,928	7,400	35	3,220	1,698
Armed Forces Personnel 5/	723	390	111	119	99	4	158	63
AA (Americas) <sup>5</sup>	11	0	3	2	6	0	4	3
AE (Europe and Canada) <sup>5</sup>	292	116	63	67	53	3	89	29
AP (Pacific) <sup>9</sup>	420	274	45	60	40	1	65	31
Federated States of Micronesia	2	0	0	2	0	0	0	0
Marshall Islands	1	0	0	1	0	0	0	0
Palau	1	0	1	0	0	0	0	0
Outside United States (Foreign) 7/	38,360	11,797	6,425	12,806	7,301	31	3,062	1,635

1/ Includes those with an airplane and/or a helicopter and/or glider certificate. Pilots under the "Rotorcraft (only)" and "Glider (only)" class certificates in Table 3 are shown under their respective "Private," "Commercial," or "Airline Transport" categories above.

2/ Includes recreational and sport.

3/ Not included in total.

4/ Includes pilots certified by the FAA, who live outside the 50 states and other U.S. areas, territories, and affiliates.

5/ Military personnel holding civilian certificate and stationed in a foreign country.

6/ Includes Federated States of Micronesia, Marshall Islands, North Mariana Islands and Palau.

7/ Outside United States (Foreign) Includes airmen certified by the FAA, who live outside the 50 states and other U.S. areas, territories, and affiliates. Also includes those with unidentifiable addresses.

8/ FS stands for the Flight Standards Region, which includes Armed Forces as explained above (#5), and Federated States of Micronesia, Marshall Islands, and Palau.

TABLE 6  
ESTIMATED ACTIVE WOMEN PILOTS AND FLIGHT INSTRUCTORS  
BY FAA REGION AND STATE  
DECEMBER 31, 2020

FAA REGION AND STATE	Total Pilots	Students	Private 1/	Commercial 1/	Airline Transport 1/	Misc. 2/	Flight Instructor 3/	Remote Pilots 3/
Total 4/	58,641	31,687	11,316	7,724	7,549	265	8,592	14,882
United States--Total	56,862	30,573	10,773	6,873	7,379	264	8,379	14,767
Alaskan Region--Total	1,012	459	260	134	156	3	131	154
Central Region--Total	3,836	2,240	702	413	458	23	518	1,115
Iowa	387	216	91	51	26	3	46	190
Kansas	562	340	111	61	46	4	76	183
Kentucky	557	317	92	64	91	3	68	146
Missouri	854	509	170	87	79	9	104	240
Nebraska	266	183	46	25	12	0	29	125
Tennessee	1,210	675	192	135	204	4	195	231
Eastern Region--Total	9,462	5,453	1,675	1,070	1,215	49	1,318	3,182
Connecticut	367	194	76	42	64	2	62	129
Delaware	133	79	22	11	20	1	20	48
District of Columbia	73	54	9	4	6	0	10	50
Maine	207	131	31	20	25	0	27	85
Maryland	895	577	148	94	70	6	105	269
Massachusetts	736	406	161	80	81	8	93	247
New Hampshire	309	147	53	41	66	2	66	81
New Jersey	773	445	123	92	111	2	116	218
New York	1,573	991	279	160	138	6	166	508
North Carolina	1,294	707	237	155	190	5	199	541
Pennsylvania	1,292	712	249	148	175	8	176	397
Rhode Island	92	61	11	8	11	1	7	24
Vermont	140	70	36	12	22	0	19	34
Virginia	1,407	767	219	186	228	7	228	490
West Virginia	171	112	22	17	18	2	24	61
Great Lakes Region--Total	7,653	4,046	1,623	856	1,075	53	1,272	2,139
Illinois	1,548	799	283	166	289	11	290	494
Indiana	948	529	207	96	111	5	127	266
Michigan	1,243	637	284	152	183	7	205	343
Minnesota	1,192	665	250	160	213	4	253	302
North Dakota	317	204	62	34	16	1	34	76
Ohio	1,313	714	284	143	159	13	213	358
South Dakota	213	123	43	24	23	0	23	65
Wisconsin	879	475	210	81	101	12	127	236
Northwest Mountain Region--Total	7,438	3,683	1,518	1,006	1,200	31	1,265	1,851
Colorado	2,148	998	387	294	463	6	391	618
Idaho	540	261	142	79	54	4	85	145
Montana	439	229	113	65	31	1	60	136
Oregon	988	480	242	168	95	3	168	319
Utah	851	452	160	118	116	5	146	203
Washington	2,287	1,158	437	255	426	11	398	483
Wyoming	185	105	37	27	15	1	17	47
Southern Region--Total	9,518	5,413	1,582	1,222	1,281	40	1,379	2,098
Alabama	586	357	114	75	37	3	59	125
Florida	6,466	3,612	1,063	915	851	25	952	1,286
Georgia	1,674	949	270	160	287	8	286	417
Puerto Rico	103	70	17	11	4	1	10	35
South Carolina	651	391	116	60	61	3	92	234

TABLE 6  
ESTIMATED ACTIVE WOMEN PILOTS AND FLIGHT INSTRUCTORS  
BY FAA REGION AND STATE  
DECEMBER 31, 2020

FAA REGION AND STATE	Total Pilots	Students	Private 1/	Commercial 1/	Airline Transport 1/	Misc. 2/	Flight Instructor 3/	Remote Pilots 3/
Virgin Islands	38	34	2	1	1	0	0	1

TABLE 6  
ESTIMATED ACTIVE WOMEN PILOTS AND FLIGHT INSTRUCTORS  
BY FAA REGION AND STATE  
DECEMBER 31, 2020

FAA REGION AND STATE	Total Pilots	Students	Private 1/	Commercial 1/	Airline Transport 1/	Misc. 2/	Flight Instructor 3/	Remote Pilots 3/
Southwest Region--Total	7,086	4,136	1,368	798	766	28	932	1,920
Arkansas	426	286	90	26	24	2	38	142
Louisiana	413	262	80	39	31	1	46	133
Mississippi	353	242	48	33	29	1	29	100
New Mexico	537	246	108	100	20	3	37	141
Oklahoma	786	530	134	73	46	3	78	180
Texas	4,571	2,571	838	528	616	18	704	1,224
Western-Pacific Region--Total	9,786	6,086	2,047	1,366	1,247	37	1,563	2,304
American Samoa	0	0	0	0	0	0	0	0
Arizona	1,917	883	426	320	281	7	381	383
California	6,494	3,546	1,387	834	702	26	927	1,598
Guam	14	7	2	2	3	0	3	7
Hawaii	561	258	80	101	111	1	97	132
Nevada	808	394	152	108	150	4	145	184
North Mariana Islands	1	0	0	1	0	0	0	0
U.S. Affiliates 6/	1	0	0	1	0	0	0	0
Outside United States and FS Total 8/	2,751	1,169	551	859	171	1	224	119
Armed Forces Personnel 5/	72	55	8	8	1	0	11	4
AA (Americas) <sup>5</sup>	0	0	0	0	0	0	0	0
AE (Europe and Canada) <sup>5</sup>	29	23	4	1	1	0	5	2
AP (Pacific) <sup>5</sup>	43	32	4	7	0	0	6	2
Federated States of Micronesia	0	0	0	0	0	0	0	0
Marshall Islands	0	0	0	0	0	0	0	0
Palau	0	0	0	0	0	0	0	0
Outside United States (Foreign) 7/	2,679	1,114	543	851	170	1	213	115

1/ Includes those with an airplane and/or a helicopter and/or glider certificate.

2/ Includes recreational and sport.

3/ Not included in total.

4/ Includes pilots certified by the FAA, who live outside the 50 states and other U.S. areas, territories, and affiliates.

5/ Military personnel holding civilian certificate and stationed in a foreign country.

6/ Includes Federated States of Micronesia, Marshall Islands, North Mariana Islands and Palau.

7/ Outside United States (Foreign) Includes airmen certified by the FAA, who live outside the 50 states and other U.S. areas, territories, and affiliates. Also includes those with unidentifiable addresses.

8/ FS stands for the Flight Standards Region, which includes Armed Forces as explained above (#5), and Federated States of Micronesia, Marshall Islands, and Palau.

TABLE 7  
ESTIMATED ACTIVE ROTORCRAFT PILOTS BY CLASS OF CERTIFICATE 1/  
as of DECEMBER 31

CLASS OF CERTIFICATE	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
TOTAL	30,532	31,583	32,831	32,962	32,755	33,183	33,292	33,362	33,923	34,262
Private--Total	6,813	5,929	6,422	6,502	6,823	7,036	7,186	7,212	7,804	7,889
Private Helicopter	2,814	2,921	3,317	3,433	3,727	3,859	4,000	3,954	4,167	4,534
Private Helicopter, Private Airplane	1,987	2,001	2,114	2,103	2,131	2,219	2,210	2,239	2,312	2,335
Private Helicopter, Private Airplane, Private Glider	67	70	77	75	71	73	76	77	85	79
Private Helicopter, Commercial Airplane	840	834	817	794	804	789	809	837	840	836
Private Helicopter, Commercial Airplane, Commercial Glider	54	45	43	46	46	53	52	64	62	56
Private Gyroplane	14	18	17	15	11	11	7	9	11	14
Private Gyroplane, Private Airplane	37	40	37	36	33	32	32	32	27	35
Commercial--Total	20,614	21,481	22,267	22,285	21,770	21,990	22,016	22,235	22,588	22,720
Commercial Helicopter	9,043	9,627	9,916	10,077	9,946	9,883	9,793	9,801	9,520	9,417
Commercial Helicopter, Private Airplane	3,593	3,689	3,850	3,842	3,765	3,816	3,909	3,999	4,062	4,083
Commercial Helicopter, Private Glider	2	1	2	2	3	3	5	6	6	7
Commercial Helicopter, Commercial Glider	2	2	1	1	1	2	3	2	3	5
Commercial Helicopter, Private Airplane, Commercial Gyroplane	15	16	14	12	12	14	13	11	15	14
Commercial Helicopter, Private Airplane, Private Glider	17	14	20	25	23	20	22	28	26	26
Commercial Helicopter, Private Airplane, Commercial Glider	16	14	19	18	16	17	16	17	20	21
Commercial Helicopter, Commercial Airplane	7,508	7,802	8,007	7,866	7,586	7,800	7,794	8,112	8,443	8,648
Commercial Helicopter, Commercial Airplane, Private Glider	102	102	102	111	100	106	108	108	116	112
Commercial Helicopter, Commercial Airplane, Commercial Glider	243	241	251	257	250	259	279	281	298	309
Commercial Gyroplane	3	3	2	3	3	2	2	3	3	4
Commercial Helicopter, Commercial Airplane, Commercial Gyroplane	26	25	26	32	22	23	30	30	37	35
Commercial Airplane, Commercial Gyroplane, Commercial Helicopter, Commercial Glider	16	16	18	18	17	16	16	13	16	16
Commercial Helicopter, Commercial Gyroplane	8	10	10	10	7	7	6	6	5	4
Commercial Gyroplane, Commercial Airplane	15	15	14	14	14	14	13	11	10	12
Commercial Gyroplane, Commercial Airplane, Commercial Glider	5	4	6	7	5	8	7	7	8	7
Airline Transport--Total	4,092	4,158	4,137	4,162	4,148	4,128	4,083	3,908	3,823	3,633
Airline Transport Helicopter	1,753	1,776	1,777	1,823	1,824	1,806	1,704	1,541	1,420	1,242
Airline Transport Helicopter, Airline Transport Airplane	2,339	2,383	2,360	2,339	2,324	2,322	2,379	2,367	2,403	2,391
Recreational Helicopter	2	2	2	2	1	0	0	0	0	0
Recreational Gyroplane	0	1	1	2	2	1	1	1	1	1
Rotorcraft Other	13	14	14	11	12	8	6	6	7	9

1/ In addition to pilots certified only for rotorcraft shown in table 1, this table includes pilots certified in multiple categories including helicopters or other rotorcraft.

TABLE 8  
ESTIMATED ACTIVE GLIDER PILOTS BY CLASS OF CERTIFICATE 1/  
as of DECEMBER 31

CLASS OF CERTIFICATE	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Total	25,412	24,989	24,483	24,276	23,981	23,751	23,424	23,184	22,950	22,556
Private--Total	14,211	14,085	13,884	13,780	13,610	13,348	13,192	13,000	12,833	12,680
Private Glider	11,009	10,763	10,407	10,272	10,144	10,018	9,843	9,694	9,564	9,433
Private Glider, Private Airplane	2,055	2,165	2,284	2,275	2,253	2,338	2,413	2,494	2,594	2,721
Private Glider, Private Airplane, Private Helicopter	67	70	77	75	71	73	76	77	85	79
Private Glider, Private Airplane, Commercial Helicopter	17	14	20	25	23	20	22	28	26	26
Private Glider, Commercial Airplane	959	970	1,012	1,020	1,016	1,092	1,139	1,175	1,242	1,302
Private Glider, Commercial Airplane, Commercial Helicopter	102	102	102	111	100	106	108	108	116	112
Private Glider, Commercial Helicopter	2	1	2	2	3	3	5	6	8	7
Commercial--Total	7,027	6,977	6,929	6,916	6,849	6,380	6,605	6,925	7,211	7,427
Commercial Glider	4,672	4,457	4,319	4,293	4,348	3,723	3,877	4,013	4,137	4,260
Commercial Glider, Commercial Airplane	1,744	1,810	1,859	1,872	1,785	1,907	1,964	2,134	2,245	2,324
Commercial Glider, Private Airplane	375	388	413	404	381	395	391	394	422	429
Commercial Glider, Private Airplane, Commercial Helicopter	16	14	19	18	16	17	16	17	20	21
Commercial Glider, Commercial Helicopter	2	2	1	1	1	2	3	2	3	5
Commercial Glider, Commercial Airplane, Private Helicopter	54	45	43	46	46	53	52	64	62	56
Commercial Glider, Commercial Airplane, Commercial Helicopter	243	241	251	257	250	259	279	281	298	309
Commercial Glider, Commercial Airplane, Commercial Gyroplane	5	4	6	7	5	8	7	7	8	7
Commercial Glider, Commercial Airplane, Commercial Gyroplane, Commercial Helicopter	16	16	18	18	17	16	16	13	16	16
Commercial Glider, Commercial Balloon	0	0	0	0	0	0	0	0	0	0
Air Transport--Total 2/	4,174	3,927	3,650	3,580	3,502	2,023	2,027	2,059	2,106	2,149

1/ In addition to pilots certified only for gliders shown in table 1, this table includes pilots certified in multiple categories including gliders.

2/ Glider and lighter-than-air pilots are not required to have a medical examination. Beginning with 2002, glider pilots with another rating but no current medical are counted as "Glider (only)".



TABLE 9  
ESTIMATED INSTRUMENT RATINGS HELD  
BY CLASS OF CERTIFICATE BY FAA REGION  
DECEMBER 31, 2020

CLASS OF CERTIFICATE	Total 1/	Alaskan	Central	Eastern	Great Lakes	Northwest Mountain	Southern	Southwest	Western-Pacific	Outside U.S. 2/
Total--All Pilots	316,651	3,987	22,004	49,792	40,906	35,874	56,249	41,725	45,421	20,694
Airplane										
Private --Total	47,817	300	3,851	8,670	7,346	4,741	7,549	6,457	7,327	1,578
Private Airplane (only)	46,112	288	3,739	8,374	7,140	4,506	7,291	6,262	6,981	1,531
Private Airplane, Private Glider	760	4	52	168	91	98	107	81	168	13
Private Airplane, Private Gyroplane	17	0	2	1	3	2	4	3	2	0
Private Airplane, Private Helicopter	890	8	55	134	110	129	142	106	178	28
Private Airplane, Private Glider, Private Helicopter	33	0	1	5	2	4	5	4	8	4
Private Airplane-Other	5	0	2	0	0	2	0	1	0	0
Commercial --Total	95,511	1,389	5,900	13,435	11,540	9,813	15,682	11,678	14,869	11,307
Commercial Airplane (only)	81,461	1,171	4,855	10,824	10,090	8,146	13,229	9,751	12,407	10,988
Commercial Airplane, Private Glider	923	19	58	188	116	140	110	116	178	18
Commercial Airplane, Commercial Glider	1,620	25	112	304	240	229	203	182	304	21
Commercial Airplane, Commercial Gyroplane, Commercial Glider	5	0	0	1	2	1	0	1	0	0
Commercial Airplane, Private Helicopter	805	18	55	145	88	97	127	91	138	46
Commercial Airplane, Commercial Glider, Private Helicopter	51	0	1	16	4	8	7	7	7	1
Commercial Airplane, Commercial Helicopter	7,255	106	505	1,459	648	714	1,388	975	1,274	186
Commercial Airplane, Private Glider, Commercial Helicopter	97	2	5	11	17	11	26	7	16	2
Commercial Airplane, Commercial Glider, Commercial Helicopter	226	5	18	46	26	25	38	22	42	4
Commercial Airplane, Commercial Helicopter, Commercial Gyroplane	25	0	3	2	2	2	7	6	2	1
Commercial Airplane, Commercial Gyroplane	15	1	3	2	0	0	3	5	1	0
Commercial Airplane, Commercial Gyroplane, Commercial Helicopter, Commercial Glider	16	0	4	1	1	1	4	1	4	0
Commercial Helicopter, Private Airplane	2,730	39	259	403	275	406	501	378	435	35
Commercial Helicopter, Private Airplane, Private Glider	12	2	0	3	1	0	3	0	3	0
Commercial Helicopter, Private Airplane, Commercial Glider	10	0	2	0	1	1	2	3	1	0
Commercial Glider, Private Airplane	108	0	7	29	13	13	11	8	27	0
Commercial-other	152	1	13	21	16	20	23	23	30	5
Airline Transport --Total	164,193	2,180	11,627	26,470	21,391	19,751	31,583	22,504	21,795	6,892
Airline Transport Airplane (only)	159,426	2,093	11,374	25,470	21,048	19,272	30,613	21,675	21,151	6,730
Airline Transport Airplane, Airline Transport Helicopter	2,339	50	129	498	184	225	504	354	320	75
Airline Transport Airplane-other	2,428	37	124	502	169	254	466	475	324	87
Rotorcraft (only)--Total	9,130	118	826	1,217	628	1,559	1,435	1,188	1,430	919
Private Helicopter	206	2	13	24	15	81	12	13	36	10
Commercial Helicopter	7,163	100	547	922	524	1,296	1,178	874	1,213	509
Commercial Helicopter, Commercial Glider	2	0	0	0	0	1	1	0	0	0
Commercial Helicopter, Private Glider	1	0	0	0	0	0	1	0	0	0
Commercial Helicopter, Commercial Gyroplane	4	0	1	0	1	1	1	0	0	0
Airline Transport Helicopter	1,753	16	65	271	88	190	241	301	181	400
Rotorcraft (Other)	1	0	0	0	0	0	1	0	0	0

1/ Includes Outside U.S. total.

2/ Outside U.S. includes airmen certified by the FAA, who live outside the 50 states and other U.S. areas, territories, and affiliates.

TABLE 10  
ESTIMATED INSTRUMENT RATINGS HELD  
as of DECEMBER 31

Class of Certificate	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Total--All Pilots	316,651	314,168	311,017	306,652	302,672	304,329	306,066	307,120	311,952	314,122
Airplane 1/										
Private --Total	47,817	47,436	47,971	47,491	47,500	48,737	49,716	50,909	52,604	54,117
Private Airplane (only)	46,112	45,664	46,117	45,651	45,672	46,817	47,784	48,984	50,617	52,089
Private Airplane, Private Glider	760	820	864	867	857	906	915	934	977	1,008
Private Airplane, Private Gyroplane	17	17	14	14	11	11	10	9	8	12
Private Airplane, Private Helicopter	890	891	932	918	917	954	958	937	951	960
Private Airplane, Private Glider, Private Helicopter	33	37	39	35	36	41	42	38	45	42
Private Airplane-Other	5	7	5	6	7	8	7	7	6	6
Commercial --Total	85,511	92,319	91,076	89,335	87,304	91,013	93,788	97,198	104,901	108,965
Commercial Airplane (only)	81,461	77,890	76,299	74,728	73,194	76,512	79,102	81,946	89,155	92,938
Commercial Airplane, Private Glider	923	932	970	979	960	1,036	1,079	1,111	1,168	1,220
Commercial Airplane, Commercial Glider	1,620	1,676	1,716	1,714	1,633	1,750	1,801	1,855	2,047	2,119
Commercial Airplane, Commercial Gyroplane, Commercial Glider	5	4	6	6	5	8	7	6	7	6
Commercial Airplane, Private Helicopter	805	797	778	756	765	752	777	804	807	797
Commercial Airplane, Commercial Glider, Private Helicopter	51	42	41	44	44	50	49	60	58	53
Commercial Airplane, Commercial Helicopter	7,255	7,530	7,713	7,553	7,273	7,454	7,445	7,726	8,031	8,216
Commercial Airplane, Private Glider, Commercial Helicopter	97	99	96	104	96	100	103	103	109	106
Commercial Airplane, Commercial Glider, Commercial Helicopter	228	225	233	239	234	244	260	265	280	291
Commercial Airplane, Commercial Helicopter, Commercial Gyroplane	25	24	23	28	18	20	26	26	32	31
Commercial Airplane, Commercial Gyroplane	16	15	14	14	14	14	13	11	10	11
Commercial Airplane, Commercial Gyroplane, Commercial Helicopter, Commercial Glider	16	16	18	18	17	15	15	12	15	15
Commercial Helicopter, Private Airplane	2,730	2,787	2,872	2,860	2,771	2,776	2,834	2,875	2,882	2,866
Commercial Helicopter, Private Airplane, Private Glider	12	9	14	19	17	16	16	20	17	18
Commercial Helicopter, Private Airplane, Commercial Glider	10	9	13	12	11	12	12	12	14	13
Commercial-Other	260	262	270	261	244	254	249	266	269	265
Airline Transport --Total	164,193	164,947	162,145	159,825	157,894	154,730	152,933	149,824	145,590	142,511
Airline Transport Airplane (only)	159,426	160,117	157,270	154,942	153,024	149,957	148,156	145,128	140,958	137,967
Airline Transport Airplane, Airline Transport Helicopter	2,339	2,363	2,360	2,339	2,324	2,322	2,379	2,367	2,403	2,391
Airline Transport Airplane-Other	2,428	2,447	2,515	2,544	2,546	2,451	2,398	2,329	2,229	2,153
Rotorcraft (only)--Total	9,130	9,466	9,825	10,001	9,874	9,849	9,629	9,189	8,867	8,529
Private Helicopter (only)	206	195	269	309	341	400	392	331	315	362
Commercial Helicopter (only)	7,163	7,486	7,768	7,857	7,701	7,636	7,524	7,309	7,113	6,915
Commercial Helicopter, Private Glider	1	1	2	2	2	2	4	4	4	5
Commercial Helicopter, Commercial Glider	2	2	1	1	1	1	2	1	2	3
Commercial Helicopter, Commercial Gyroplane	4	5	6	7	4	3	2	2	2	1
Airline Transport Helicopter (only)	1,753	1,775	1,777	1,823	1,824	1,808	1,704	1,541	1,420	1,242
Rotorcraft (Other)	1	2	2	2	1	1	1	1	1	1

1/ Prior to 1995, these pilots were categorized as private, commercial, or airline transport, based on their airplane certificate. In 1995 and after, they are categorized based on their highest certificate. For example, if a pilot holds a private certificate and a commercial helicopter certificate, prior 1995, the pilot would be categorized as private; 1995 and after as commercial.

TABLE 11  
ESTIMATED TOTAL PILOTS AND INSTRUMENT RATED PILOTS  
as of DECEMBER 31

Calendar Year	Total Number 1/	Instrument Rated Pilots	
		Number	Percent of Total
2020	462,314	316,651	68%
2019	460,306	314,168	68%
2018	459,123	311,017	68%
2017	453,935	306,652	68%
2016	449,797	302,572	67%
2015	461,638	304,329	66%
2014	467,576	306,066	65%
2013	473,739	307,120	65%
2012	465,919	311,952	64%
2011	494,178	314,122	64%
2010	504,575	318,001	63%
2009	518,523	323,495	62%
2008	529,882	325,247	61%
2007	503,740	309,865	62%
2006	511,065	309,333	61%
2005	522,112	311,828	60%
2004	530,432	313,545	59%
2003	537,405	315,413	59%

1/ Excludes student, sport, and recreational pilots.

TABLE 12  
ESTIMATED ACTIVE PILOT CERTIFICATES HELD  
BY CATEGORY AND AGE GROUP OF HOLDER  
as of December 31, 2020

Age Group	Type of Pilot Certificates							Flight Instructor 2/	Remote Pilot 2/
	Total	Student	Sport	Recreational	Private 1/	Commercial 1/	Airline Transport 1/	CFI 3/	
Total	691,689	222,629	6,643	107	172,945	119,245	170,120	117,558	206,322
14-15	561	561	0	0	0	0	0	0	0
16-19	23,288	17,601	17	0	5,299	371	0	115	2,421
20-24	72,979	39,659	88	5	18,069	14,109	1,049	6,386	13,755
25-29	84,166	45,173	160	9	14,051	18,625	6,148	10,448	25,523
30-34	71,896	34,746	255	6	13,159	12,779	10,951	12,042	29,666
35-39	65,123	24,157	308	3	12,841	10,478	17,336	13,824	28,846
40-44	56,103	17,272	307	4	11,972	7,990	18,558	12,345	24,080
45-49	49,029	10,880	386	5	10,872	6,710	20,176	11,249	20,924
50-54	55,326	9,912	552	8	13,271	7,478	24,105	11,557	18,713
55-59	59,746	8,610	837	6	16,461	8,197	25,635	10,494	15,993
60-64	56,318	6,208	1,056	23	18,641	8,411	22,079	9,161	12,201
65-69	41,732	3,963	1,051	17	17,030	8,166	11,505	7,864	8,124
70-74	28,758	2,395	829	13	11,652	7,243	6,626	6,266	4,120
75-79	16,537	1,042	485	6	6,313	5,023	3,668	3,627	1,466
80 and over	10,127	450	312	2	3,414	3,665	2,284	2,180	490

1/ Includes pilots with an airplane and/or a helicopter and/or a glider and/or a gyroplane certificate.

Pilots with multiple ratings will be reported under highest rating. For example a pilot with a private helicopter and commercial airplane certificates will be reported in the commercial category.

2/ Not included in total active pilots.

3/ Certified Flight Instructor

TABLE 12a  
ESTIMATED ACTIVE WOMEN PILOT CERTIFICATES HELD  
BY CATEGORY AND AGE GROUP OF HOLDER  
as of December 31, 2019

Age Group	Type of Pilot Certificates							Flight Instructor 2/	Remote Pilot 2/
	Total	Student	Sport	Recreational	Private 1/	Commercial 1/	Airline Transport 1/	CFI 3/	
Total	58,541	31,687	259	6	11,316	7,724	7,549	8,592	14,882
14-15	146	146	0	0	0	0	0	0	0
16-19	4,276	3,416	2	0	804	54	0	21	276
20-24	10,146	6,455	10	0	2,149	1,426	106	831	1,523
25-29	10,480	6,771	21	1	1,526	1,677	484	1,145	2,870
30-34	7,686	4,715	21	0	1,167	1,075	708	1,075	2,350
35-39	5,645	3,058	20	0	851	748	968	1,069	1,974
40-44	4,270	2,081	10	1	620	509	1,049	971	1,489
45-49	3,227	1,317	7	0	527	323	1,053	858	1,131
50-54	3,349	1,253	14	0	623	346	1,113	795	1,183
55-59	3,206	1,081	30	0	748	354	993	616	1,052
60-64	2,589	693	51	2	846	354	643	500	616
65-69	1,816	402	40	1	729	369	275	374	281
70-74	1,038	205	14	0	447	281	91	199	102
75-79	464	68	12	0	206	134	44	88	23
80 and over	203	26	7	1	73	74	22	50	12

1/ Includes pilots with an airplane and/or a helicopter and/or a glider and/or a gyroplane certificate.

Pilots with multiple ratings will be reported under highest rating. For example a pilot with a private helicopter and commercial airplane certificates will be reported in the commercial category.

2/ Not included in total active pilots.

3/ Certified Flight Instructor

TABLE 13  
AVERAGE AGE OF ACTIVE PILOTS BY CATEGORY  
as of DECEMBER 31

Calendar Year	Type of Pilot Certificates							Flight Instructor	Remote Pilot
	Total 1/	Student 3/	Sport	Recreational	Private 2/	Commercial 2/	Airline Transport 2/	CFI	
2020	43.9	34.1	59.1	58.0	48.0	45.3	51.2	47.4	42.0
2019	44.2	33.5	58.5	52.0	48.3	45.9	50.8	47.7	41.9
2018	44.9	33.1	57.9	50.0	49.0	46.3	51.0	48.2	42.1
2017	44.9	32.5	57.1	49.0	48.9	46.2	50.6	48.0	41.9
2016	44.9	31.7	56.4	44.0	48.4	46.0	50.2	48.0	42.7
2015	44.8	31.4	56.2	44.6	48.5	45.6	49.9	47.8	N/Ap
2014	44.8	31.5	55.8	43.1	48.5	45.6	49.8	47.7	N/Ap
2013	44.8	31.5	55.2	44.8	48.5	45.4	49.7	47.5	N/Ap
2012	44.7	31.6	54.7	47.8	48.3	44.8	49.9	47.2	N/Ap
2011	44.4	31.4	54.4	48.8	47.9	44.4	49.7	46.8	N/Ap
2010	44.2	31.4	53.8	50.8	47.6	44.2	49.4	46.4	N/Ap
2009	45.3	33.5	53.5	50.4	47.1	44.2	48.9	46.0	N/Ap
2008	45.1	33.6	53.2	50.1	46.9	44.8	48.5	45.8	N/Ap
2007	45.7	34.0	52.9	52.4	48.0	46.1	48.3	45.5	N/Ap
2006	45.6	34.4	52.9	51.5	47.7	46.1	48.1	45.2	N/Ap
2005	45.5	34.6	53.2	50.9	47.4	46.0	47.8	44.9	N/Ap
2004	45.1	34.2	N/Ap	51.3	47.0	45.9	47.5	44.6	N/Ap
2003	44.7	34.0	N/Ap	51.5	46.5	45.6	47.0	44.4	N/Ap
2002	44.4	33.7	N/Ap	51.0	46.2	45.5	46.6	44.2	N/Ap
2001	44.0	33.3	N/Ap	50.8	46.0	45.0	46.0	44.2	N/Ap

1/ Includes helicopter (only) and glider (only).

2/ Includes pilots with an airplane and/or a helicopter and/or a glider and/or a gyroplane certificate. Pilots with multiple ratings will be reported under highest rating. For example a pilot with a private helicopter and commercial airplane certificates will be reported in the commercial category.

3/ In July 2010, the FAA issued a rule that increased the duration of validity for student pilot certificates for pilots under the age of 40 from 36 to 60 months.

Starting in April 2016, there is no expiration date on the new student pilot certificates, which causes a cumulative increase in this category of pilots.

N/Ap Not applicable. Sport certificate first issued in 2005. Remote pilot certificate first issued in 2016.

TABLE 13a  
AVERAGE AGE OF ACTIVE WOMEN PILOTS BY CATEGORY  
as of DECEMBER 31

Calendar Year	Type of Pilot Certificates							Flight Instructor	Remote Pilot
	Total 1/	Student 3/	Sport	Recreational	Private 2/	Commercial 2/	Airline Transport 2/	CFI	
2020	36.4	32.1	53.0	57.0	39.9	38.5	46.6	42.1	38.1
2019	36.8	31.7	52.5	49.0	40.9	39.5	46.2	42.8	38.2
2018	37.5	31.4	51.8	41.0	42.3	40.5	46.4	43.7	38.6
2017	37.7	30.9	51.1	39.0	42.9	40.7	46.0	43.7	39.0
2016	38.0	30.4	50.4	37.0	43.1	40.8	45.6	43.7	40.5
2015	38.9	30.1	50.0	40.0	44.6	41.7	45.6	43.5	N/Ap
2014	38.9	30.2	49.7	40.0	44.6	41.6	45.2	43.2	N/Ap
2013	39.0	30.4	48.9	39.4	44.9	41.4	45.0	43.0	N/Ap
2012	38.9	30.6	49.4	41.7	44.7	40.5	45.1	42.5	N/Ap
2011	38.7	30.7	49.8	38.3	44.4	39.8	44.9	42.0	N/Ap
2010	38.5	30.7	49.7	46.5	44.0	39.4	44.3	41.5	N/Ap

1/ Includes helicopter (only) and glider (only).

2/ Includes pilots with an airplane and/or a helicopter and/or a glider and/or a gyroplane certificate.

Pilots with multiple ratings will be reported under highest rating. For example a pilot with a private helicopter and commercial airplane certificates will be reported in the commercial category.

3/ In July 2010, the FAA issued a rule that increased the duration of validity for student pilot certificates for pilots under the age of 40 from 36 to 60 months.

Starting in April 2016, there is no expiration date on the new student pilot certificates, which causes a cumulative increase in this category of pilots.

N/Ap Not applicable. Remote pilot certificate first issued in 2016.

TABLE 14  
NON PILOT AIRMEN CERTIFICATES HELD  
BY FAA REGION AND STATE  
DECEMBER 31, 2020 1/

FAA REGION AND STATE	Total Non Pilot Airmen	Ground Instructor	Flight Engineer	Mechanic	Repair men	Parachute Rigger	Dispatcher	Flight Navigator	Flight Attendant
Total 2/	724,307	71,991	30,196	306,301	36,741	7,014	23,286	36	248,742
United States--Total	690,808	68,253	30,063	285,504	36,672	6,531	18,814	35	245,136
Alaskan Region--Total	6,472	769	620	3,506	312	90	321	0	965
Central Region--Total	44,679	5,010	2,706	21,812	3,204	405	1,365	1	10,176
Iowa	2,764	439	86	1,325	381	39	28	0	466
Kansas	7,007	823	120	4,356	967	55	67	0	619
Kentucky	7,446	739	665	3,192	333	42	359	0	2,116
Missouri	10,214	1,106	344	4,950	536	107	168	0	3,003
Nebraska	2,421	285	75	1,300	403	33	40	0	285
Tennessee	14,827	1,618	1,416	6,689	584	129	703	1	3,687
Eastern Region--Total	119,442	11,817	4,594	47,055	5,227	1,443	2,795	9	46,502
Connecticut	5,081	625	244	2,337	778	46	124	0	1,027
Delaware	1,825	197	62	887	99	12	36	0	532
District of Columbia	562	47	12	77	3	1	16	0	396
Maine	1,716	229	95	730	222	26	45	1	368
Maryland	7,598	839	264	2,775	186	70	228	0	3,236
Massachusetts	7,891	813	271	2,937	456	73	141	0	3,200
New Hampshire	2,959	512	383	1,048	152	29	66	1	788
New Jersey	11,714	1,061	406	4,131	301	65	310	1	5,449
New York	26,455	1,747	391	9,551	772	157	841	1	11,995
North Carolina	19,826	1,898	816	8,310	858	401	282	0	7,261
Pennsylvania	16,681	1,904	729	7,209	707	187	350	1	5,594
Rhode Island	853	89	36	247	64	13	14	0	390
Vermont	672	95	48	304	78	12	15	1	119
Virginia	14,536	1,682	822	5,204	381	342	298	3	5,804
West Virginia	2,083	189	35	1,308	170	9	29	0	343
Great Lakes Region--Total	97,397	9,499	3,980	36,918	5,847	616	3,164	2	37,371
Illinois	25,362	2,187	910	7,233	990	137	1,018	0	12,887
Indiana	11,504	1,086	507	5,913	562	90	366	0	2,880
Michigan	16,684	1,769	587	6,680	1,096	96	337	0	6,119
Minnesota	14,976	1,269	883	4,947	548	61	507	0	6,781
North Dakota	1,019	113	33	628	75	11	15	0	144
Ohio	18,177	1,912	623	7,363	1,540	122	732	0	5,885
South Dakota	1,178	201	54	658	108	21	16	0	120
Wisconsin	8,497	962	383	3,496	828	78	173	2	2,575
Northwest Mountain Region--Total	69,302	8,292	3,560	26,921	4,046	967	1,800	8	23,708
Colorado	19,892	2,669	1,370	6,414	772	182	629	3	7,853
Idaho	4,125	464	140	2,016	360	208	57	0	880
Montana	2,604	383	111	1,367	213	137	71	0	322
Oregon	7,936	1,064	172	3,233	669	140	108	1	2,549
Utah	7,805	955	449	2,238	403	75	335	0	3,350
Washington	25,844	2,593	1,244	11,095	1,530	206	672	4	8,600
Wyoming	1,096	164	74	558	99	19	28	0	154
Southern Region--Total	135,083	12,256	6,838	56,747	8,404	1,001	3,289	8	48,560
Alabama	10,232	826	238	6,974	768	106	75	1	1,244
Florida	74,223	7,939	4,139	28,950	3,676	825	1,866	6	27,022
Georgia	40,247	2,505	1,985	15,786	1,372	186	1,167	1	17,253
Puerto Rico	2,184	172	22	833	198	21	47	0	891
South Carolina	8,061	801	446	4,132	389	63	118	0	2,112
Virgin Islands	136	13	8	70	1	0	6	0	38



TABLE 14  
NON PILOT AIRMEN CERTIFICATES HELD  
BY FAA REGION AND STATE  
DECEMBER 31, 2020 1/

FAA REGION AND STATE	Total Non Pilot Airmen	Ground Instructor	Flight Engineer	Mechanic	Repair men	Parachute Rigger	Dispatcher	Flight Navigator	Flight Attendant
Southwest Region--Total	108,173	9,486	4,060	50,322	6,570	707	3,887	2	32,160
Arkansas	4,310	433	106	2,539	430	46	65	0	702
Louisiana	5,855	446	140	3,056	428	34	66	1	1,486
Mississippi	3,899	338	188	2,192	214	31	131	0	805
New Mexico	3,381	430	63	1,536	229	66	57	0	1,001
Oklahoma	14,164	866	173	10,609	1,179	80	135	0	1,113
Texas	74,774	6,973	3,391	30,390	3,090	461	3,424	1	27,054
Western-Pacific Region--Total	111,470	11,073	3,803	41,612	6,059	1,266	1,993	5	45,669
American Samoa	24	0	0	9	0	0	1	0	14
Arizona	25,036	2,849	776	9,261	1,628	354	506	1	9,663
California	67,898	6,648	2,238	27,015	4,012	724	980	4	26,277
Guam	721	41	24	234	6	11	12	0	393
Hawaii	7,807	420	215	1,915	85	64	236	0	4,672
Nevada	10,123	1,115	551	3,167	314	113	268	0	4,605
North Mariana Islands	61	0	0	11	14	0	1	0	35
U.S. Affiliates 4/	78	0	0	21	14	0	1	0	42
Outside United States and FS Total 6/	34,289	3,800	136	21,409	72	619	4,712	1	3,641
Armed Forces 3/	773	62	2	602	3	36	40	0	28
AA (Americas) <sup>3</sup>	26	1	1	23	0	0	0	0	1
AE (Europe and Canada) <sup>3</sup>	461	33	1	354	2	24	31	0	16
AP (Pacific) <sup>3</sup>	286	28	0	225	1	12	9	0	11
Federated States of Micronesia	4	0	0	4	0	0	0	0	0
Marshall Islands	3	0	0	3	0	0	0	0	0
Palau	10	0	0	3	0	0	0	0	7
Outside United States 5/	33,499	3,738	133	20,797	69	483	4,672	1	3,606

NOTE: Flight attendant data first available from Registry in 2005.

1/ Data for flight engineers and flight navigators represent total active ratings held. Data for dispatchers, mechanics, repairmen, parachute riggers and ground instructors represent total ratings issued to date. These ratings retain their validity and have been limited to those held by persons under 70 years of age.

2/ Includes Outside U. S.

3/ Military personnel holding civilian certificate and stationed in a foreign country.

4/ Includes Federated States of Micronesia, Marshall Islands, North Mariana Islands and Palau.

5/ Outside U.S. Includes airmen certified by the FAA, who live outside the 50 states and other U.S. areas, territories, and affiliates.

6/ FS stands for the Flight Standards Region, which includes Armed Forces as explained above (#3), and Federated States of Micronesia, Marshall Islands, and Palau.

TABLE 15  
WOMEN NON PILOT AIRMEN CERTIFICATES HELD  
BY FAA REGION AND STATE  
DECEMBER 31, 2020 1/

FAA REGION AND STATE	Total Non Pilot Airmen	Ground Instructor	Flight Engineer	Mechanic	Repair men	Parachute Rigger	Dispatcher	Flight Navigator	Flight Attendant
Total 2/	218,964	5,803	1,307	7,860	1,995	711	4,586	0	196,902
United States--Total	214,686	5,311	1,304	7,649	1,993	646	3,737	0	194,045
Alaskan Region--Total	1,209	76	32	111	9	7	116	0	868
Central Region--Total	10,134	369	109	664	199	33	265	0	8,605
Iowa	468	21	2	27	24	1	3	0	390
Kansas	823	69	5	129	97	6	16	0	512
Kentucky	2,069	58	33	90	23	2	57	0	1,806
Missouri	2,765	75	13	90	26	12	36	0	2,505
Nebraska	314	24	2	16	12	3	9	0	248
Tennessee	3,706	122	54	212	18	10	145	0	3,144
Eastern Region--Total	38,953	866	220	1,201	317	153	578	0	35,619
Connecticut	1,051	38	13	53	68	5	26	0	848
Delaware	469	20	5	15	4	1	10	0	404
District of Columbia	225	6	1	6	0	0	3	0	209
Maine	367	19	4	11	25	2	9	0	297
Maryland	2,780	64	9	62	3	9	63	0	2,580
Massachusetts	2,648	68	8	71	28	11	32	0	2,440
New Hampshire	769	40	18	27	16	4	14	0	660
New Jersey	4,274	67	21	64	18	8	62	0	4,034
New York	9,259	124	24	387	49	21	195	0	8,459
North Carolina	6,395	143	25	178	43	41	43	0	5,922
Pennsylvania	4,738	126	29	143	28	22	68	0	4,332
Rhode Island	314	5	3	3	3	2	4	0	294
Vermont	124	7	5	9	6	2	3	0	92
Virginia	6,219	133	51	145	14	23	64	0	4,789
West Virginia	331	15	4	27	12	2	2	0	269
Great Lakes Region--Total	33,386	715	189	882	376	67	645	0	30,501
Illinois	10,764	168	62	163	64	19	196	0	10,093
Indiana	2,785	88	29	162	29	9	76	0	2,392
Michigan	5,694	133	19	194	79	11	95	0	5,083
Minnesota	6,076	90	41	95	25	2	95	0	5,727
North Dakota	139	4	2	4	4	1	2	0	122
Ohio	5,431	136	17	181	135	12	143	0	4,807
South Dakota	133	15	1	14	6	2	3	0	92
Wisconsin	2,464	81	28	69	34	11	36	0	2,206
Northwest Mountain Region--Total	22,237	803	206	823	160	77	417	0	19,761
Colorado	7,363	299	100	177	21	17	140	0	6,609
Idaho	868	39	1	69	2	14	13	0	740
Montana	393	28	6	41	5	10	16	0	287
Oregon	2,381	115	14	96	15	17	27	0	2,097
Utah	2,967	64	11	54	16	3	84	0	2,736
Washington	8,091	244	67	383	88	14	132	0	7,163
Wyoming	174	14	7	13	3	2	5	0	130
Southern Region--Total	40,364	828	208	1,463	333	87	645	0	36,900
Alabama	1,508	42	4	337	55	9	11	0	1,050
Florida	21,358	562	168	624	141	61	276	0	19,626
Georgia	14,986	168	31	387	101	12	219	0	14,068
Puerto Rico	567	3	0	13	8	0	18	0	515
South Carolina	1,923	53	5	101	28	5	19	0	1,712
Virgin Islands	32	0	0	1	0	0	2	0	29

TABLE 16  
WOMEN NON PILOT AIRMEN CERTIFICATES HELD  
BY FAA REGION AND STATE  
DECEMBER 31, 2020 1/

FAA REGION AND STATE	Total Non Pilot Airmen	Ground Instructor	Flight Engineer	Mechanic	Repair men	Parachute Rigger	Dispatcher	Flight Navigator	Flight Attendant
Southwest Region--Total	29,299	630	129	1,451	256	64	750	0	26,019
Arkansas	700	24	3	55	15	3	6	0	594
Louisiana	1,344	30	2	51	15	3	10	0	1,233
Mississippi	794	17	9	42	11	1	30	0	684
New Mexico	836	39	1	60	10	3	10	0	713
Oklahoma	1,570	57	0	476	63	3	34	0	937
Texas	24,055	483	114	767	142	51	660	0	21,858
Western-Pacific Region--Total	39,047	1,027	201	1,146	353	166	415	0	35,749
American Samoa	13	0	0	0	0	0	1	0	12
Arizona	8,505	248	39	236	82	49	83	0	7,768
California	22,982	628	119	765	251	87	218	0	20,914
Guam	326	2	1	6	0	1	1	0	315
Hawaii	3,548	52	13	57	5	7	55	0	3,359
Nevada	3,648	97	29	82	15	12	57	0	3,356
North Mariana Islands	25	0	0	0	0	0	0	0	25
U.S. Affiliates 4/	31	0	0	0	0	0	0	0	31
Outside United States and FS Total 6/	4,336	300	3	219	2	67	855	0	2,890
Armed Forces 3/	51	8	0	8	0	2	6	0	27
AA (Americas) <sup>3</sup>	1	0	0	0	0	0	0	0	1
AE (Europe and Canada) <sup>3</sup>	28	4	0	5	0	1	3	0	15
AP (Pacific) <sup>3</sup>	22	4	0	3	0	1	3	0	11
Federated States of Micronesia	0	0	0	0	0	0	0	0	0
Marshall Islands	0	0	0	0	0	0	0	0	0
Palau	6	0	0	0	0	0	0	0	6
Outside United States 5/	4,279	292	3	211	2	65	849	0	2,857

NOTE: Flight attendant data first available from Registry in 2005.

1/ Data for flight engineers and flight navigators represent total active ratings held. Data for dispatchers, mechanics, repairmen, parachute riggers and ground instructors represent total ratings issued to date. These ratings retain their validity and have been limited to those held by persons under 70 years of age.

2/ Includes Outside U. S.

3/ Military personnel holding civilian certificate and stationed in a foreign country.

4/ Includes Federated States of Micronesia, Marshall Islands, North Mariana Islands and Palau.

5/ Outside U.S. includes airmen certified by the FAA, who live outside the 50 states and other U.S. areas, territories, and affiliates.

6/ FS stands for the Flight Standards Region, which includes Armed Forces as explained above (#3), and Federated States of Micronesia, Marshall Islands, and Palau.

Table 16  
**AIRMEN CERTIFICATES ISSUED BY CATEGORY AND CONDUCTOR**  
 Calendar Year 2020

Category of Certificates	Total Certificates Issued	Original Issuances				Additional Ratings				Original Issues by CFI
		Total	Examiner	Inspector	No Test	Total	Examiner	Inspector	No Test	
<b>Pilot--Total</b>	<b>142,992</b>	<b>45,828</b>	<b>39,283</b>	<b>381</b>	<b>6,184</b>	<b>47,817</b>	<b>41,232</b>	<b>486</b>	<b>6,099</b>	<b>49,347</b>
Student	49,933	588	359	226	1	0	0	0	0	49,347
Recreational	8	7	7	0	0	1	1	0	0	N/Ap
Sport Pilot	309	284	284	0	0	25	25	0	0	N/Ap
Airplane										
Private	41,183	24,155	22,069	27	2,069	17,028	14,622	17	2,389	N/Ap
Commercial	27,605	14,442	11,231	29	3,182	13,163	10,646	46	2,471	N/Ap
Airline Transport	21,153	4,056	3,951	82	23	17,097	15,561	416	1,130	N/Ap
Rotorcraft (only)	2,605	2,103	1,200	16	887	502	386	7	109	N/Ap
Glider (only)	196	195	192	1	2	1	1	0	0	N/Ap
Flight Instructor Certificates*	15,913	7,668	6,183	54	1,431	8,245	7,763	38	444	N/Ap
Remote Pilot Certificates*	46,089	1,315	431	884	0	0	0	0	0	44,774
<b>Non Pilot--Total</b>	<b>13,583</b>	<b>10,510</b>	<b>6,173</b>	<b>69</b>	<b>4,268</b>	<b>3,073</b>	<b>2,688</b>	<b>8</b>	<b>377</b>	<b>N/Ap</b>
Mechanic	7,871	5,205	5,166	7	12	2,666	2,658	4	4	N/Ap
Control Tower Operator	163	157	157	0	0	6	6	0	0	N/Ap
Repairman	2,062	2,046	0	0	2,046	16	0	2	14	N/Ap
Repairman Light Sport Aircraft	159	151	0	0	151	8	0	0	8	N/Ap
Parachute Rigger	248	224	178	18	28	24	23	1	0	N/Ap
Ground Instructor	2,378	2,027	2	0	2,025	351	0	0	351	N/Ap
Dispatcher	682	680	633	41	6	2	1	1	0	N/Ap
Authorized Aircraft Instructor	0	0	0	0	0	0	0	0	0	N/Ap
Flight Navigator	0	0	0	0	0	0	0	0	0	N/Ap
Flight Engineer	20	20	17	3	0	0	0	0	0	N/Ap

\* Not Included in Total

Note: Additional ratings are entered on current airman certificates as follows:

Private, commercial, and airline transport pilot--aircraft category, class, and type instrument rating.

Helicopter pilot--instrument and type ratings.

Flight Instructor--ratings for each aircraft category in which the holder is qualified, and instrument flying instructions.

Mechanic--airframe and power plant ratings.

Parachute rigger--senior or master rigger--senior or master rigger ratings.

Ground Instructor--ratings for each subject in which the holder is qualified to give instruction.

N/Ap Not Applicable.

TABLE 17  
ORIGINAL AIRMEN CERTIFICATES ISSUED BY CATEGORY  
CALENDAR YEARS 2011 - 2020

Category of Certificates	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
Pilot--Total	96,175	96,638	86,938	74,130	76,978	84,905	89,022	85,353	91,618	91,081	85,576
Student	49,933	48,477	46,354	38,401	38,712	49,082	49,261	49,586	56,348	57,168	56,008
Recreational	7	3	8	10	48	29	38	54	52	51	37
Sport	284	266	313	308	496	399	427	420	528	482	518
Airplane											
Private	24,155	23,756	20,730	17,752	17,082	16,473	17,795	15,776	16,571	16,802	14,977
Commercial	14,442	14,179	12,198	10,506	10,191	9,211	9,803	8,140	8,851	8,559	8,056
Airline Transport	4,066	6,690	5,795	4,449	9,520	6,544	7,749	8,346	6,396	4,677	3,072
Rotorcraft (only)	2,103	2,107	2,367	2,552	2,759	2,999	3,754	2,888	2,892	3,123	2,686
Glider (only)	195	170	171	152	170	188	195	163	180	219	222
Flight Instructor Certificates 1/	7,668	7,973	6,327	5,310	5,043	4,544	4,987	3,723	4,116	4,097	4,486
Instrument Ratings 2/	15,182	14,852	13,020	11,443	11,020	10,103	11,290	9,318	9,643	9,555	8,828
Remote Pilot Certificates 6/	46,089	45,673	45,440	48,854	20,382	N/Ap	N/Ap	N/Ap	N/Ap	N/Ap	N/Ap
Non Pilot--Total	10,510	13,340	12,569	11,931	11,965	12,442	13,971	12,018	12,701	12,798	11,741
Mechanic	5,205	7,360	6,710	6,398	5,856	6,366	7,216	6,316	6,662	6,499	5,744
Control Tower Operator 3/	157	149	168	249	582	708	975	1,067	1,106	1,238	1,181
Repairman 4/	2,048	2,805	2,665	2,468	2,602	2,675	2,912	2,472	2,681	2,719	2,465
Repairman Light Sport Aircraft 5/	151	165	184	171	142	187	206	147	227	251	271
Parachute Rigger	224	342	304	372	439	396	419	246	220	246	210
Ground Instructor	2,027	1,795	1,575	1,353	1,256	1,160	1,228	947	1,006	927	1,148
Dispatcher	680	902	960	897	1,059	922	987	808	745	840	664
Authorized Aircraft Instr.	0	0	0	0	0	0	0	0	0	0	0
Flight Navigator	0	0	0	0	0	0	1	1	0	0	1
Flight Engineer	20	22	23	23	29	28	27	14	54	78	57

Note: In previous releases all instrument ratings had been shown as additional. Total instrument ratings issued can be found in table 21.

Student certificates issued were estimated until April 2016. They included those with a medical certification (Table 22), as well as those from Table 16 that did not require a medical examination. Until then, Table 22 data displayed combined FAA Medical Certificate and Student Pilot Certificates issued, nearly all obtained through the Medical Certification System. As such, the numbers included both first time applications and renewals. Student medical certifications remained valid for 24 calendar months for pilots age 40 or older, and for 60 months for pilots under the age of 40 (36 months for the latter until the July 2010 rule).

As of April 2016, combined medical certificate and pilot certificates are no longer issued, and there is no expiration date on the new student pilot certificates. Designated examiners, FAA inspectors, and Certified Flight Instructors (CFIs) process student pilot certificates, and FAA issues the certificate.

1/ Not included in total.

2/ Special ratings shown on pilot certificates represented above; not included in total.

3/ Prior to 2001 Control Tower Operators were not included.

4/ Prior to 1995, repairmen were included with mechanics.

5/ First reported in 2005.

6/ Started in August 2016. Not included in pilot totals. The number includes applications signed by CFI.

N/Ap Not Applicable

TABLE 18  
 ADDITIONAL AIRMEN CERTIFICATES ISSUED BY CATEGORY  
 CALENDAR YEARS 2011 - 2020

Category of Certificates	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
Pilot--Total	47,817	51,296	49,880	44,545	43,016	40,227	40,822	32,216	33,731	35,329	29,806
Student 1/	0	0	1	0	174	590	698	676	694	857	1,057
Recreational	1	0	0	0	0	0	0	0	0	0	0
Sport	25	24	41	38	22	29	28	8	2	1	0
Airplane											
Private	17,028	15,922	13,989	12,555	11,900	11,067	11,396	10,098	10,720	10,703	10,260
Commercial	13,163	14,070	13,089	10,508	9,564	8,348	8,840	7,922	9,341	10,027	7,778
Airline Transport	17,097	20,762	22,122	20,723	20,747	19,823	19,481	13,288	12,768	13,694	10,890
Rotorcraft (only)	502	518	636	721	782	957	1,072	899	900	894	670
Glider (only)	1	0	3	2	1	3	5	1	0	10	8
Flight Instructor Certificates 1/	8,245	7,475	5,895	4,943	4,542	4,231	4,501	3,723	4,323	4,417	4,595
Instrument Ratings 2/	16,460	15,892	13,793	11,372	10,786	10,070	10,243	8,900	9,192	9,122	8,775
Non Pilot--Total	3,073	3,972	3,604	3,364	2,896	2,839	3,159	2,848	2,988	3,305	2,614
Mechanic	2,666	3,616	3,244	3,039	2,544	2,541	2,850	2,656	2,625	2,835	2,151
Control Tower Operator 3/	6	6	11	8	10	9	26	15	33	124	76
Repairman 4/	16	24	31	38	47	42	40	51	88	105	81
Repairman Light Sport Aircraft 5/	8	4	8	14	10	15	8	13	9	19	30
Parachute Rigger	24	17	35	22	41	38	28	28	29	29	19
Ground Instructor	351	301	273	242	240	192	202	181	190	181	242
Dispatcher	2	2	0	2	3	1	5	1	9	3	9
Authorized Aircraft Instr.	0	0	0	0	0	0	0	0	0	0	0
Flight Navigator	0	0	0	0	0	0	0	0	0	0	0
Flight Engineer	0	2	2	1	1	1	0	3	5	9	6

1/ Not included in total.

2/ Special ratings shown on pilot certificates represented above; not included in total.

3/ Prior to 2001 Control Tower Operators were not included.

4/ Prior to 1995, repairmen were included with mechanics.

5/ First reported in 2005.

Note: Additional ratings are entered on current airman certificates as follows:

Private, commercial, and airline transport pilot--aircraft category, class, and type instrument rating.

Helicopter pilot--instrument and type ratings.

Flight instructor--ratings for each aircraft category in which the holder is qualified, and instrument flying instructions.

Mechanic--airframe and power plant ratings.

Parachute rigger--senior or master rigger--senior or master rigger ratings.

TABLE 19  
ORIGINAL AIRMEN CERTIFICATES APPROVED/DISAPPROVED BY CATEGORY AND CONDUCTOR  
CALENDAR YEAR 2020

Category of Certificates	Examiner				Inspector			
	Approved	Disapproved	Total	Percent Approved	Approved	Disapproved	Total	Percent Approved
Pilot--Total	39,283	10,061	49,344	79.6%	381	47	428	89.0%
Student	359	0	359	100.0%	226	0	226	100.0%
Recreational	7	2	9	77.8%	0	0	0	N/A
Sport	284	27	311	91.3%	0	0	0	N/A
Airplane								
Private	22,059	6,556	28,615	77.1%	27	20	47	57.4%
Commercial	11,231	2,962	14,213	79.0%	29	9	38	76.3%
Airline Transport	3,951	426	4,377	90.3%	82	17	99	82.8%
Rotorcraft (only)	1,200	82	1,282	95.1%	16	1	17	94.1%
Glider (only)	192	6	198	97.0%	1	0	1	100.0%
Flight Instructor Certificates*	6,183	1,885	8,068	78.6%	54	7	61	88.5%
Remote Pilot Certificates*	431	0	431	100.0%	884	0	884	100.0%
Non Pilot--Total	6,173	2,211	8,384	73.6%	69	0	69	100.0%
Mechanic	5,186	2,177	7,363	70.4%	7	0	7	100.0%
Control Tower Operator	157	0	157	100.0%	0	0	0	N/A
Repairman	0	0	0	N/A	0	0	0	N/A
Repairman Light Sport Aircraft	0	0	0	N/A	0	0	0	N/A
Parachute Rigger	178	3	181	98.3%	18	0	18	100.0%
Authorized Aircraft Instr.	0	0	0	N/A	0	0	0	N/A
Ground Instructor	2	0	2	100.0%	0	0	0	N/A
Dispatcher	633	31	664	95.3%	41	0	41	100.0%
Flight Navigator	0	0	0	N/A	0	0	0	N/A
Flight Engineer	17	0	17	100.0%	3	0	3	100.0%

\* Not Included in Total

N/A--Not applicable

TABLE 20  
 ADDITIONAL AIRMEN CERTIFICATES APPROVED/DISAPPROVED BY CATEGORY AND CONDUCTOR  
 CALENDAR YEAR 2020

Category of Certificates	Examiner				Inspector			
	Approved	Disapproved	Total	Percent Approved	Approved	Disapproved	Total	Percent Approved
Pilot--Total	41,232	5,851	47,083	87.6%	486	48	534	91.0%
Recreational	1	0	1	100.0%	0	0	0	N/A
Sport	25	3	28	89.3%	0	0	0	N/A
Airplane								
Private	14,622	3,712	18,334	79.8%	17	3	20	85.0%
Commercial	10,646	1,503	12,149	87.6%	46	12	58	79.3%
Airline Transport	15,551	515	16,066	96.8%	416	33	449	92.7%
Rotorcraft (only)	386	113	499	77.4%	7	0	7	100.0%
Glider (only)	1	5	6	16.7%	0	0	0	N/A
Flight Instructor Certificates*	7,763	957	8,720	89.0%	38	5	43	88.4%
Non Pilot--Total	2,688	349	3,037	88.5%	8	0	8	100.0%
Mechanic	2,658	348	3,006	88.4%	4	0	4	100.0%
Control Tower Operator	6	0	6	100.0%	0	0	0	N/A
Repairman	0	0	0	N/A	2	0	2	100.0%
Repairman Light Sport Aircraft	0	0	0	N/A	0	0	0	N/A
Parachute Rigger	23	1	24	95.8%	1	0	1	100.0%
Authorized Aircraft Instr.	0	0	0	N/A	0	0	0	N/A
Ground Instructor	0	0	0	N/A	0	0	0	N/A
Dispatcher	1	0	1	100.0%	1	0	1	100.0%
Flight Navigator	0	0	0	N/A	0	0	0	N/A
Flight Engineer	0	0	0	N/A	0	0	0	N/A

Note: Additional ratings are entered on current airman certificates as follows:

Private, commercial, and airline transport pilot--aircraft category, class, and type instrument rating.

Helicopter pilot--instrument and type ratings.

Flight instructor--ratings for each aircraft category in which the holder is qualified, and instrument flying instructions.

Mechanic--airframe and power plant ratings.

Parachute rigger--senior or master rigger--senior or master rigger ratings.

Ground instructor--ratings for each subject in which the holder is qualified to give instruction.

\* Special ratings shown on pilot certificates represented above; not included in total.

N/A--Not applicable



TABLE 21  
INSTRUMENT RATINGS ISSUED:  
CALENDAR YEARS 2011 - 2020

Class of Certificate	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011
Total--All Pilots	31,632	30,744	26,813	22,815	21,806	20,173	21,533	18,218	18,835	18,677
Airplane										
Private --Total	15,137	14,129	11,822	9,878	9,372	8,613	8,892	7,827	7,963	7,837
Commercial --Total	15,080	15,208	13,397	11,159	10,666	9,591	10,225	8,496	9,005	8,865
Rotorcraft (only)	1,415	1,407	1,594	1,778	1,768	1,969	2,416	1,895	1,867	1,975

TABLE 22  
STUDENT CERTIFICATES ISSUED, BY MONTH:  
2011 - 2020

YEAR	2020*	2019*	2018*	2017*	2016*	2015	2014	2013	2012	2011
Total	49,933	48,476	45,354	38,401	36,145	47,381	47,407	49,566	54,370	55,298
January	4,444	49	3,202	2,173	3,714	3,805	3,882	4,480	4,637	4,319
February	4,310	3,651	3,462	2,180	3,700	3,327	3,154	3,921	4,187	3,841
March	3,355	6,691	4,110	3,250	5,287	3,833	3,451	4,662	4,531	4,762
April	4,667	5,613	3,441	2,495	1,753	3,918	3,881	3,693	4,199	4,201
May	3,993	4,041	3,958	2,828	2,948	3,882	4,169	4,029	4,736	4,690
June	2,655	3,548	3,611	3,128	3,001	4,856	4,614	4,336	5,133	5,190
July	4,024	3,847	4,460	3,141	3,096	4,659	4,833	4,789	5,099	5,286
August	4,451	4,488	3,998	4,536	3,670	4,867	5,104	5,492	5,958	6,506
September	4,585	4,889	4,242	2,588	3,921	4,188	4,195	4,025	4,262	4,862
October	4,526	5,068	4,635	5,534	2,815	3,863	3,963	3,926	4,120	4,238
November	4,643	3,712	3,140	3,945	1,302	3,061	3,133	3,293	3,907	3,881
December	4,390	2,881	3,095	2,603	938	3,122	3,038	2,920	3,602	3,622

\* Until April 2016, this table shows combined FAA Medical Certificate and Student Pilot Certificates Issued, nearly all obtained through the Medical Certification System. As such, the numbers included both first time medical certification applications and renewals. Student medical certifications remained valid for 24 calendar months for pilots age 40 or older, and for 60 months for pilots under the age of 40.

As of April 2016, combined medical certificate and pilot certificates are no longer issued, and there is no expiration date on the new student pilot certificates. Designated examiners, FAA Inspectors, and Certified Flight Instructors (CFIs) process student pilot certificates, and FAA issues the new plastic certificate.

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# EXHIBIT G

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U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION		AIRPORT MASTER RECORD		PRINT DATE: 05/25/2021 AFD EFF: 05/20/2021 FORM APPROVED OMB 2120-0015	
> 1 ASSOC CITY: MOAB		4 STATE: UT		LOC ID: UT53	
> 2 AIRPORT NAME: SKY RANCH		6 REGION/ADO: ANM /DEN		5 COUNTY: SAN JUAN, UT	
> 3 CBD TO AIRPORT (NM): 7 S				7 SECT AERO CHT: DENVER	
<b>GENERAL</b> 10 OWNERSHIP: PRIVATE 11 OWNER: MOAB DEVELOPMENT TRUST 12 ADDRESS: PO BOX 99 MOAB, UT 84532 13 PHONE NR: 303-419-1192 14 MANAGER: JOHN RAMSEY 15 ADDRESS: PO BOX 1245 MOAB, UT 84532 16 PHONE NR: 435-200-3363 17 ATTENDANCE SCHEDULE: MONTHS                      DAYS                      HOURS UNATNDD		<b>SERVICES</b> > 70 FUEL: > 71 AIRFRAME RPRS: > 72 PWR PLANT RPRS: > 73 BOTTLE OXYGEN: > 74 BULK OXYGEN: 75 TSNT STORAGE: 76 OTHER SERVICES:		<b>BASED AIRCRAFT</b> 90 SINGLE ENG: 1 91 MULTI ENG: 0 92 JET: 0 93 HELICOPTERS: 0 TOTAL: 1 94 GLIDERS: 0 95 MILITARY: 0 96 ULTRA-LIGHT: 0	
18 AIRPORT USE: PRIVATE 19 ARPT LAT: 38-29-39.6N ESTIMATED 20 ARPT LONG: 109-26-49.1W 21 ARPT ELEV: 4899 FT ESTIMATED 22 ACREAGE: 0 23 RIGHT TRAFFIC: NO 24 NON-COMM LANDING: NO 25 NPIAS/FED AGREEMENTS: 26 FAR 139 INDEX: /		<b>FACILITIES</b> > 80 ARPT BCN: > 81 ARPT LGT SKED: BCN LGT SKED: > 82 UNICOM: > 83 WIND INDICATOR: YES 84 SEGMENTED CIRCLE: NONE 85 CONTROL TWR: NO 86 FSS: CEDAR CITY 87 FSS ON ARPT: NO 88 FSS PHONE NR: 89 TOLL FREE NR: 1-800-WX-BRIEF		<b>OPERATIONS</b> 100 AIR CARRIER: 0 102 AIR TAXI: 0 103 G A LOCAL: 0 104 G A ITRNT: 0 105 MILITARY: 0 TOTAL: 0 OPERATIONS FOR 12 MONTHS ENDING: //	
<b>RUNWAY DATA</b> > 30 RUNWAY IDENT: 12/30 > 31 LENGTH: 3,690 > 32 WIDTH: 60 > 33 SURF TYPE-COND: ASPH-G > 34 SURF TREATMENT: 35 GROSS WT: S 36 (IN THSDS) D 37 2D 38 2D/2DS > 39 PCN: IIII					
<b>LIGHTING/APCH AIDS</b> > 40 EDGE INTENSITY: > 42 RWY MARK TYPE-COND: NONE - / NONE- > 43 VGS: 44 THR CROSSING HGT: 45 VISUAL GUIDE ANGLE: > 46 CNTRLN-TDZ: > 47 RVR-RVW: > 48 REIL: > 49 APCH LIGHTS:					
<b>OBSTRUCTION DATA</b> 50 FAR 77 CATEGORY: A(V) / A(V) > 51 DISPLACED THR: > 52 CTLG OBSTN: > 53 OBSTN MARKED/LGTD: > 54 HGT ABOVE RWY END: > 55 DIST FROM RWY END: > 56 CNTRLN OFFSET: 57 OBSTN CLNG SLOPE: 58 CLOSE-IN OBSTN: N / N					
<b>DECLARED DISTANCES</b> > 60 TAKE OFF RUN AVBL (TORA): > 61 TAKE OFF DIST AVBL (TODA): > 62 ACLT STOP DIST AVBL (ASDA): > 63 LNDG DIST AVBL (LOA):					
(>) ARPT MOR PLEASE ADVISE FSS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY >					
> 110 REMARKS:					
A 110-001 HELICOPTER OPNS ON SOUTH END					
A 110-002 FOR CD CTC DENVER ARTCC AT 303-651-4257.					
111 INSPECTOR: (N)		112 LAST INSP:		113 LAST INFO REQ: 05/08/2020	

1 ASSOC CITY:	MOAB	4 STATE: UT	LOC ID: CNY	FAA SITE NR:	25205.1A
2 AIRPORT NAME:	CANYONLANDS RGNL		5 COUNTY: GRAND. UT		
3 CBO TO AIRPORT (NM): 15 NW		6 REGION/ADO: ANM /DEN	7 SECT AERO CHT: DENVER		

GENERAL			SERVICES		BASED AIRCRAFT	
10 OWNERSHIP:	PUBLIC		> 70 FUEL:	100LL A	90 SINGLE ENG:	40
> 11 OWNER:	GRAND COUNTY				91 MULTI ENG:	1
> 12 ADDRESS:	125 E. CENTER		> 71 AIRFRAME RPRS:	MINOR	92 JET:	0
	MOAB, UT 84532		> 72 PWR PLANT RPRS:	MINOR	93 HELICOPTERS:	3
> 13 PHONE NR:	(435) 259-1347		> 73 BOTTLE OXYGEN:		TOTAL:	44
> 14 MANAGER:	ANDY SOLSVIG		> 74 BULK OXYGEN:	HIGH/LOW		
> 15 ADDRESS:	110 W. AVIATION WAY		75 TSNT STORAGE:	HGR TIE	94 GLIDERS:	0
	MOAB, UT 84532		76 OTHER SERVICES:	CHTR, INSTR, RNTL	95 MILITARY:	0
> 16 PHONE NR:	435-259-4849				96 ULTRA-LIGHT:	2
> 17 ATTENDANCE SCHEDULE:						
MONTHS	DAYS	HOURS				
MAR-NOV	ALL	0700-1900				
DEC-FEB	ALL	0800-1700				
			FACILITIES		OPERATIONS	
18 AIRPORT USE:	PUBLIC		> 80 ARPT BGN:	CG	100 AIR CARRIER:	0
19 ARPT LAT:	38-45-26.9953N ESTIMATED		> 81 ARPT LGT SKED:	SEE RMK	102 AIR TAXI:	4,350
20 ARPT LONG:	109-45-12.7509W		BCN LGT SKED:		103 G A LOCAL:	6,800
21 ARPT ELEV:	4590.0 SURVEYED		> 82 UNICOM:	122.600	104 G A ITNRNT:	4,350
22 ACREAGE:	985		> 83 WIND INDICATOR:	YES-L	105 MILITARY:	250
> 23 RIGHT TRAFFIC:	21		84 SEGMENTED CIRCLE:	YES	TOTAL:	15,750
> 24 NON-COMM LANDING:	YES		85 CONTROL TWR:	NO		
25 NPIAS/FED AGREEMENTS:	YES / NGSY		86 FSS:	CEDAR CITY		
> 26 FAR 139 INDEX:	1 A S 08/2003		87 FSS ON ARPT:	NO	OPERATIONS FOR 12	
			88 FSS PHONE NR:		MONTHS ENDING	12/31/2018
			89 TOLL FREE NR:	1-800-WX-BRIEF		

> 30 RUNWAY IDENT:	03/21	15/33
> 31 LENGTH:	7.350	2,000
> 32 WIDTH:	100	60
> 33 SURF TYPE-COND:	ASPH-G	GRAVEL-
> 34 SURF TREATMENT:	GRVD	
35 GROSS WT:	S	
36 (IN TH9DS)	D	85.0
37	2D	
38	2D/2DS	

> 40 EDGE INTENSITY:	MED	
> 42 RWY MARK TYPE-COND:	NPI- G / NPI- G	- / -
> 43 VBSI:	P4L / P4L	/
44 THR CROSSING HGT:	40 / 40	/
45 VISUAL GLIDE ANGLE:	3.00 / 3.00	/
> 46 CNTRLN-TDZ:	- / -	- / -
> 47 RVR-RVV:	- / -	- / -
> 48 REIL:	Y / Y	/
> 49 APCH LIGHTS:	/	/

50 FAR 77 CATEGORY:	C / B(V)	/
> 51 DISPLACED THR:	799 / 280	/
> 52 CTLG OBSTN:	/ PLINE	/
> 53 OBSTN MARKED/LGTD:	/	/
> 54 HGT ABOVE RWY END:	/ 38	/
> 55 DIST FROM RWY END:	0 / 912	0 / 0
> 56 CNTRLN OFFSET:	/ 464L	/
57 OBSTN CLNC SLOPE:	50:1 / 19:1	/
58 CLOSE-IN OBSTN:	N / N	N / N
<u>DECLARED DISTANCES</u>		
> 60 TAKE OFF RUN AVBL (TORA):	7,100 / 6,561	2,000 / 2,000
> 61 TAKE OFF DIST AVBL (TODA):	7,380 / 7,380	2,000 / 2,000
> 62 ACLT STOP DIST AVBL (ASDA):	7,100 / 6,561	2,000 / 2,000
> 63 LNDG DIST AVBL (LDA):	6,301 / 6,301	2,000 / 2,000

(>) ARPT MGR PLEASE ADVISE FSS IN ITEM 06 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY >

> 110 REMARKS:

1 043 RWY 21 PAPI UNUSBL BYD 2.9 NM; DOES NOT PRVD QBST CLNC BYD 2.9 NM FROM THR.  
1 081 ACTVT REIL RWY 03 & 21; PAPI RWY 03 & 21; MRL RWY 03/21 - CTAF.  
1 110-001 RWY 15/33 AND TWY B CLSD TO ACR OPNS.

495



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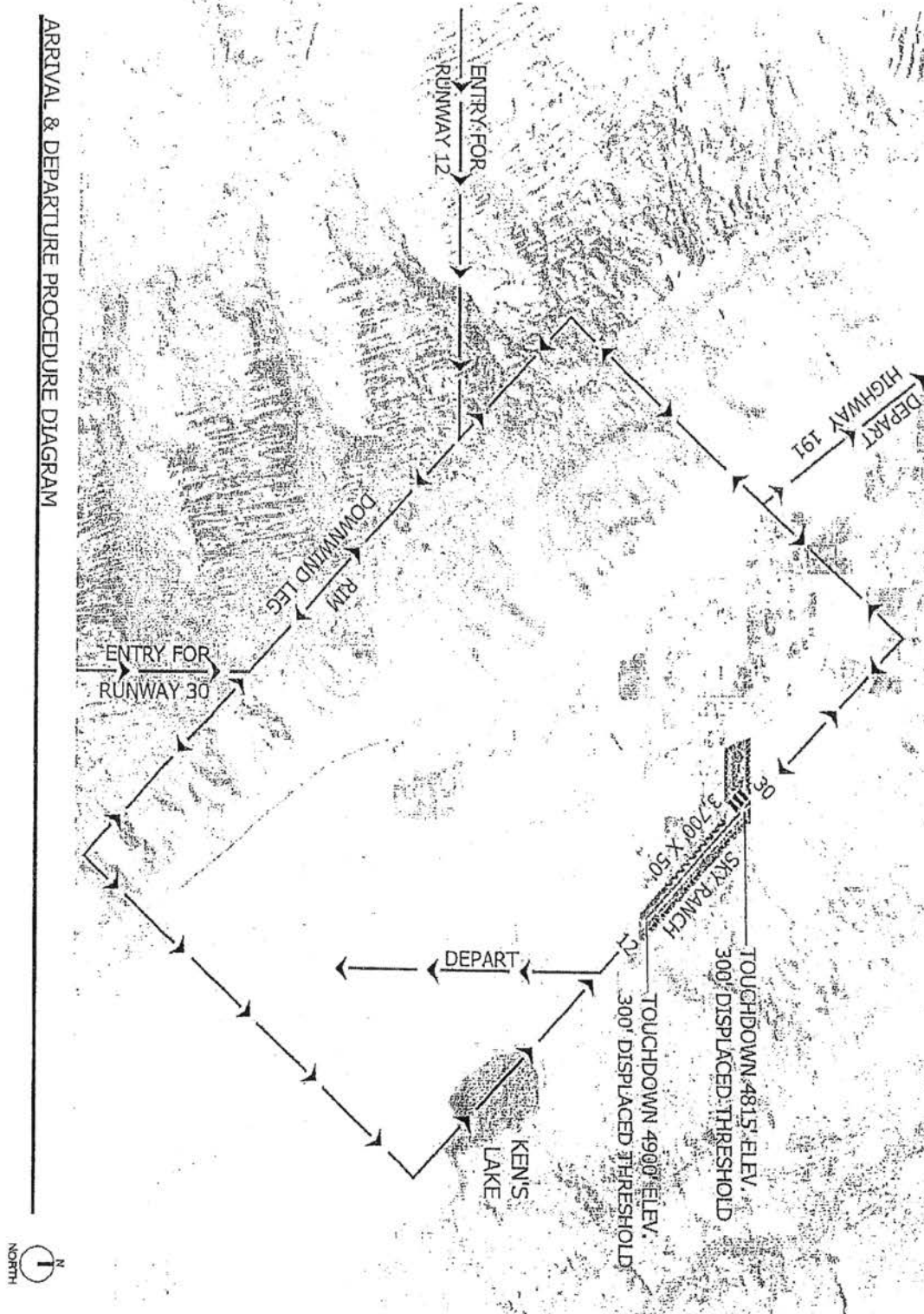
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# EXHIBIT H

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## ARRIVAL &amp; DEPARTURE PROCEDURE DIAGRAM

ARRIVAL/  
DEPARTURE  
DIAGRAM

DATE: 8.25.2021

**SKY RANCH AIRPORT**  
MOAB, UT 84532



**SEXTON STUDIOS**  
SEXTONSTUDIOSARCH@GMAIL.COM  
726.487.8620 P.O. BOX 550  
Boulder, CO 80508



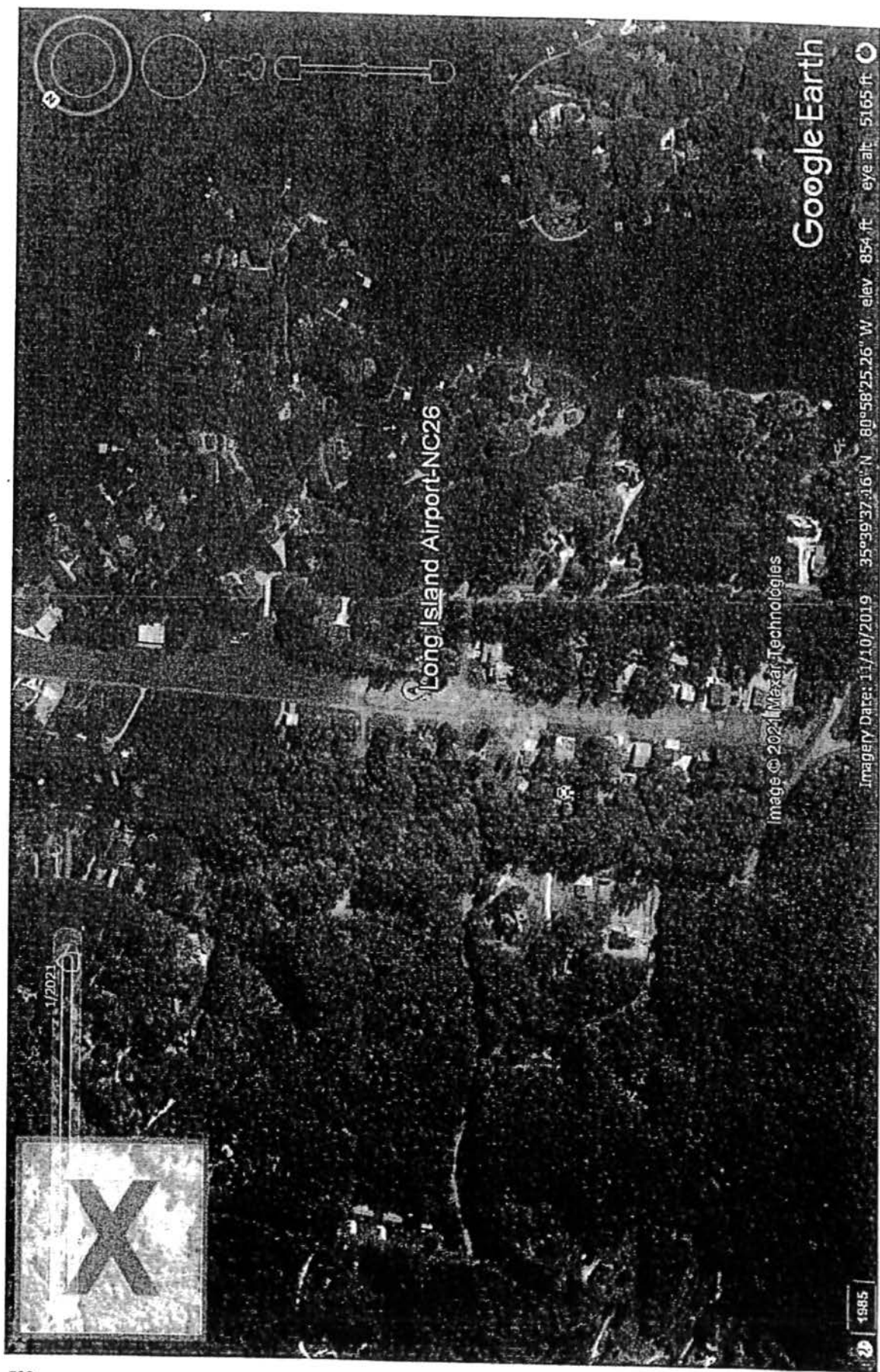
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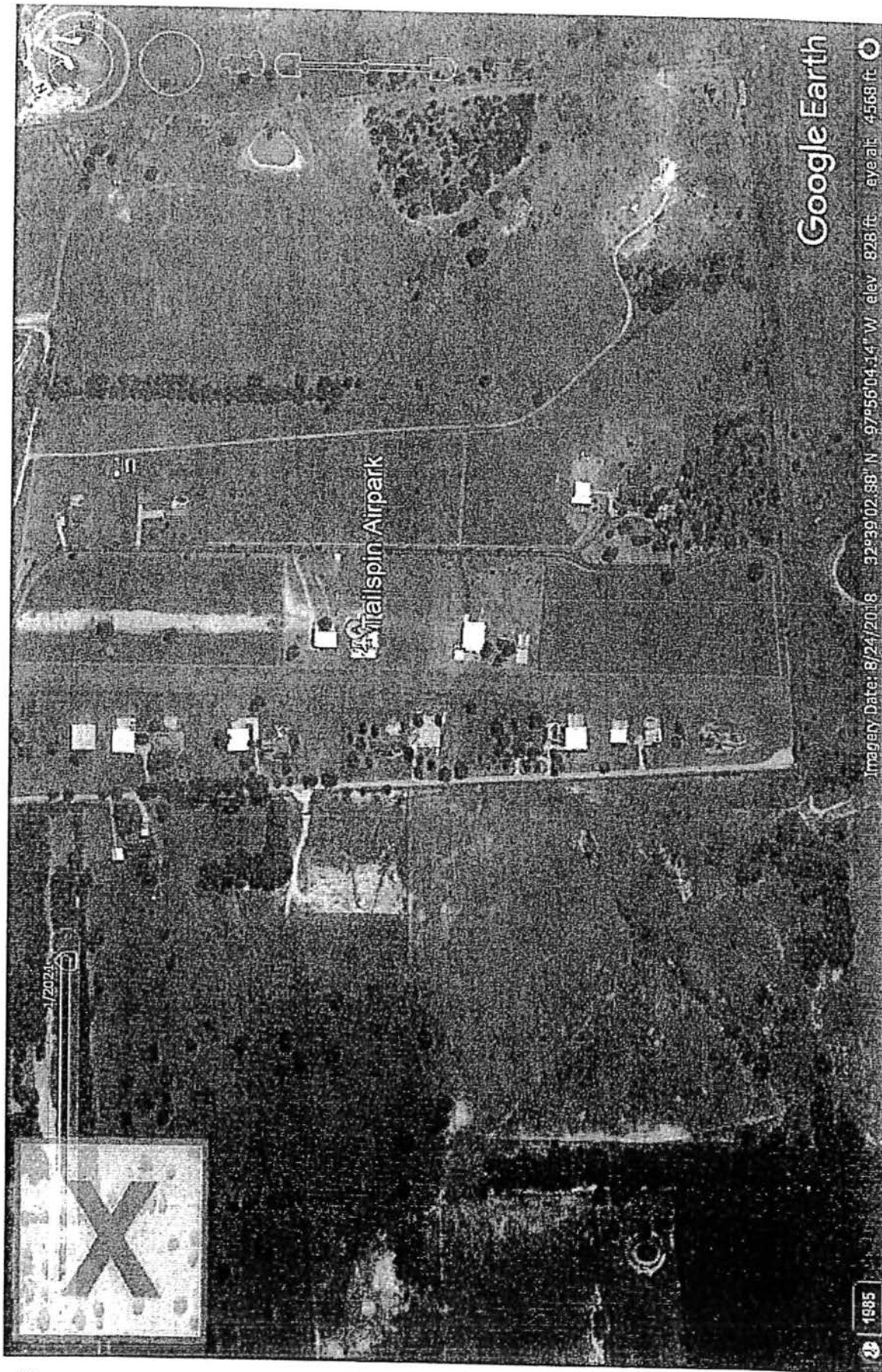
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# EXHIBIT I

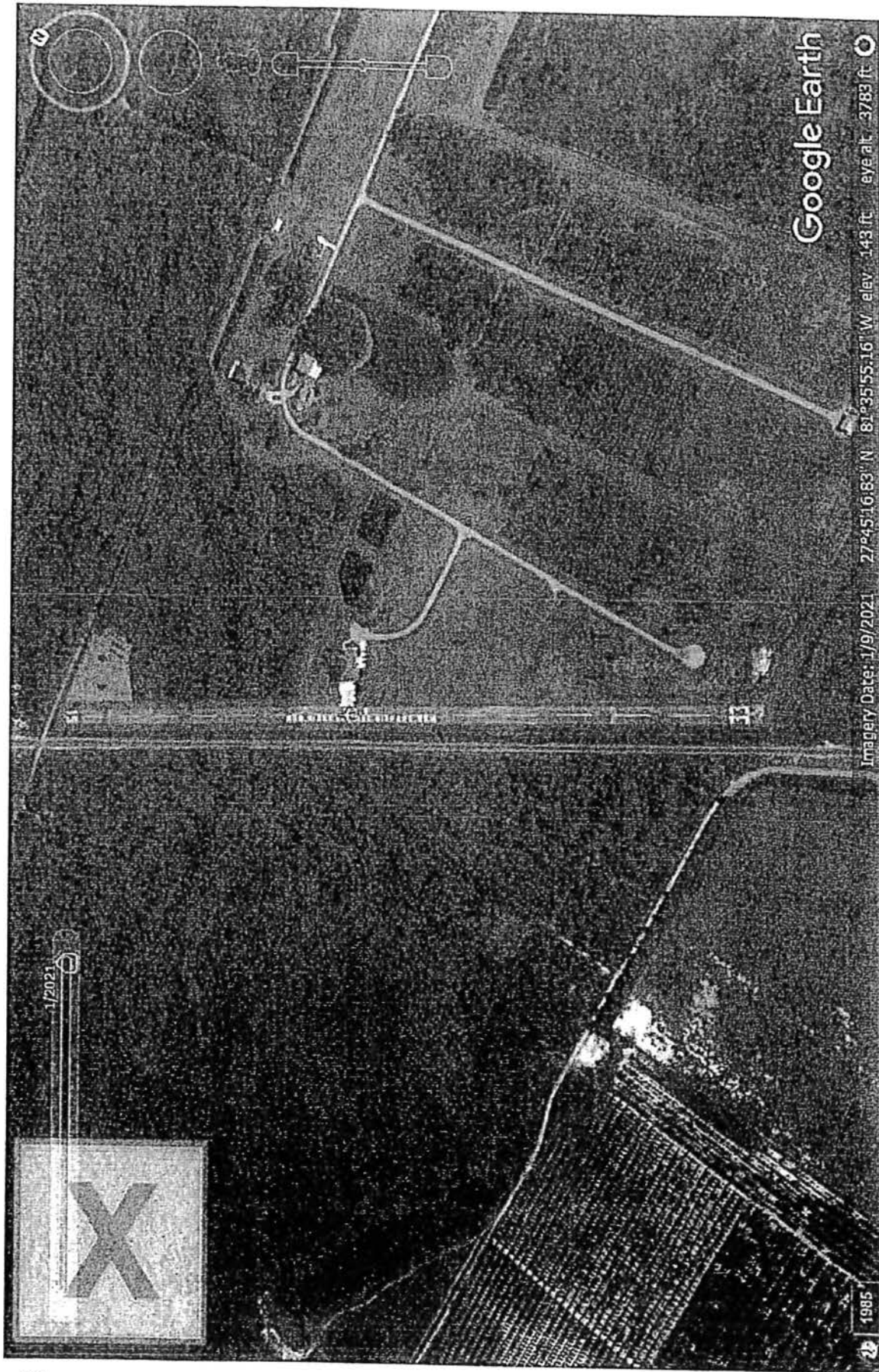
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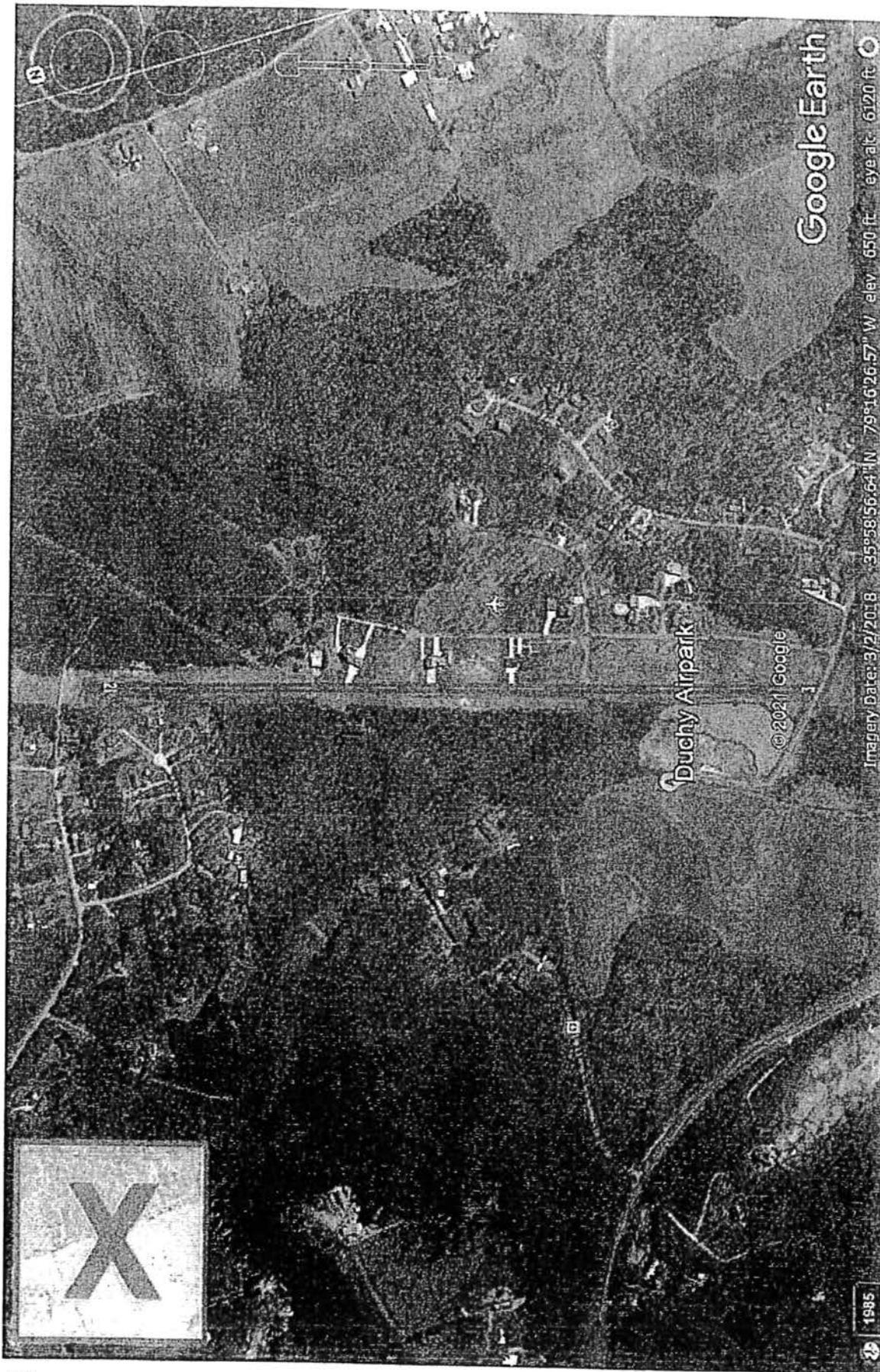
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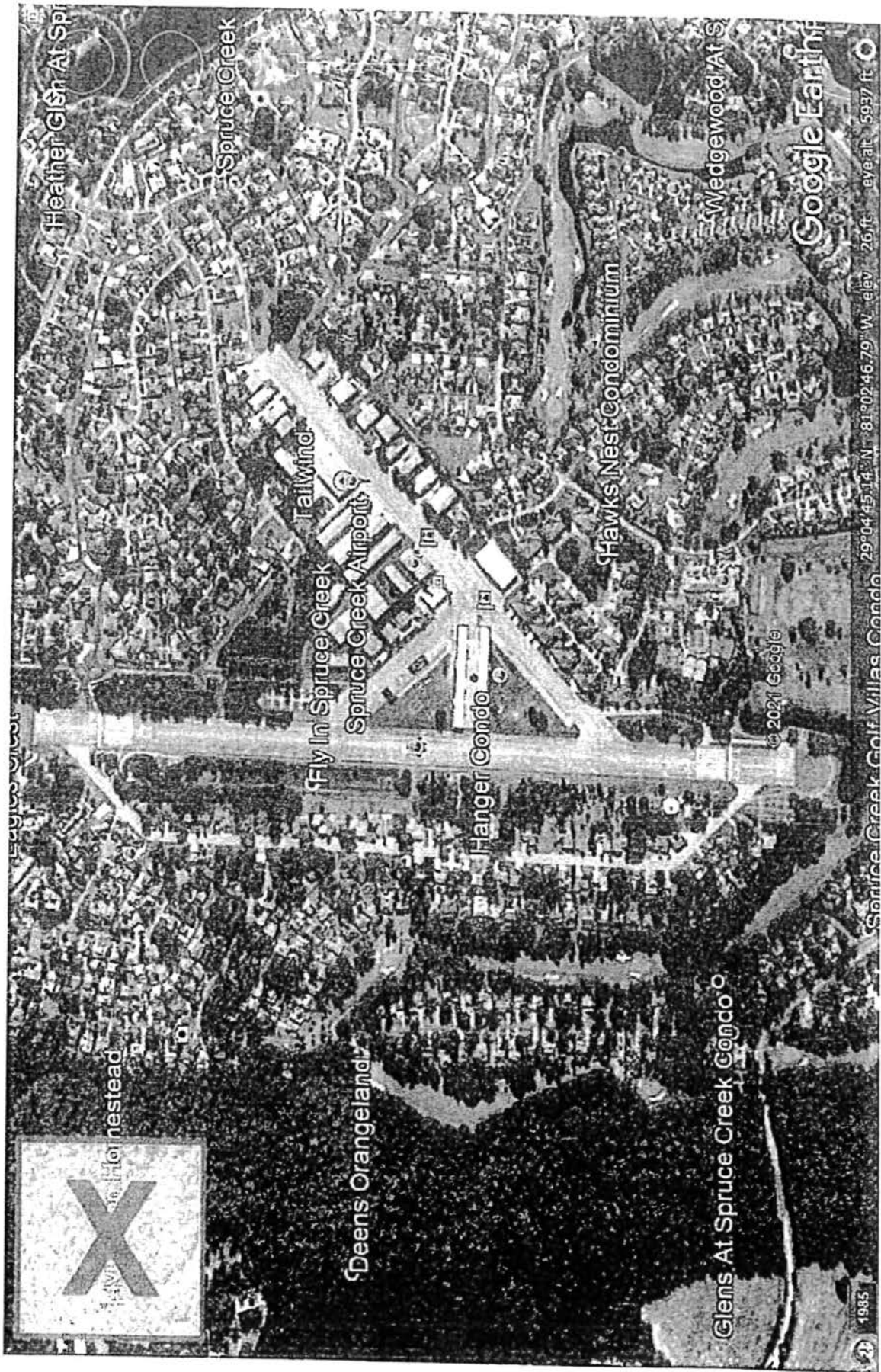












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# EXHIBIT J

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## DESERT SKY RANCH SAFETY RULES AND REGULATIONS REGARDING OPERATION PRACTICES

### ARRIVALS AND DEPARTURES AT UT53

Standard communications procedures apply for providing position reports. To minimize the noise footprint, it is preferred that arrivals use Runway 12 when winds allow and departures use Runway 30 when winds permit. This places the flight path for arrivals and departures over undeveloped land and avoids any overflight of residential areas. Desert Sky Ranch is designated a private airport on FAA sectional charts and always requires prior permission to land.

### TRAFFIC PATTERNS

#### Runway 12

Length 3,700'X50' with 300' displaced threshold. Asphalt in good condition. ELEV 4,900'

#### Runway 30

Length 3,700'X50' with 300' displaced threshold. Asphalt in good condition. ELEV 4,900'

The attached diagram illustrates the recommended arrival and departure paths for aircraft landing at Desert Sky Ranch. Landing on Runway 12 utilizes a standard left-hand pattern. The downwind leg should be flown to the west of the Rim to minimize the noise footprint. Base leg should be initiated where the Rim height drops down. Landing on Runway 30 utilizes a right-hand pattern. Downwind leg should be flown to the west of the Rim over undeveloped land. Standard position reporting on frequency 122.9 applies for arrivals and departures.

### TAXIWAY USE

Prior to entering taxiway from the runway or from hangars, communicate intentions to avoid any traffic conflicts. The runup areas at the end of the taxiway should be used with caution and pilots should be aware of air blast generated during runups.

### HOURS OF OPERATION, CEILING AND VISIBILITY REQUIREMENTS

Aircraft may utilize the runway between 7:00 am and 1 hour past sunset. VFR class C weather requirements apply.



## GENERAL RULES

- 1) Unless approved by the Owners Association or their representative, no aircraft will be permitted to operate in or out of Desert Sky Ranch unless the pilot of the aircraft is a property owner at Desert Sky Ranch.
- 2) No Touch and Goes, low passes, or aerobatic maneuvers are permitted. Landings should be to a full stop only unless safety requires a go around.
- 3) Property owners may have up to two guests arriving by aircraft subject to prior approval as outlined in Item 1.
- 4) All pets are required to be on leashes when outside unless in a fenced area.
- 5) No bicycles or motorized vehicles are permitted on the runway.
- 6) No student flight training may be based at Desert Sky Ranch.

## GENERAL CAUTIONS

- 1) High density altitude is common during summer months.
- 2) High terrain to the west and east of the facility.
- 3) Cross winds are not uncommon.
- 4) During winter months runway may be snow covered with patchy ice.
- 5) No fuel storage is permitted on any residential lot.
- 6) The runway slopes up to the south with a gradient that yields a 75' elevation difference between the end of Runway 30 and Runway 12.

IT IS IMPERATIVE THAT ALL AIRCRAFT OPERATIONS AT DESERT SKY RANCH BE CONDUCTED IN A SAFE AND COURTEOUS MANNER. VIOLATIONS OF THE RULES AND REGULATIONS MAY RESULT IN DISCIPLINARY ACTION, FINES, AND/OR LOSS OF FLIGHT PRIVILEGES. WE HAVE NEIGHBORS WHO ARE NOT PART OF DESERT SKY RANCH AND WE HAVE PROPERTY OWNERS WHO ARE NOT AIRCRAFT OPERATORS. NOISE ABATEMENT PROCEDURES SHOULD ALWAYS BE MAINTAINED.

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# EXHIBIT K

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29.00

E 063806 0 814 P 0836  
 Date 22-APR-2003 14:29pm 841  
 Fee: 29.00 Chuck  
 LOUISE C JONES, Recorder  
 Filed By LCJ  
 For ANDERSON-OLIVER TITLE INSURANC  
 SAN JUAN COUNTY CORPORATION

### CROSS EASEMENT AGREEMENT

THIS CROSS EASEMENT AGREEMENT is entered into by and between KARL K. SPIELMAN and MELINDA G. ELKIN, Trustees of the Spielman and Elkin Revocable Trust dated 6/14/99 ("SPIELMAN-ELKIN"), whose address is 10630 Culpepper Court, N.W., Seattle, Washington 98177, and TIMOTHY O'NIELL and BEVERLY B. O'NIELL ("O'NIELLS"), whose address is 3213 West Wheeler Street, #268, Seattle, Washington 98199.

WHEREAS, SPIELMAN-ELKIN are the owners of the following described real property (the "SPIELMAN-ELKIN TRACT") located in San Juan County, State of Utah, to-wit:

Beginning at a corner which bears with the center 1/4 line South 89 degrees 55' East 391.9 feet, thence North 767.4 feet from the West 1/4 corner of Section 6, Township 27 South, Range 23 East, SLM, and proceeding thence North 552.7 feet to a corner, thence South 89 degrees 57' East 788.1 feet to a corner, thence South 552.7 feet to a corner, thence North 89 degrees 57' West 788.1 feet to the point of beginning and containing 10.00 acres, more or less. (Part Parcel No. 27S23E063000)

and,

WHEREAS, O'NIELLS are the owners of the following described real property (the "O'NIELL TRACT") located in San Juan County, State of Utah, to-wit:

Beginning at a corner on the center 1/4 line, said corner bears South 89 degrees 55' East 391.9 feet from the West 1/4 corner of Section 6, Township 27 South, Range 23 East, SLM, and proceeding thence North 767.4 feet to a corner, thence South 89 degrees 57' East 788.1 feet to a corner, thence South 767.7 feet to a corner, thence North 89 degrees 55' West 788.1 feet to the point of beginning and containing 13.89 acres, more or less. (Part of Parcel No. 27S23E063000)

and,

id

1-  
 7

836

("TANGREN"), for the use and benefit of the public an easement and right-of-way pertinent to the following described real property located in San Juan County, State of Utah:

Parcel 1: Township 27 South, Range 23 East, SLBM  
Section 6: Lot 2 27523 E 063000

Parcel 2: SPIELMAN-ELKIN TRACT 27523 E 063000

Parcel 3: (the "TANGREN TRACT") Beginning at a point which is the Southeast corner of Section 36, Township 26 South, Range 22 East, SLBM, and proceeding thence North 89 degrees 58' West 588.4 feet, thence North 46 degrees 39' 13" West 2821.6 feet along the northeasterly boundary of the Lenore Estates subdivision and Velcar subdivision, thence North 0 degrees 04' 05" East 710.71 feet, thence South 46 degrees 39' 13" East 3629.63 feet, thence South 0 degrees 0' 16" West 156.26 feet to the point of beginning 26522 E 367801, 000640000010, 000640000020, 000640000030, 000640000040, 000640000050

for the unobstructed use and passage of all types of aircraft (as hereinafter defined), in the vicinity of and through the airspace to an infinite height above the O'NEILL TRACT, hereafter known as the "Runway Protection Zone". Said easement shall be appurtenant to and for the benefit of Parcels 1-3 listed above (hereinafter known as the "GRANTEES' PROPERTIES"), including any additions thereto wherever located, hereafter made by SPEILMAN-ELKIN, or TANGREN, or their administrators, successors and assigns, guests, and invitees, including any and all persons operating aircraft to or from the properties.

Said easement, together with all things which may be alleged to be incident to, or result from the use of said easement, including, but not limited to noise, vibrations, fumes, deposits of dust or other particulate matter, fuel particles (which are incidental to the normal operation of aircraft), fear, interference with sleep and any and all other effects that may be alleged to be caused by the operation of aircraft over or in the vicinity of the O'NEILL TRACT, or operating at or on said GRANTEES' PROPERTIES is hereby granted. O'NEILL hereby fully waives,

remises, and releases any right or cause of action against SPIELMAN-ELKIN~~S~~ or TANGREN, their successors and assigns, due to any such effects that may be caused by aircraft landing at, taking off from, or operating on said GRANTEES' PROPERTIES.

As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured and developed, to include, but not limited to, gliders, balloons, ultralights, parachutes, propeller driven aircraft, civil aircraft, commercial aircraft, and helicopters, for the purpose of transporting persons or property through the air, by whoever owned or operated.

The easement and right-of-way hereby grants to SPIELMAN-ELKIN~~S~~ or TANGREN the continuing right to restrict the erection or growth upon the O'NIELL TRACT of any obstruction to air navigation deemed hazardous by the SPIELMAN-ELKINS, such as a building, structure, tree, or other object extending into the airspace of the "No Hazard Zone" of the "Runway Protection Zone" within 150 feet southwest and parallel to the centerline of the runway, and to remove from said air space, or at the sole option of SPIELMAN-ELKIN~~S~~, as an alternative, to mark or light any such obstruction upon, or which in the future may be upon the O'NIELL TRACT, together with the right of ingress to, and egress from, the O'NIELL TRACT for this purpose.

O'NIELLS for themselves, their heirs, administrators, executors, successors, and assigns, does hereby agree that for and during the life of said aviation easement, it will not hereafter permit the erection or growth of, any structure or tree in that part of the "No Hazard Zone" that would create a hazard to aircraft landing and or taking off from the GRANTEES' PROPERTIES

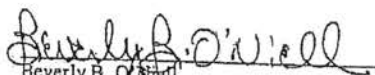
and the O'NIELL's, for themselves, their heirs, administrators, executors, successors, and assigns, further agree they will not permit places of public assembly upon the O'NIELL TRACT, such as, churches, schools, office buildings, restaurants, theaters, or child care facilities.

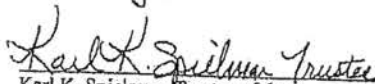
TO HAVE AND TO HOLD said easement and right of way, and all rights appertaining thereto unto SPIELMAN-ELKIN and TANGREN, their successors, and assigns, until said aircraft operations shall be permanently discontinued upon GRANTEE'S PROPERTIES.

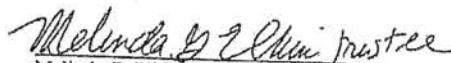
It being understood and agreed that the aforesaid covenants and agreements shall run with the land and shall be binding upon the heirs, administrators, executors, successors and assigns of the O'NIELLS until said aircraft operations shall be permanently discontinued upon GRANTEE'S PROPERTIES.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year first above set forth.

  
Timothy O'Neill

  
Beverly B. O'Neill

  
Karl K. Spielman, Trustee of the  
Spielman and Elkin Revocable Trust  
dated 6/14/99

  
Melinda G. Elkin, Trustee of the  
Spielman and Elkin Revocable Trust

5

7

E 068806 B 814 P 0840

840

dated 6/14/99

STATE OF WA )  
 County of King ) ss.

The foregoing Cross Easement Agreement was acknowledged before me this 18 day of April, 2003, by Timothy O'Niell and Beverly B. O'Niell.

Jennine M. West  
 Notary Public  
 Residing at Seattle

My Commission Expires:

11/7/05

STATE OF WA )  
 County of King ) ss.

The foregoing Cross Easement Agreement was acknowledged before me this 18 day of April, 2003, by Karl K. Spielman and Melinda G. Elkin, Trustees of the Spielman and Elkin Revocable Trust dated 6/14/99.

Jennine M. West  
 Notary Public  
 Residing at Seattle

My Commission Expires:

11/7/05

ONIELL.CROSS



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# EXHIBIT L

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### Curriculum Vitae of Larry Williams

Larry Williams has over 34 years as an FAA Aviation Safety Inspector conducting FAA Air Carrier Certification, enforcing the Federal Aviation Regulations, auditing Air Carriers, Air Agencies, FAA Approved schools, developing Safety Management Systems, providing expert witness testimony and technical assistance to a wide variety of aviation entities. During his FAA career Larry served as an Instructor for International Civil Aviation Organization (ICAO) teaching the following courses: Aviation Safety Inspector-Operations; Approved Training Organization Certification; and Flight Crew Licensing as part of ICAO's TRAINAIR Program. He taught courses to international students at the Department of Transportation's Transportation Safety Institute and at various worldwide locations including Europe, Indonesia, Central America, Italy, Panama, Mexico, Africa, and Turkey. He served as an auditor with FAA Flight Standards Quality Assurance Staff (AFS-40) conducting ISO-9000 audits of FAA field offices. Larry also served as Team Leader for FAA's Technical Assistance Team to aid the Nigeria Civil Aviation Authority in obtaining FAA's Category One Status for aviation safety oversight. Category One status was granted in 2010 as the first African nation to receive such status in decades. He taught management and technical courses at FAA's Center for Management and Executive Leadership, and the Department of Transportation's Transportation Safety Institute. Larry was appointed as FAA's National Resource Inspector for Westwind and Short 360 Aircraft, serving as a subject matter expert for those aircraft and conducted flight checks worldwide. He has completed more than a thousand flight evaluations, issued hundreds of pilot certificates and has over 40 years' experience investigating aircraft accidents and incidents. He worked in FAA's Air Transportation Oversight Office (ATOS-CMO) where he was responsible for writing and revising Safety Attribute Inspections (SAIs) and Element Performance Inspections (EPIs) and served in FAA's Washington's Headquarters writing regulations and exemptions to regulations. He has investigated hundreds of aircraft accidents, administered over 1,000 flight checks and appeared on numerous television and newspaper interviews concerning his aviation expertise. He was appointed FAA designated pilot examiner upon retirement from FAA in March 2010.

Since his retirement from the FAA he has worked as a consultant in regulatory compliance and safety audits, accident and incident investigation, technical assistance to airlines and Civil Aviation Authorities and other aviation entities as an expert witness in FAA enforcement and civil proceedings. He presently serves as a contract instructor at the FAA Academy teaching various courses to FAA inspectors including Professionalism, Crew Resource Management, Safety and Compliance, Enforcement Procedures and others. He has consulted with domestic and foreign air carriers, foreign Civil Aviation Authorities, and other aviation organizations in Mexico, Azerbaijan, U.A.E., Ukraine, Bahrain, Nigeria, Kenya, Ghana, Tanzania and others. Larry is an IOSA auditor (Operations, Cabin, and Dispatch), an IS-BAO auditor (Airplanes and Helicopter), and an ASCF auditor. Larry recently completed courses at the University of Tennessee and was awarded a Paralegal certificate.

He has served on the adjunct faculty in the Aerospace department at Middle Tennessee State University teaching undergraduate courses and is presently serving as an instructor in the University's CRJ-700 Flight Training Device.

He is the author of two books, *The Unruly Skies*, and *Surviving an FAA Ramp Inspection*.

**EDUCATION & CREDENTIALS**

Specialist in Education, Curriculum & Instruction  
 Middle Tennessee State University, Murfreesboro, TN  
 Master of Education in Aerospace Education  
 Middle Tennessee State University, Murfreesboro, TN  
 Bachelor of Science in Psychology  
 Middle Tennessee State University, Murfreesboro, TN  
 Aviation Safety Certificate Program  
 University of Southern California Institute of Safety and Systems Management  
 Over 8,000 hours of formal training with the FAA, Airlines, Aviation Schools, and other organizations (complete list available on request)

**CERTIFICATIONS/LICENSURE**

Certified Fraud Examiner (Association of Certified Fraud Examiners)  
 Tennessee Supreme Court Rule 31 listed General/Civil Family Mediator  
 IS-BAO auditor  
 IOSA auditor  
 Air Charter Safety Foundation (ACSF) auditor  
 Paralegal

**Federal Aviation Administration Certificates**

Airline Transport Pilot – Airplane Single & Multi-Engine Land, Rotorcraft: Helicopter & Gyroplane, Lear Jet, Hawker Jet, Cessna Citation, Jet Commander, Sabreliner, Short 360, EMB-100, R-22, AS-360; Commercial Privileges: Airplane Single & Multi-Engine Sea, Glider. Over 12,000 hours flight time, 1200 hours Rotorcraft (including 200 hours gyroplane) and 300 hours seaplane.

Flight Instructor – Airplane Single & Multi-Engine, Rotorcraft - Helicopter & Gyroplane, Instrument-Airplane and Helicopter, Glider  
 Ground Instructor – Advanced and Instrument  
 Air Traffic Control Specialist Certificate

**Professional Organizations and Awards:**

International Society of Air Safety Investigators  
 System Safety Society  
 International Institute of Aeronautics and Astronautics  
 FAA National award, "Excellence in Public Awareness," 1993  
 FAA Washington Headquarters award, "Commitment to People," 2003  
 Tennessee Aeronautics Commission "Outstanding Contribution to Aviation," 2003  
 FAA Wright Brothers Master Pilot award, 2014

# EXHIBIT 6

SUBJECT: Sky Ranch Runway  
FROM: Mike Bynum <mike@berez.com>  
TO: <walterbird@sanjuancounty.org>  
CC: Sky Ranch Team <mike@berez.com>  
DATE: 10/10/2017 15:58

Hi Walter - I wanted to follow-up on our recent conversation regarding proceeding with the runway replacement at Sky Ranch. As you and I discussed, we will be going forward with the new runway in the next few weeks which will realign with the center of the property and be extended approximately 500' to provide threshold and designation markings at each end.

We are also working on some new lot layouts for the property which we will want to discuss with you. One would be based on one acre lots as currently permitted and the other suggests a layout that might be developed depending on the new zoning code. I will call you later to see if we can get some time on your schedule.

We look forward to working with you on this and other properties we have in San Juan County as part of the new Moab South community.

Thanks and happy trails,

Mike

SUBJECT: Fwd: FW: New Form Entry: Contact Form  
FROM: "Pehrson, Kelly" <kpehrson@sanjuancounty.org>  
TO: Mike Bynum <mike@berez.com>, Walter Bird <walterbird@sanjuancounty.org>  
DATE: 12/12/2017 07:13

Mike, this is about the 10th letter we have received. We have a lot of eyes watching the airport. Doesn't bother us. Just please make sure everything you are doing is FAA approved and that we know what is going on and has been approved by P&Z if it needs too.

Thanks

TO: "Pehrson, Kelly" <kpehrson@sanjuancounty.org>, Walter Bird <walterbird@sanjuancounty.org>  
DATE: 14/12/2017 15:15

Rhaundale Hinsen, the Principle Operation Inspector at the FAA, has been notified of the temporary use of the Sky Ranch runway for the UPS (not FedEx - sorry) deliveries to Moab - The FAA has no further requirements - Thanks again, Mike

From: Kelly Pehrson <kpehrson@sanjuancounty.org>  
Date: Tue, 12 Dec 2017 14:25:57 -0700  
To: Mike Bynum <mike@bzyez.com>, Walter Bird <walterbird@sanjuancounty.org>  
Subject: Re: New Form Entry: Contact Form

Does the FAA know you will be doing that with FedEx ?

On Dec 12, 2017 2:12 PM, "Mike Bynum" <mike@bzyez.com> wrote:  
Hi Kelly,

The only activity at this time is replacement of the runway which has been vetted with the County - We will be submitting a new plat for the property to the County in the near future with only one acre lots along the runway - We want to keep this as a private facility only with as much consideration of the neighborhood as possible - As I previously mentioned, we intend to allow Fed. Ex. The use for delivery only during the approximately 4 weeks that Canyonlands Field is scheduled to be closed to all air traffic -beginning this coming January - They come in around 9:30am and depart around 4:30pm - Please let me know if I can provide any additional information.

Thank you, Mike

From: Kelly Pehrson <kpehrson@sanjuancounty.org>  
Date: Tue, 12 Dec 2017 07:13:14 -0700  
To: Mike Bynum <mike@bzyez.com>, Walter Bird <walterbird@sanjuancounty.org>  
Subject: Fwd: FW: New Form Entry: Contact Form

Mike, this is about the 10th letter we have received. We have a lot of eyes watching the airport. Doesn't bother us. Just please make sure everything you are doing is FAA approved and that we know what is going on and has been approved by P&Z if it needs too.

Thanks

Kelly

000604

SUBJECT: Re: New Form Entry: Contact Form  
FROM: "Bird, Walter" <walterbird@sanjuancounty.org>  
TO: Mike Bynum <mike@bzrez.com>  
CC: Kelly Pehrson <kpehrson@sanjuancounty.org>, Greg Adams <gregadams@sanjuancounty.org>  
DATE: 13/12/2017 11:32

Mike:

Since the use of the property by Fed Ex for the few months is a commercial airport endeavor - I think it'd be a good idea for your group to file for a Conditional Use permit. You can follow this link <http://sanjuancounty.org/index.php/planning-and-zoning/> and click on the tab for Conditional Use for more info. Thanks,

Walter J. Bird  
SJC Planning and Zoning Director  
(435) 459-1838

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On Tue, Dec 12, 2017 at 2:11 PM, Mike Bynum <mike@bzrez.com> wrote:  
Hi Kelly,

The only activity at this time is replacement of the runway which has been vetted with the County - We will be submitting a new plat for the property to the County in the near future with only one acre lots along the runway - We want to keep this as a private facility only with as much consideration of the neighborhood as possible - As I previously mentioned, we intend to allow Fed. Ex. The use for delivery only during the approximately 4 weeks that Canyonlands Field is scheduled to be closed to all air traffic - beginning this coming January - They come in around 9:30am and depart around 4:30pm - Please let me know if I can provide any additional information.

about:blank

# EXHIBIT 7

TO: "Pehrson, Kelly" <kpehrson@sanjuancounty.org>, Walter Bird <walterbird@sanjuancounty.org>  
DATE: 12/12/2017 14:11

Hi Kelly,

The only activity at this time is replacement of the runway which has been vetted with the County - We will be submitting a new plat for the property to the County in the near future with only one acre lots along the runway - We want to keep this as a private facility only with as much consideration of the neighborhood as possible - As I previously mentioned, we intend to allow Fed. Ex. The use for delivery only during the approximately 4 weeks that Canyonlands Field is scheduled to be closed to all air traffic -beginning this coming January - They come in around 9:30am and depart around 4:30pm - Please let me know if I can provide any additional information.

Thank you, Mike

**From:** Kelly Pehrson <kpehrson@sanjuancounty.org>  
**Date:** Tue, 12 Dec 2017 07:13:14 -0700  
**To:** Mike Bynum <mike@bzzrez.com>, Walter Bird <walterbird@sanjuancounty.org>  
**Subject:** Fwd: FW: New Form Entry: Contact Form

Mike, this is about the 10th letter we have received. We have a lot of eyes watching the airport. Doesnt bother us. Just please make sure everything you are doing is FAA approved and that we know what is going on and has been approved by P&Z if it needs too.

Thanks

Kelly

----- Forwarded message -----

From: "Jennifer Hale" <jenniferh@ldi-ut.com>  
Date: Dec 11, 2017 3:26 PM  
Subject: FW: New Form Entry: Contact Form  
To: "Bird, Walter" <walterbird@sanjuancounty.org>, "Pehrson, Kelly" <kpehrson@sanjuancounty.org>  
Cc: "Mark Vlastic" <markv@ldi-ut.com>

Kelly/Walter...

Below is another email we received regarding Sky Ranch.

**From:** [info@nicholexpeditions.com](mailto:info@nicholexpeditions.com) [mailto:no-reply@weebly.com]  
**Sent:** Monday, December 11, 2017 1:45 PM  
**To:** [spanishvalley@ldi-ut.com](mailto:spanishvalley@ldi-ut.com)  
**Subject:** New Form Entry: Contact Form

You've just received a new submission to your [Contact Form](#).

#### Submitted Information:

##### Name

Chuck Nichols

##### Email

[info@nicholexpeditions.com](mailto:info@nicholexpeditions.com)



Hi Kelly and Walter,

Please see the attached outline for the next steps in the process. We can use this as an agenda for today's conference call.

Mark

SUBJECT: Fwd: San Juan Spanish Valley Area Plan - progress report and draft flyer  
FROM: "Pehrson, Kelly" <kpehrson@sanjuancounty.org>  
TO: Mike Bynum <mike@berez.com>  
DATE: 27/12/2017 19:26  
ATTACHMENTS (20171227-192604-0054241): "Untitled attachment 00114.html", "San Juan county SV Area Plan - Final Steps Outline 11-29-17.pdf"

Mike, fyi read what planners reported on sky ranch

----- Forwarded message -----

From: "Mark Vlasic" <markv@ldi-ut.com>

Date: Dec 27, 2017 3:37 PM

Subject: San Juan Spanish Valley Area Plan - progress report and draft flyer

To: "Pehrson, Kelly" <kpehrson@sanjuancounty.org>, "Bird, Walter" <walterbird@sanjuancounty.org>

Cc: "Elise Erler" <eliseerler@utah.gov>, "Jennifer Hale" <jenniferh@ldi-ut.com>, "John Locke" <johnl@ldi-ut.com>

Hi Kelly and Walter

Seasons greetings – I hope your holidays to date have been good!

A quick note to let you know that we are still on track to deliver a first draft of the plan next Friday, January 5<sup>th</sup>. As outlined in the attached schedule, we will have a conference call the following week to get your comments, and discuss making any final adjustments prior to the Public Open House meeting.

Regarding the Public Open House meeting, please see the attached draft flyer for your review and response. As you will note, I am proposing we hold a single open house meeting on the evening of January 17<sup>th</sup>, at the same location as our previous meetings. We can then conduct a "joint workshop" the following day (January 18<sup>th</sup>, preferably in the morning) in Monticello, with the Steering Committee, Planning Commission, SITLA representatives and County Commission all taking part. Please let me know if this schedule works, or if we need to make any adjustments to the flyer (FYI - we can hold meetings on January 16<sup>th</sup> and 17<sup>th</sup> if that works better, although we would prefer the 17<sup>th</sup> and 18<sup>th</sup> as proposed).

On a different note - we continue to receive phone calls regarding the Sky Ranch fly-in subdivision. The latest call was from a local resident who was very aggressive and angry. During our conversation he suggested that this is the primary concern of local residents, and that they are prepared to "take over" the meeting if the airfield isn't properly addressed in our plan. While the airfield is obviously a part of the plan, it certainly isn't the focus and will only be addressed in general terms at present. I explained that the county has taken the position that the airfield is a permitted use, which made him very irate (he believes our plan should address it specifically, and that the specifics of the airfield should be on the table as part of our "vision"). According to our conversation, the proposed use will have much greater impact than the previously-approved airfield, as it will be used for public flights as part of "overnight stay/air-b-n-b" type use. He expressed great concern for additional flights and impacts with our proposed land uses.

In order for us to be well prepared, we need clear information about the intent of the Sky Ranch project as proposed, including the history of the project, FAA regulations that apply, etc. so we can address it properly. Also, I would hope to have county representatives available during the meeting to discuss specific concerns regarding the airfield, and to hold a separate meeting outside of the main venue if necessary so our meeting can stay on track. If this isn't possible, I suggest that a separate meeting be organized with local residents prior to our meeting, so concerned residents and others can air their concerns. Also, I am a bit concerned about the aggressive tone that was expressed, and would like to discuss how we can assure the meeting is conducted in a manner that is safe and civil.

Finally, I have attached a copy of the schedule that I sent to you last month, in case you need to review it as we move forward setting dates and times.

Thanks – please feel free to contact me if you have any questions, and let me know whether the proposed dates/times work.

**Mark Vlasic**, PLA, ASLA, AICP, LEED Green Assoc.  
Principal and President

Landmark Design  
850 South 400 West, Studio 104  
Salt Lake City, Utah 84101  
[801-474-3300](tel:801-474-3300)  
[www.lidi-ut.com](http://www.lidi-ut.com)

**From:** [markv@ldi-ut.com](mailto:markv@ldi-ut.com) [<mailto:markv@ldi-ut.com>]  
**Sent:** Thursday, November 30, 2017 8:37 AM  
**To:** Pehrson, Kelly <[kpehrson@sanjuancounty.org](mailto:kpehrson@sanjuancounty.org)>  
**Cc:** Mark Vlasic <[markv@ldi-ut.com](mailto:markv@ldi-ut.com)>  
**Subject:** Re: Sky Ranch questions

Hi Kelly and Walter,

Please see the attached outline for the next steps in the process. We can use this as an agenda for today's conference call.

Mark

SUBJECT: Meeting  
FROM: "Pehrson, Kelly" <[kpehrson@sanjuancounty.org](mailto:kpehrson@sanjuancounty.org)>  
TO: Mike Bynum <[mike@bzzrez.com](mailto:mike@bzzrez.com)>, Frank Darcey <[fbdarcey@frontiernet.net](mailto:fbdarcey@frontiernet.net)>, ccconstruction@rocketmail.com, Ilene <[idjohnston@frontiernet.net](mailto:idjohnston@frontiernet.net)>, Kerry and Deleska Behunin <[kbehunin@msn.com](mailto:kbehunin@msn.com)>, Ryan Jolley <[Ryanj@jonesanddemille.com](mailto:Ryanj@jonesanddemille.com)>, Bryan Torgerson <[bryantorgerson@utah.gov](mailto:bryantorgerson@utah.gov)>, Daniel Hawley <[daniel.h@jonesanddemille.com](mailto:daniel.h@jonesanddemille.com)>, "Musselman, Benny" <[bmusselman@sanjuancounty.org](mailto:bmusselman@sanjuancounty.org)>  
DATE: 04/01/2018 09:06

Everyone,

We will hold our next SSD meeting on Jan. 10th at 6:00 PM at the Grand Water and Sewer Building. We will also be having public come in to sign up for water and sewer in the adjoining room. There is a lot of great things happening that we want to report. Our first test well has been drilled and it looks really good. Excited to see all of you. I hope you survived Christmas and New Years.

Thanks,

Kelly Pehrson, MBA  
Chief Administrative Officer  
Emergency Manager  
San Juan County  
435-587-3225  
[kpehrson@sanjuancounty.org](mailto:kpehrson@sanjuancounty.org)



You may be interested to hear, that I met again personally with Mike Bynum on 5/23/18 at his office. It was our third face-to-face meeting since the first one on 11/25/17. At this meeting, I offered Mike an easement across my property to the south of Sky Ranch, and out to E. Allen Street, to create a subdivision road that "loops" with two ingress/egress points as Marc Vlassic proposes in Landmark's suggested subdivision design criteria. Currently, the proposed subdivision road at Sky Ranch is only one way in and out. I did this in hopes that the two of us could convince the Planning Commissioners to allow a little extra density at Sky Ranch. This, I hoped, would show good faith on my part and also allow Mike to switch to a more conventional type of subdivision, thus relieving us all of the troublesome "airport within residential density" problem. He remains unnaturally wedded to the airport idea, even though it's uncontroverted that an airport poses significant safety concerns, is not compatible with the current residential development in the area, and is definitely not compatible with the proposed future development of the area. I assume that this is because he has made promises to his partner in the property, Alexander Woo, who also owns Redtail Air. These issues for Mr. Bynum are not the responsibility of the County, however the peace and safety of the community as a whole is within the duties and responsibilities of the County.

I want you gentlemen to understand that I don't oppose Mike Bynum's right to fly off of his airstrip, but it is the magnitude of the change of use, from a one-owner, one airplane, ranch strip to a multiple owner Airport, that presents the very real and inescapable threat to my property and the surrounding neighborhood, both in valuation, safety and peace of mind. It is like a neighbor who goes from having a milk cow to operating a feed lot. Let's see if we can create a equitable and common sense solution to this. My offer above to Mike, is a standing offer.

I look forward to hearing from the county government in the next week so that I may obtain the requested records or follow up my informal request with a more formal and definitive request for the information sought by myself and this community as a whole.

Sincerely,  
Karl Spielman  
435-260-1383  
[2karlspielman@comcast.net](mailto:2karlspielman@comcast.net)

SUBJECT: Fwd: Sky Ranch Airport Runway  
FROM: "Bird, Walter" <[walterbird@sanjuancounty.org](mailto:walterbird@sanjuancounty.org)>  
TO: Mike Bynum <[mike@bzzrez.com](mailto:mike@bzzrez.com)>  
DATE: 01/05/2019 12:03

FYI

----- Forwarded message -----

From: **William Love** <[william.e.love75@gmail.com](mailto:william.e.love75@gmail.com)>  
Date: Wed, May 1, 2019 at 11:42 AM  
Subject: Sky Ranch Airport Runway  
To: Walter Bird <[walterbird@sanjuancounty.org](mailto:walterbird@sanjuancounty.org)>  
Cc: <[nsjc-coalition@googlegroups.com](mailto:nsjc-coalition@googlegroups.com)>, Moab Sun News editor <[moabsunnewseditor@gmail.com](mailto:moabsunnewseditor@gmail.com)>

I am trying to verify the rumor that the Sky Ranch Airport runway was built without an permits and the airport needed a Conditional Use Permit. I have contact Moab 's Building Department as they are contracted by San Juan County for inspection and they have issued no permits of any kind for the construction.

1. Does the SJC Land use Code require a Conditional Use permit for the enlarged Sky Ranch runway?
2. Was a permit of any kind issued by SJC for the construction of the runway? I have contact the Grands County Building Department, who is contracted for inspections, and they have issued no permits of any kind for the runway.
- 3 Who is responsible for closing down a facility built without the proper permits. The SJC Land Use Code mentions first the Building Inspector, then the Commission and Courts.
4. Do I petition the Commission to close down the airport if a permit was not issued?

5 I will be at the next May Commission meeting and would like to discuss any problems with the permits for the runway with the Commissioners. I can make a Grama request at that time for your information.

Bill love

Please advise

SUBJECT: Re: Sky Ranch Airport Runway  
FROM: "Bird, Walter" <walterbird@sanjuancounty.org>  
TO: William Love <william.e.love75@gmail.com>  
BCC: Mike Bynum <mike@berez.com>  
DATE: 06/05/2019 13:32

Bill:

No permits were issued for the Sky Ranch resurfacing project. Sky Ranch has existed as an airport since the early 1970s and has been in continuous use as an airport since that time. The county has never issued permits for such projects as road resurfacing, patios, basketball slabs, etc. on properties. When Mike Bynum contacted the county several years ago about resurfacing the runway he was told that no permit would be needed and proceeded as such. I hope this is helpful.

Walter J. Bird  
SJC Planning and Zoning Director  
(435) 587-3225

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On Wed, May 1, 2019 at 11:42 AM William Love <william.e.love75@gmail.com> wrote:

I am trying to verify the rumor that the Sky Ranch Airport runway was built without an permits and the airport needed a Conditional Use Permit. I have contact Moab 's Building Department as they are contracted by San Juan County for inspection and they have issued no permits of any kind for the construction.

1. Does the SJC Land use Code require a Conditional Use permit for the enlarged Sky Ranch runway?
2. Was a permit of any kind issued by SJC for the construction of the runway? I have contact the Grands County Building Department, who is contracted for inspections, and they have issued no permits of any kind for the runway.
- 3 Who is responsible for closing down a facility built without the proper permits. The SJC Land Use Code mentions first the Building Inspector, then the Commission and Courts.
4. Do I petition the Commission to close down the airport if a permit was not issued?
- 5 I will be at the next May Commission meeting and would like to discuss any problems with the permits for the runway with the Commissioners. I can make a Grama request at that time for your information.

Bill love

Please advise

# EXHIBIT 8



# EXHIBIT 9



**SAN JUAN COUNTY, UTAH**



*This is to certify that*

# **BUILDING PERMIT**

**PERMIT # 18015**

**HAS BEEN ISSUED TO**

PERMITTEE: John Ramsey

AT: 273 Mustang Dr, Moab, UT 84532

ZONE:

FOR: New Residence

DESCRIPTION NOTE:

APPROVED BY:

BUILDING OFFICIAL

08/06/2018

DATE

## **BUILDING PERMIT INFORMATION**

It shall be unlawful to commence work before this placard is placed in a conspicuous place on the premises. Work shall commence within 180 days after issuance and will expire if work is suspended or has been abandoned for a period of 180 days.

It shall be unlawful to occupy this building until a Certificate of Occupancy is issued in accordance with the Building Codes of San Juan County, Utah.

**CALL 435-587-3221 TO SCHEDULE ALL INSPECTIONS**

**NOTE: 24 HOURS NOTICE IS REQUIRED FOR ALL INSPECTIONS.**



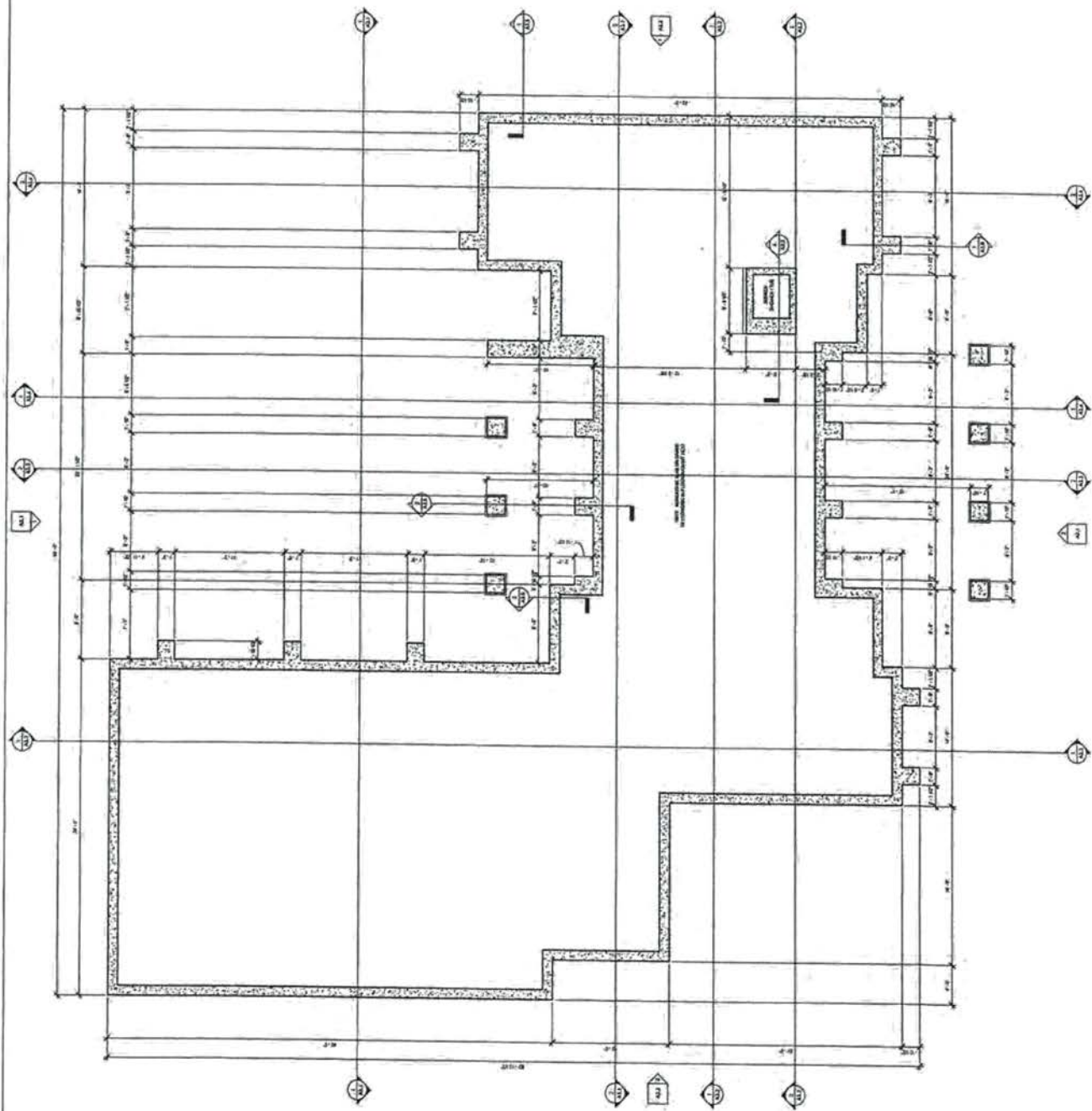


RAMSEY RESIDENCE

[illegible]

## A1.2

6/7/2018 11:41:23 AM

① **FOUNDATION PLAN**  
1/4" = 1'-0"



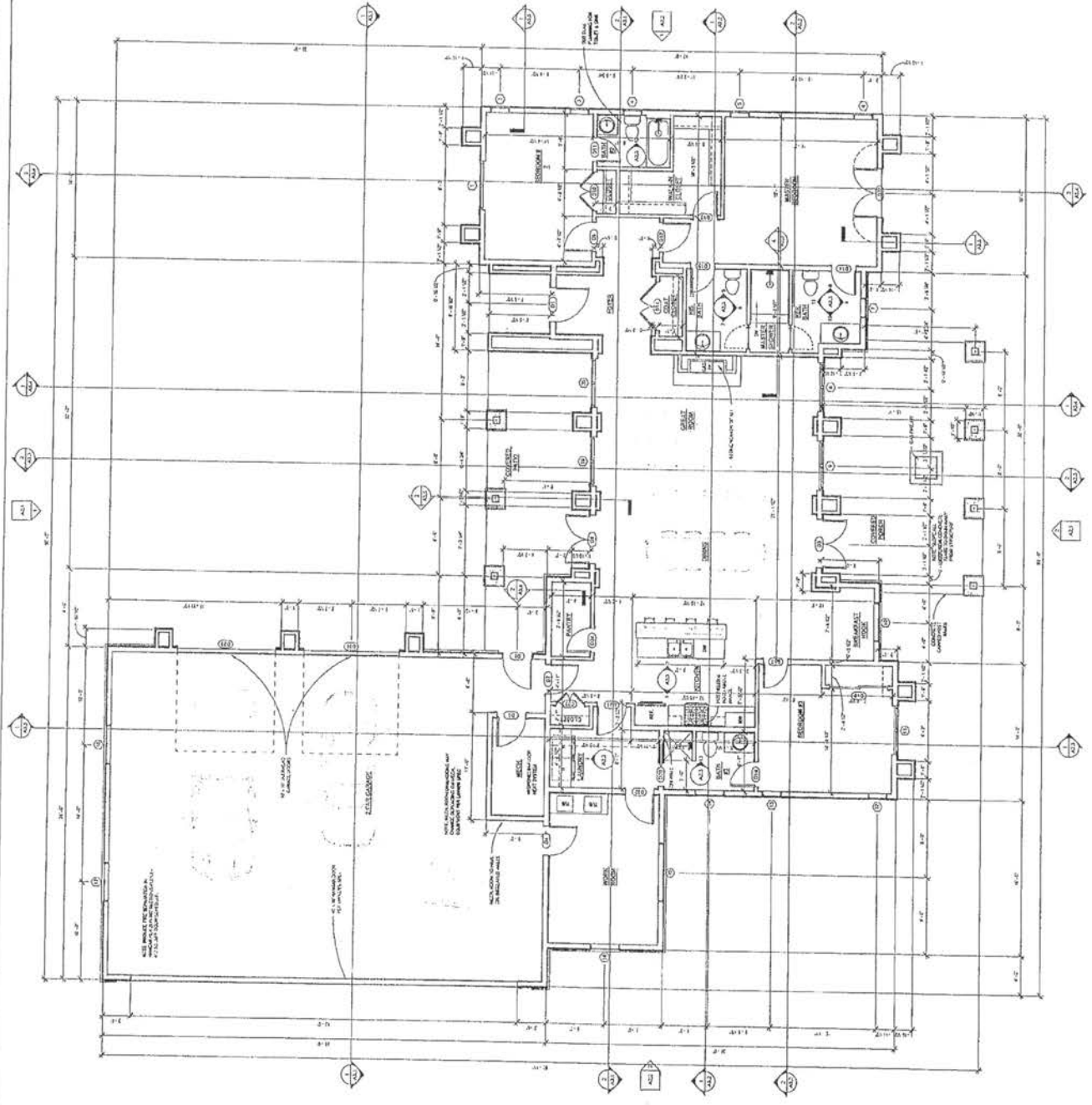
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FLOOR PLAN

### A1.3

① FLOOR IN JH  
② 14" = 1'-0"



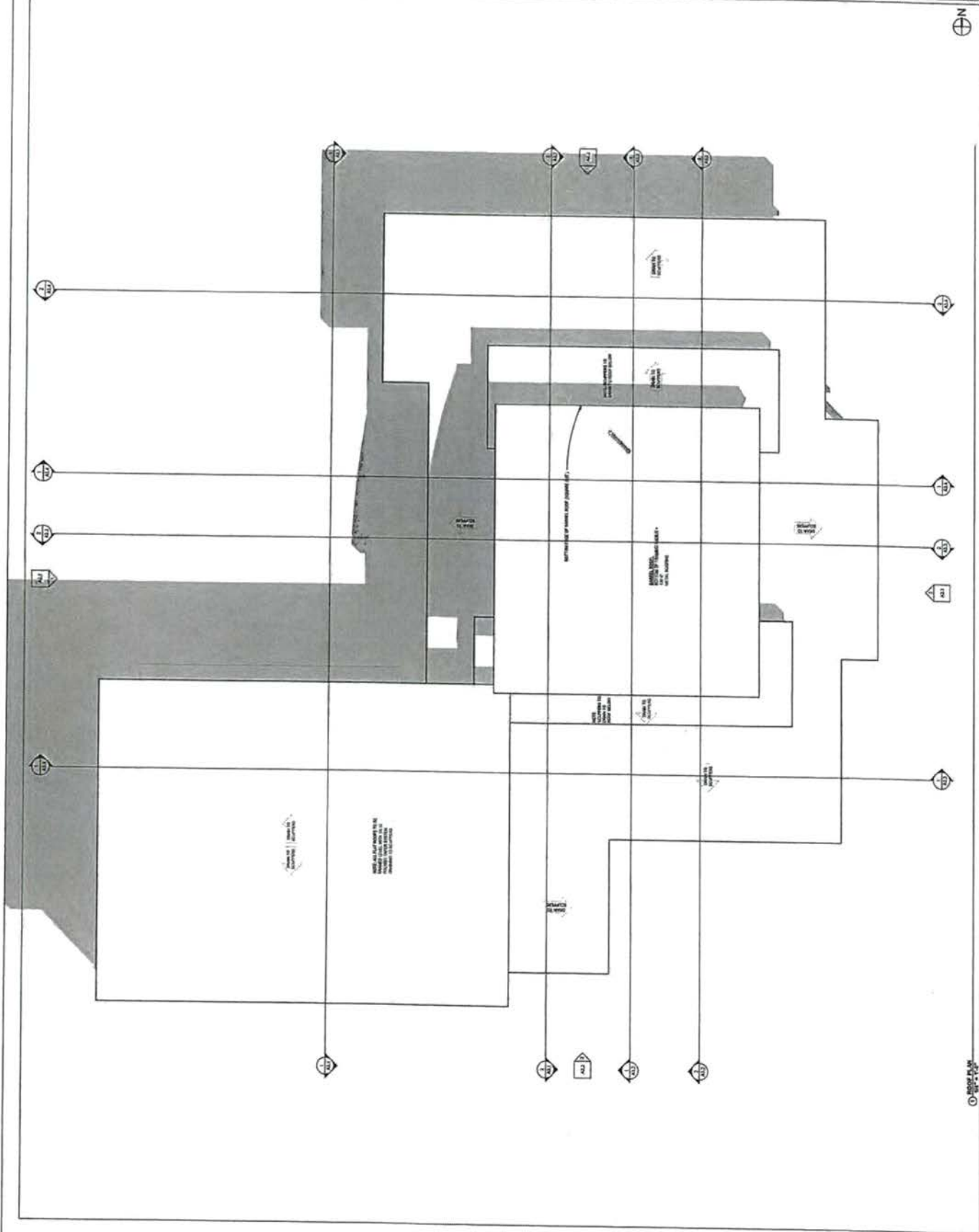


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## A1.4

①  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
NOVA BOOKS





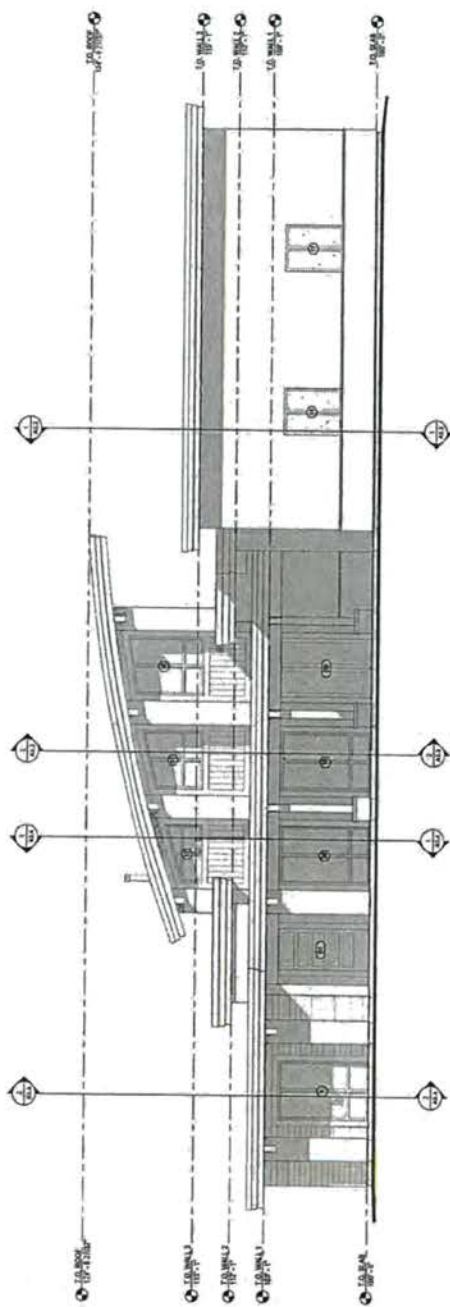
RAMSEY RESIDENCE  
SKY RANCH, SAN JUAN COUNTY, UTAH

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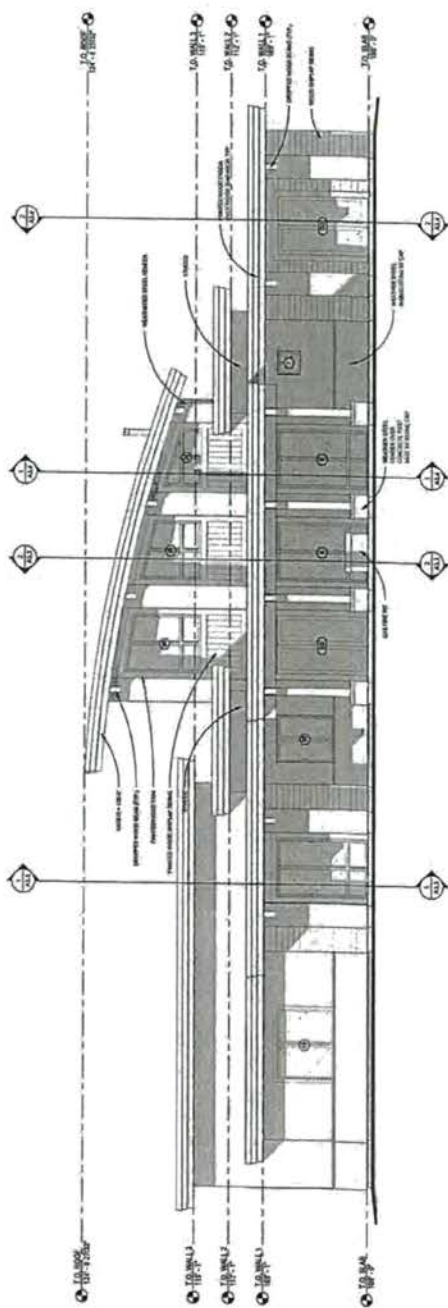
## EXTERIOR ELEVATIONS

## A2.1

DATE: 01/20/2010 10:23 AM



① NET ELEVATION  
146.514'

② EAST ELEVATION  
1/4" = 1' 0"





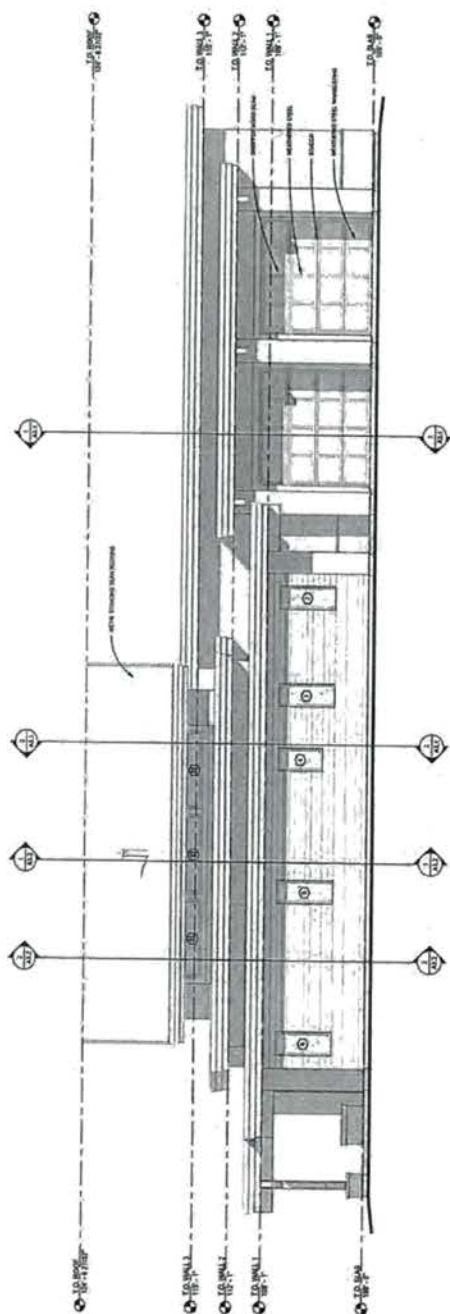
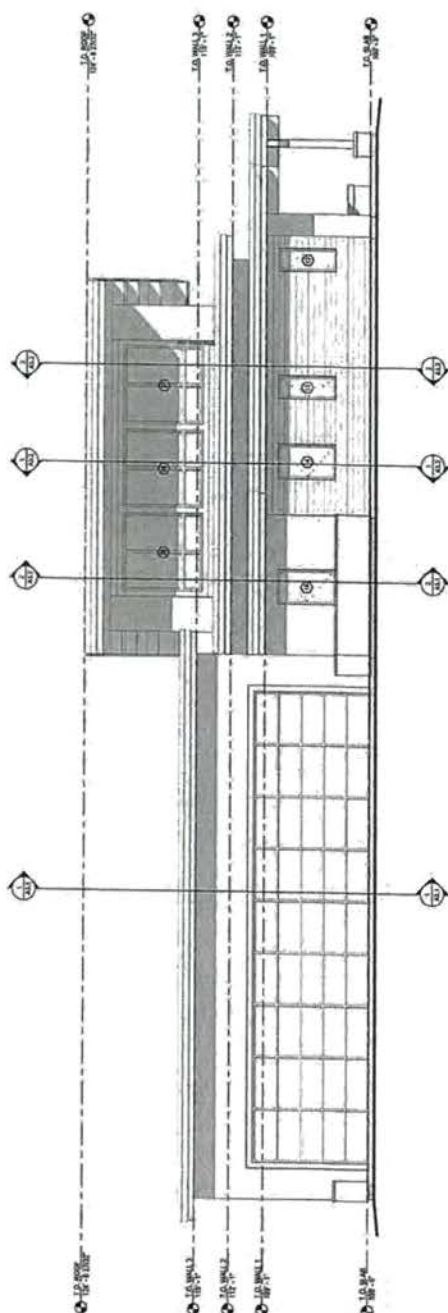
RAMSEY RESIDENCE  
SKY RANCH, SAN JUAN COUNTY, UTAH

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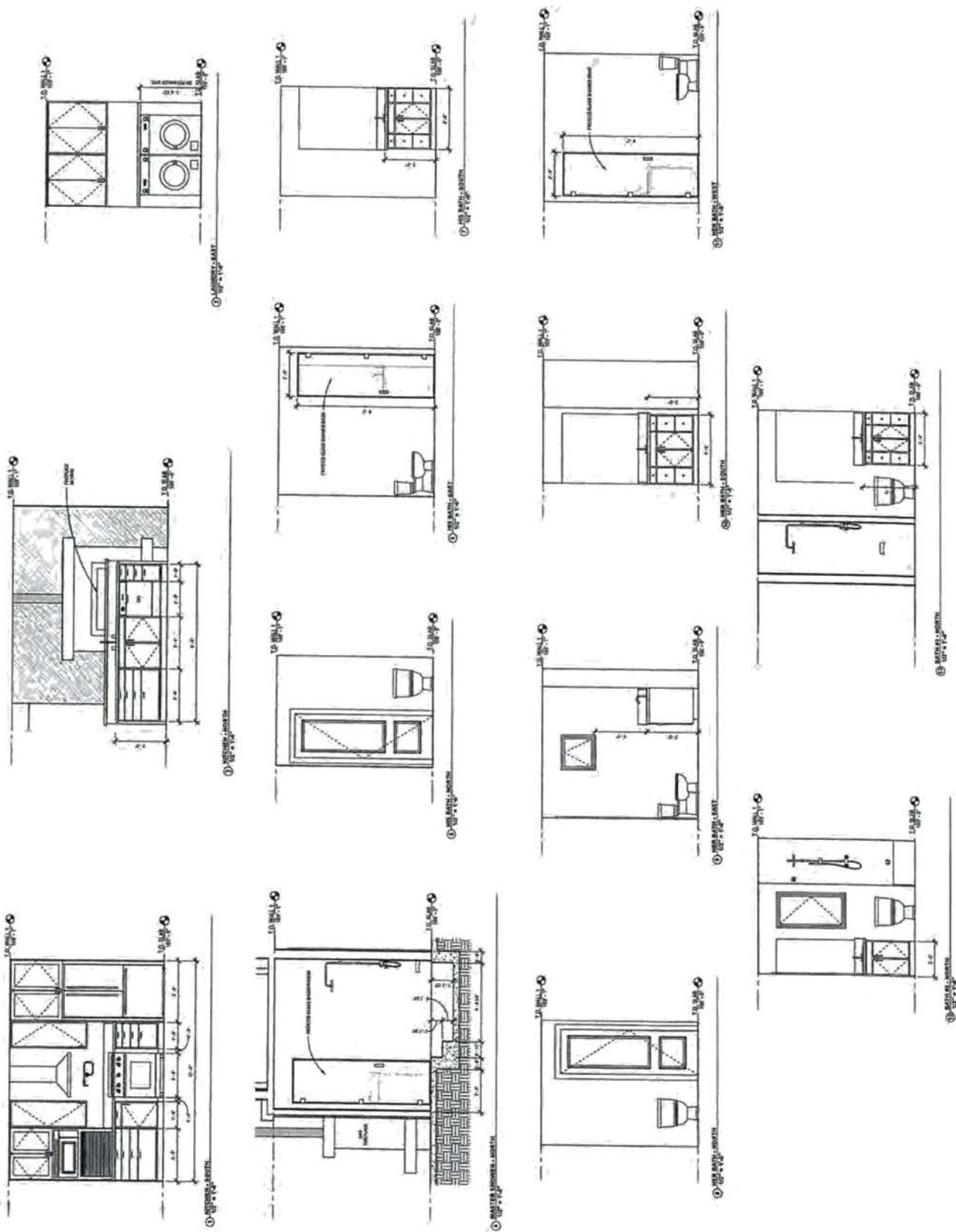
## EXTERIOR ELEVATIONS

## A2.2

PRINT DATE 6/7/2018 1:42:55 PM

① NORTH ELEVATION  
 $54^{\circ} 2' 10''$ 

② SOUTH ELEVATION





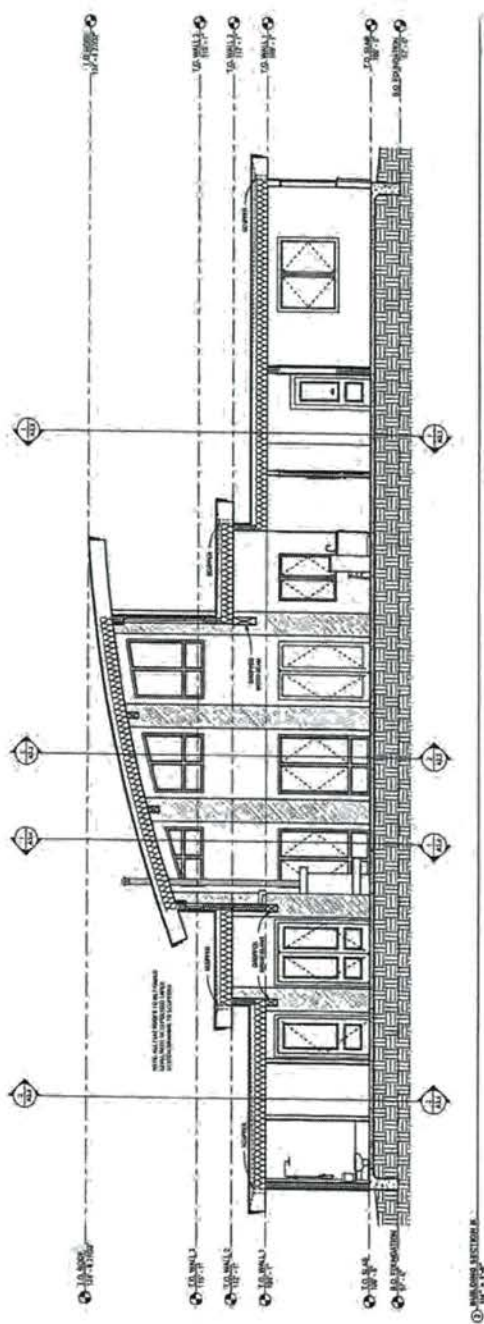
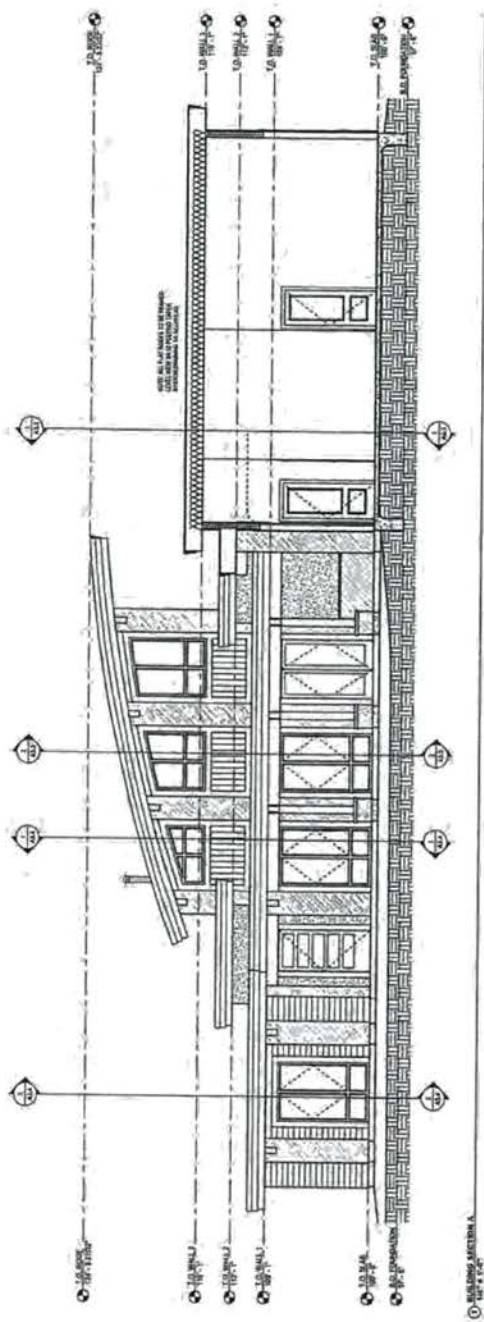
RAMSEY RESIDENCE  
SKY RANCH, SAN JUAN COUNTY, UTAH

[illegible]

BUILDING SECTIONS

### A3.1

PROD. DATE: 11/11/2017 10:00 AM





① 2014年10月1日

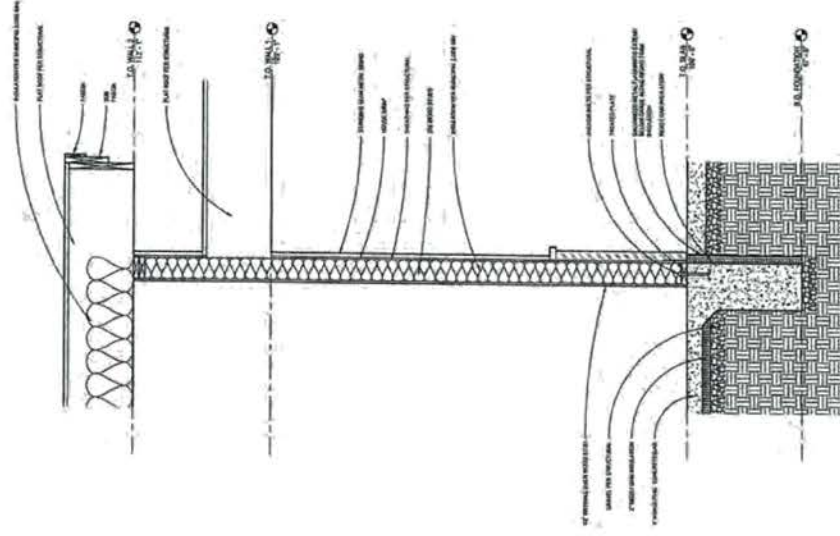
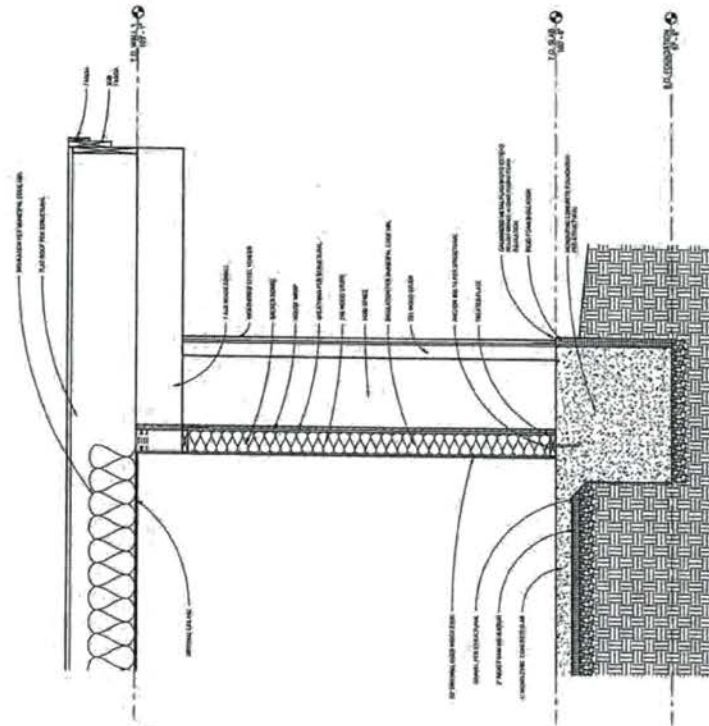


① BUILDING SECTION 1

② BUKINGHO SELECTION IN  
CLASS OF THE

① WALL SECTION A



① WALL SECTION D  
1'-0" 1'-4"

© WALL ELECTRONICS  
1984



the following has been interpreted as evidence of the product's safety. In a study conducted by the National Cancer Institute, researchers found that the use of the product was associated with a lower risk of developing breast cancer.

[illegible]

## WINDOW & DOOR SCHEDULES

## A4.1

DATE: \_\_\_\_\_

Week	Description	Month	Week	Level	Est./Acres	Days/Hours	Comments
1	General	10	1	(G) 30-40	10	10-12	Medium 40
2	General	11	2	(G) 30-40	10	10-12	Medium 40
3	General	12	3	(G) 30-40	10	10-12	Medium 40
4	General	13	4	(G) 30-40	10	10-12	Medium 40
5	General	14	5	(G) 30-40	10	10-12	Medium 40
6	General	15	6	(G) 30-40	10	10-12	Medium 40
7	General	16	7	(G) 30-40	10	10-12	Medium 40
8	General	17	8	(G) 30-40	10	10-12	Medium 40
9	General	18	9	(G) 30-40	10	10-12	Medium 40
10	General	19	10	(G) 30-40	10	10-12	Medium 40
11	General	20	11	(G) 30-40	10	10-12	Medium 40
12	General	21	12	(G) 30-40	10	10-12	Medium 40
13	General	22	13	(G) 30-40	10	10-12	Medium 40
14	General	23	14	(G) 30-40	10	10-12	Medium 40
15	General	24	15	(G) 30-40	10	10-12	Medium 40
16	General	25	16	(G) 30-40	10	10-12	Medium 40
17	General	26	17	(G) 30-40	10	10-12	Medium 40
18	General	27	18	(G) 30-40	10	10-12	Medium 40
19	General	28	19	(G) 30-40	10	10-12	Medium 40
20	General	29	20	(G) 30-40	10	10-12	Medium 40
21	General	30	21	(G) 30-40	10	10-12	Medium 40
22	General	31	22	(G) 30-40	10	10-12	Medium 40
23	General	32	23	(G) 30-40	10	10-12	Medium 40
24	General	33	24	(G) 30-40	10	10-12	Medium 40
25	General	34	25	(G) 30-40	10	10-12	Medium 40
26	General	35	26	(G) 30-40	10	10-12	Medium 40
27	General	36	27	(G) 30-40	10	10-12	Medium 40
28	General	37	28	(G) 30-40	10	10-12	Medium 40
29	General	38	29	(G) 30-40	10	10-12	Medium 40
30	General	39	30	(G) 30-40	10	10-12	Medium 40
31	General	40	31	(G) 30-40	10	10-12	Medium 40
32	General	41	32	(G) 30-40	10	10-12	Medium 40
33	General	42	33	(G) 30-40	10	10-12	Medium 40
34	General	43	34	(G) 30-40	10	10-12	Medium 40
35	General	44	35	(G) 30-40	10	10-12	Medium 40
36	General	45	36	(G) 30-40	10	10-12	Medium 40
37	General	46	37	(G) 30-40	10	10-12	Medium 40
38	General	47	38	(G) 30-40	10	10-12	Medium 40
39	General	48	39	(G) 30-40	10	10-12	Medium 40
40	General	49	40	(G) 30-40	10	10-12	Medium 40
41	General	50	41	(G) 30-40	10	10-12	Medium 40
42	General	51	42	(G) 30-40	10	10-12	Medium 40
43	General	52	43	(G) 30-40	10	10-12	Medium 40
44	General	53	44	(G) 30-40	10	10-12	Medium 40
45	General	54	45	(G) 30-40	10	10-12	Medium 40
46	General	55	46	(G) 30-40	10	10-12	Medium 40
47	General	56	47	(G) 30-40	10	10-12	Medium 40
48	General	57	48	(G) 30-40	10	10-12	Medium 40
49	General	58	49	(G) 30-40	10	10-12	Medium 40
50	General	59	50	(G) 30-40	10	10-12	Medium 40
51	General	60	51	(G) 30-40	10	10-12	Medium 40
52	General	61	52	(G) 30-40	10	10-12	Medium 40
53	General	62	53	(G) 30-40	10	10-12	Medium 40
54	General	63	54	(G) 30-40	10	10-12	Medium 40
55	General	64	55	(G) 30-40	10	10-12	Medium 40
56	General	65	56	(G) 30-40	10	10-12	Medium 40
57	General	66	57	(G) 30-40	10	10-12	Medium 4

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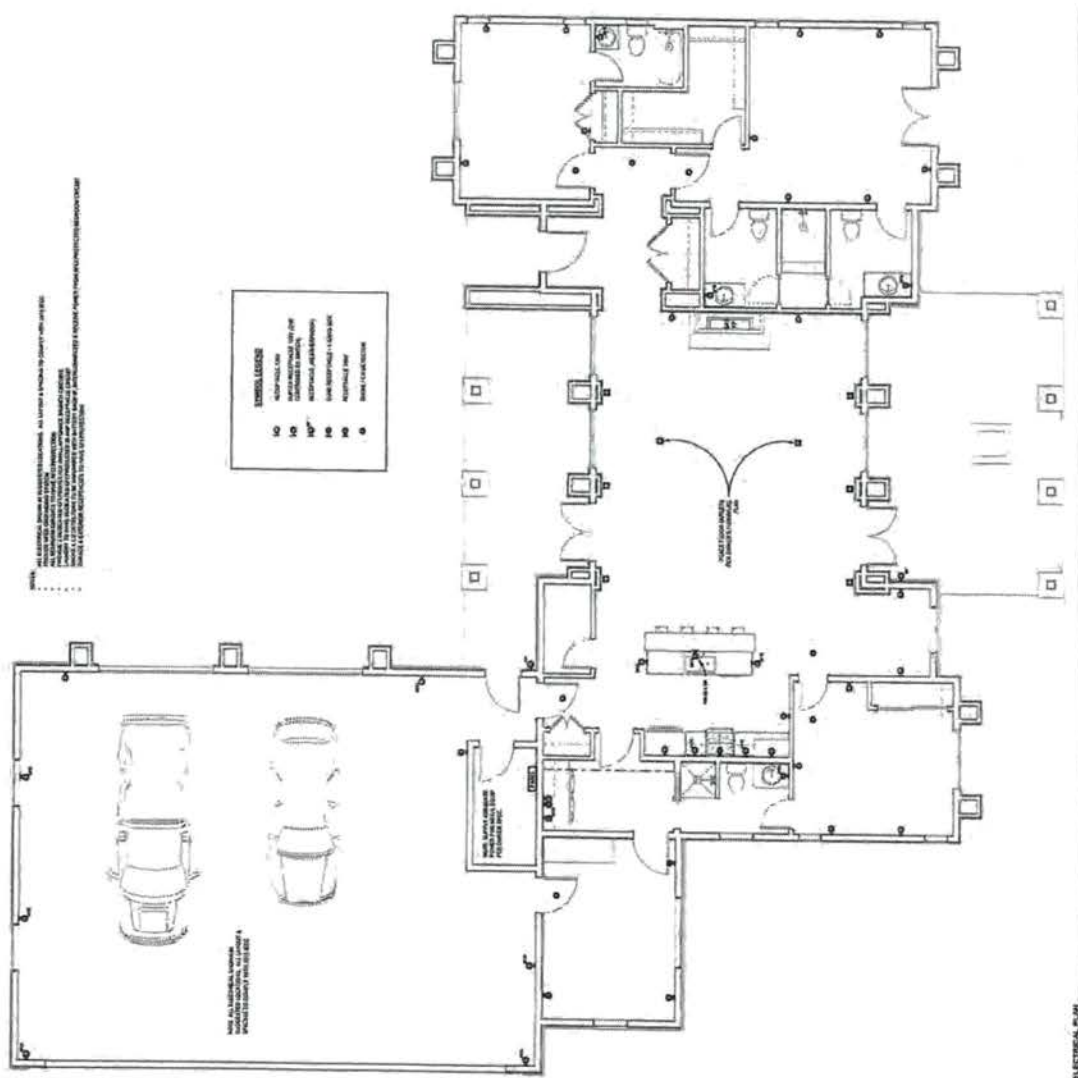


to be covered. The site of these plants should be marked in the original sets by punch-tape cards prepared by the appropriate production or record department, which are easily published. This is the only and specific official regulation with these plants.

[illegible]ELECTRICAL  
PLAN

## E1.1

DATE: 07/20/01 11:15 PM



# EXHIBIT 10



## BEFORE THE SAN JUAN COUNTY (UTAH) ADMINISTRATIVE LAW JUDGE

Karl Spielman, Tim O'Niell,  
Beverly O'Niell,  
*Petitioners,*

v.

San Juan County, Utah,  
*Respondent.*

\_\_\_\_\_  
Mike Bynum,  
*Owner*

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Unofficial Transcript of  
Relevant Portions of Meeting  
of Planning & Zoning  
Commission on November 18,  
2021

Begin —

(Timestamps based on recording available at [www.utah.gov/pmn/files/785127.MP3](http://www.utah.gov/pmn/files/785127.MP3))

Time	Participant	
9:40		Any other public comment that is not on the agenda? Okay, hearing none, we'll move on to #3, Sky Ranch Estates presentation.
10:00	J. Matkin	Good evening, my name is Justin Matkin. I am an attorney with the law firm of Parr, Brown, Gee & Loveless. I represent the developer Business Resolutions LLC for the Sky Ranch Estates. The purpose of our informational presentation this evening, um, is to provide the County and the Planning Commission, with a presentation and an update on the work and safety protocols the developers put in place with respect to the safe and efficient operation of the Sky Ranch, ah, subdivision. I know this is not necessarily a new thing for you all, back in February of this year, this phase II subdivision application was brought in front of the Planning Commission and it was approved or recommended for approval to the Board of Commissioners and staff in addition concluded as did the Planning Commission who concluded that the, ah, the subdivision application met the Spanish Valley Subordinance. And, subsequently the phase II Subdivision Application went to the Board of Commissioners, and that was approved on February 16, 2021. So, about eight months ago. But the condition for approval was that we come back to the Planning Commission and make a safety presentation, ah,

Time	Participant	
		<p>informational presentation. So that's the purpose of why we're here this evening. Um, as you may recall from this, from your prior work on this subdivision this is, ah, for the Phase II of this project. Phase I was a, ah, was done previously, but then amended in 2018, um, and Scott, could you put up the Phase I plat? That's going to be, it's yes, there it is, right there. So the Phase I plat was amended and approved and recorded in May of 2018. The Phase I plat was essentially a six-lot subdivision that, that identified a 250 foot easement down the center of the property for the operation of a private runway. And so the Phase I plat essentially established in 2018 what the boundaries of the runway and the orientation of the runway would be, and the orientation and the extent of the development on either side of the runway. By way of background, this is a private runway that existed for decades, ah, has been on the FAA charts since 1980s, has been used as a private runway since that period of time, and started out as a dirt strip. In the early 2000s it was paved as a 50-foot runway, and then Phase I obviously was approved or amended and in 2018 with the approval of the County. So this is Phase II. Phase II essentially develops the rest of the property in the same orientation down the rest of the runway. There are two different classes of lots. Um, there's lots that exist on, um, that have access to and frontage along the runway, and those are 45 lots there. And then there's lots that are to the west kind of in a flag section of the property, there that don't have access to, direct access to the runway. So there's two different classes of lots. The smaller lots; these are the smaller lots, these are quarter-acre to a third-acre lots. They don't have specific aviation privileges on the subdivision only the lots that have direct frontage on the runway will have the ability to have their own hanger on their own lot with their residence. Um, the lots that exist have that, that are adjacent on the runway are between 0.55 and 0.6 acres. But a good portion of that is taken up by the easement for the, ah, for the runway itself, which is 125 feet on either side of the center line and then the runway is oriented in the middle of that. But the total extent of the protection zone, for the easement is 250 feet. So, essentially what, what we've, what we've done is, is go to, um, is develop safety procedures. Ah, we've got an expert analysis from an aviation expert who's reviewed the plat. He's reviewed the safety regulations we've come up with, ah, and he has, he's made an analysis and um, concluded that the, that the community can be operated in a safe and efficient manner.</p>

Time	Participant	
		<p>There's been quite a bit of – one of the reasons I'm here, just to be upfront, is after the Board of Commissioners approved the, approved the subdivision application, there was an appeal. So, we're in the process of that appeal, but that appeal is currently stayed while we complete the, complete our report, to this body. So the aviation expert is a fellow named Larry Williams. Larry worked with the FAA for 34 years as a safety inspector. Since he retired about 10 years ago, he has, ah, worked as a consultant in the aviation industry providing regulatory compliance safety audits, technical assistance to airlines and civil aviation authorities. How we came in contact with Larry was he did some, a safety audit for Redtail Aviation which flies, tourist flights and other operations out of the Canyonlands Airport. So, he did a safety audit of Redtail and so we asked him, since he's already kind of familiar with the area, that he do a safety analysis for us. We've provided that report to you all. It's dense, kind of lengthy. It provides – it's a lot of attachments to it, and that, but we believe it's very thorough, well reasoned, and you're welcome to look through that at your leisure. But the conclusions, I'd like to just kind of briefly summarize.</p> <p>The first is the 250-foot wide protection easement for the runway – is that wide enough? And, he concluded that it was, that it's consistent with other flying communities that are across the country. There are some huge flying communities in Texas and Florida with thousands of homes and hundreds and hundreds of planes associated with those. And, he concluded the 250 feet is a sufficiently wide runway to be able to operate safely. He looked at the length of the runway. The runways is 3700 feet long which is 7/10ths of a mile. He concluded that the, that the length of the runway is sufficient to operate the types of airplanes that will come in and out of here, which is essentially propeller aircraft. And on either side of the runway, there are displaced thresholds, which means you can't land at the very edge of the runway. You have to fly into a certain portion farther down for 300 feet before you land, which creates buffers for neighboring properties and so you don't have people landing right on the boundaries.</p> <p>Ah, the other thing that the developer did here was develop some regulations and operating procedures that, that essentially govern how planes are going to come in and out of here, who can use the, who can use the runway. The runway now could be</p>

Time	Participant	
		<p>used by anybody that the private owner gave permission to. So, if somebody, um, called and said we want to fly into Moab, can we land at your runway, we could give them permission to do that. The developer's not done that so far. Um, but this, um, the rules say that only, ah, people who own lots at the subdivision will be able to use, use the runway for their own private use. So, there won't be any public usage of it. Um, and, and there's some concerns and, I guess, some issues raised by some of the neighbors, and he kind of reviewed those concerns and, about how many flights there would be and that type of thing, and found those concerns to be overstated and essentially unfounded.</p> <p>The other thing the developer did was establish CC&amp;Rs, declarations and covenants, and restrictions which, adopted formally the safety regulations and gave the Board the ability to enforce those safety regulations. So if somebody's not operating safely, then the Board can take away their privileges or impose fines or, or those type of things to make sure that it is safely operated.</p> <p>And, and the other thing they've come up with a flight arrival and departure procedures to make sure that everyone kind of does it in an orderly fashion and that there's specific rules and, about how to approach, how to land, how to take off, that type of thing.</p> <p>So, um, so that's kind of the, the, the summary. Um, I'm going to, if you don't mind, I'm going to give, um, there's another gentleman here I'd like to, ah, give a few minutes to. This is John Ramsey. John Ramsey is the president of Redtail Aviation, um, the aforementioned. And, ah, Mr. Ramsey has the distinction of also being a lot owner, ah, in Phase I and has built a residence on Phase I. So, he's particularly interested in the safe operation of this, and he is a pilot and aviation person, so I'm going to let him address you with the specifics of some of the safety, protocols that have been put in place with respect to the subdivision. I'm happy to address any questions, if you have any. But otherwise, I'll turn the time over to Mr. Ramsey.</p> <p>Yes sir?</p>
		<p>Bill Love sent an email about the danger posed to children by, at the ends of the runway. Have you seen it?</p>

Time	Participant	
	J. Matkin	I have not seen any emails like that. So, I think Mr. Ramsey would address any safety issues with that. Um, I'm not sure there are any particular issue about children, ah, on the runway. There shouldn't, shouldn't be any children on the runway, ah, but. . .
		No.
	J. Matkin	. . .but Mr. Ramsey can address that.
21:28	J. Ramsey	Well, thank you. Um, just by way of introduction, I, I have no financial interest in the project. I'm a homeowner so I guess by definition I'm the closest one to the runway at the moment, anyway. So I'm very interested in what the regulations would be, how we conduct the operation safely, ah, was given the opportunity to put a lot of input into that by the developer. So, ah, I'm very satisfied with what's on paper looking at it as a homeowner. I'll go through real quick the things that are important. There's two issues generally in terms of safe operations at an airport. One is the arrival and departure patterns and procedures, and then, um, ah, what type of operations can be done at the airport specifically and what cannot be done. So, we've addressed those, I think pretty well. Um, the, um, Justin mentioned the displaced threshold. What that does it that it basically moves the usable end of the runway down 300 feet from the pavement end so that the airplane will have to land a little further down the runway, and it's mostly appropriate for landing. And, um, it just puts a buffer, on the runway between the threshold, the touchdown point, and the actual end of the runway which is closer to the property line. So that's an important safety feature. Um, it's a VFR daylight operation only, 7 am to 1 hour past sunset. Ah, there's no lights on the runway so it cannot be used at night. Um, and won't be allowed to be used at night. Some specifics about operations, there'd be no touch-and-go landings allowed, which are basically touch down, take off. You touch down you stop. You're landed. You're, ah, there's no low passes allowed. No aerobatic maneuvers or anything like that. It's purely an arrival and departure point for homeowners. It's a private airport runway. Um, property owners may have up to two guests arriving by aircraft with prior approval by the Board or the Board's representative. All pets are required to be on leashes. Ah, no bicycles or motorized vehicles are allowed on the runway. No student flight training will be allowed at the airport. Um, those are very specific dos and don'ts that are in place, and I think very important. Ah, you know, because it's a private airport, the

Time	Participant	
		<p>property owners have a vested interest to make sure that it's a good neighbor and that they preserve their privilege to operate there safely. So it's sort of a self-policing, ah, ah, system in that the value of not having it open to the public is – it's owned by the property owners and they respect the rules and they know the rules and so forth. So, that's a very important piece. I don't know – oh there it is. Yeah.</p> <p>Have you got your little pointer that tested? This is the flight pattern for arrival and departure, and um, the, um, oops. Wrong button. The runway (inaudible 25:17) interesting. Anyway. Ah, the runway is kind of a green there. The, ah, the parallel down – it's called the downwind leg which parallels the runway to the left of the screen there – is called the downwind leg. And, we designed that so it's actually on the west side of the rim. And, so, that is over, ah, basically undeveloped land, and it puts the aircraft on the outside of the rim to minimize any noise that you get from kind of a canyon effect. And so the downwind leg would be flown, on the west side of the rim. That rim tails off, ah, tot eh south, and you'd make your left turn or base leg there. That's all over open land, and ah, pretty much the same way the other way, ah, ah, for the other end of the runway. The, ah, we recommend to the pilots or will recommend that they depart to the south and arrive from the south when winds allow it. That's pretty much undeveloped land to the south so that's the preferable way to arrive and depart without affecting any neighbors. So, ah, if you depart from the south – to the south – then you just, it's, that departure line that kind of goes down is, is to the south. Um, if you're departing to the north, um, you'd make a left turn and then depart actually over 191, highway 191, and um, then climb out and go on your way. So, it's – we gave a lot of thought to it as to what, both what's safe and what, um, will have a minimum impact on neighbors. So, um, I actually went out and flew that pattern today, ah, and, um, on the downwind leg, you're about 7500 feet above sea level which is about, which would be about 2500 feet above the ground at that point. So, that's higher than the typical downwind leg would be, but you're also further out so you have plenty of time to descend and land. So, it's a pretty safe, and it, ah, should really totally minimize any noise impact to neighbors.</p> <p>So, um, a few other little things that we've, we've put in the restrictions, no fuel storage will be allowed on individual lots.</p>



Time	Participant	
		<p>That would be a question I would anticipate might come up, but it will not be allowed. So the intent is to make it as neighbor-friendly as it could be, and ah, I don't know, you would expect that most of the property owners would be airplane owners, but not necessarily. I built my home on the south end of it. I put a hanger on it because it's on a runway, but I'm not going to put an airplane in it so, so far, none of the property owners have an airplane, of which there's only one. But, we'll see. But, I think, obviously, that's one of the interests in the, in the runway is for people who would like to build theirs. They have, and typically, it will be a small single engine sport-type airplane. It's not going to be a jet or a, you know, high performance airplane. The runway's not long enough. So that – it's almost self-limiting for that reason.</p> <p>So, I don't know if there's any questions, but that's. . . yes sir.</p>
29:17		Um, you've answered a few, but I do have one. So, and maybe you can't answer it, maybe the attorney needs to. So you said there's 45 lots that are adjacent to the runway, is that correct?
	Ramsey	I guess, I don't know the number.
	Matkin	Yeah.
30:00		Okay, and so, say I buy the, number 55. I don't have a hanger on my lot, but can I fly in and tie on the ramp? Can those other homeowners access – do they have access and permission to use the runway, as well?
30:25	Matkin	So, there is a hanger lot which is going to be identified for if somebody buys a lot and does not want to have their own hanger or they would just rather lease hanger space, there's going to be limited hanger space, so if you, for instance, owned a lot on lot 55. Um, you could then rent space in the hanger and use your plane out of the hanger.
		Sure.
30:50	Matkin	Um, if you have a lot that faces the runway, then you could have a hanger on your lot. What we anticipate happening and what the early interest from the developer has been, my guess and interest has been in people buying more than one lot along the runway. So, so they would probably buy two or three lots and allow one lot to be a home, another lot to be a hanger, and so you have 45 lots along the runway. Some of those lots are probably undevelopable. If you look at the plot, there's actually a drainage or sewer easement that goes through four or five of those lots. So, some of those lots are probably not going to be



Time	Participant	
		stand-alone developable. Others are going to be probably combined. The safety expert, um, anticipated that there would be, well, we did, John did an analysis from looking at the records from Canyonlands. There's about 30 airplanes, private airplanes, at Canyonlands right now, and he went back and looked at the fuel records and saw that of those private airplanes that are currently hangered at or kept at Canyonlands, there was, over a 30-day period, there's an average of two flights a day for those 30 airplanes. So, it's like a boat. Like, if you have a boat, you don't use the boat every day. You use it on the weekends. Or, if you have a Ferrari, you know, you don't drive your Ferrari every day. Like, you know, you drive it once every – I don't have a Ferrari, but I, I anticipate that if I had a Ferrari, I wouldn't drive it every day. Um, but it's kind of one of those things where if you have a plane, you're not going to fly it every day, or many of these homes, I assume, are going to be recreational second homes, and so, they're going to be used at various times of the year. So, I anticipate some of the major concerns that we've heard from the neighbors was, you know, there's going to be 20 or 30 flights a day. It's just, you know, it's just not going to be the case. It self-limits itself with the number of houses that are actually probably going to have planes, active planes, that are going to be flying at any given time the people are going to be there, and the combination of lots and the limited hanger space, I think it's fair to say that we're probably going to have between 20 and 30 active aircraft in there once it's fully built out. And, those 20 to 30 aircraft will probably see similar use to the aircraft at Canyonlands. You're probably going to have between zero and five flights a day on average, which is, which is not the type of aggressive use that, some of the neighbors were concerned about. Does that help?
33:25		Um, yeah. I just was wondering if, if you sold it, didn't have a frontage lot, you still have access to the runway. That was. .
	Matkin	Yeah, through the hangar space.
		Yeah.
33:39	Matkin	Thank you. Thank you for your time.
		All righty.
33:48		It looks like Ann Austin has raised her hand and asks to make a comment.
33:54		Okay. Ah, we'll take public comment and then we'll come back to the Commission, so, um, go ahead and click on.
34:01		I think she has to unmute herself. I can't from here.

Time	Participant	
		Okay. (Quiet mumbling)
		So, I, she, if you want her to go, she just needs to unmute and she can go ahead.
		Okay.
34:28		Ann, can you unmute and make your comment?
		In the meantime. . .
		Could I speak for a second, Trent?
		Please.
34:46	T. O'Niell	My name's Tim O'Niell. My wife and I own the property just south, not directly south, but south of the airport, directly south. The planes come right over our place. Um, and, ah, I'm one of the appellants. We are part of the lawsuit that's trying to see what can happen with this, with this runway. Um, understanding this was informational only, we're not here to argue or make our point or anything, but we did want to correct Section K. Could you scroll to that? It shows an avigation easement that we put in in 2003 when we bought our property, and ah, we gave, ah, the avigation easement to Bud Tangren who was still alive at the time, for his one airplane, occasional use. What they've pulled out and put in your, your document, your file there, is a 2003 and 2017 when this group bought the land from Bud's estate, probably, we refiled that. So, there's a more current version of that where we revoked the right for avigation easement over our property. So, mostly, I just want to set the record straight on that point there. And, we have sent the County a, ah, copy of the current avigation easement. And, that's really all I had to say. We'll fight the battle later on or at another time.
		Okay. Thanks.
36:18		Ann, did you unmute?
36:22	A. Austin	Hi, yes. Thanks. Um, my name's Ann Austin. I live in the flight zone of the Sky Ranch property. And, ah, I just had a couple comments to make about concerns still around this. Generally, I don't have any issues with it other than, ah, the impossibility to enforce any regulations around their self-policing plan. Um, we know that's kind of the theme in our area – whatever ordinances or zoning gets put in place, we don't have any way to really regulate it. There's probably not going to be any kind of flight record. As a neighbor, how do I know the people that are flying in actually live there? How do I know whether or not, um, a resident is renting out a room to a tourist and they're allowing the use of their plane for scenic flights at a, you know, profit?

Time	Participant	
		So, it's in a residential area. I know it's not supposed to be used as commercial, but there's no way to really police that, so in that light, I think some of the concern for me is that, can we not limit the number of flights, especially because, residential travel, you know if you're in a plane versus a car, a plane is more intrusive than a car, coming and going. So I think the times of day, how many days a week, the max number of flights should all be looked at and limited for this, you know, unique residential situation. I feel like if you can afford to live under these conditions, you might be able to also afford to, um, design your travel in a way that's less intrusive to the land owners. Thanks.
		Okay. Any other public comment?
38:37	K. Spielman	Ah, can you guys hear me?
		Yupe.
38:43	K. Spielman	Ah, high. My name's Karl Spielman. And, my property adjoins Sky Ranch along the airport's immediate southern border. So, I'm between the O'Niells and John Ramsey's house. I only have three minutes according to Scott, to say a few things, so, um, I'd like to urge this body to hear my full presentation at the next P&Z cycle on December 16th if that's possible. I have a knowledgeable aviation expert. You guys probably, some of you remember I brought in another one a couple of years ago, with answers and observations on the Sky Ranch issues. He's bringing important perspectives free of charge to you guys, and I think it would be wise to listen. After all, if you think back where we were a few years ago, it is this process that has made Mike Bynum forthcoming with the safety improvements that we're hearing tonight. And, it's also because you expected him to do so. This is a positive move for San Juan County. Spanish Valley residents, too, and Mr. Bynum, whether he knows it or not, is going to get a better facility out of this. So, there's more information of a safety nature to consider, and now I'm officially requesting that my expert and I be placed on the December agenda, if that's possible. Um, I applaud some of Mr. Bynum's improvements, such as displaced thresholds and the 250-foot wide runway object-free area, but there are other things he can easily do, and I have a list of those that we can look at in December. The number one improvement to safety for properties at the end of the runway would be barrier restraints. These are simple fences made out of webbing at the ends of the runway to safely stop an aircraft that is out of control and keep it from shooting out, let's say, onto East Montpel Drive and hitting

Time	Participant	
		a school bus, for instance. Um, you guys remember that picture, and no little painted white line of a displaced threshold can restrain an out-of-control airport, so – out-of-control airplane – so, um, this could easily happen at Sky Ranch because it's 3700 feet long and that's woefully shorter than the 6300 feet that most conservative FAA guidelines require for airport use in the summers with high density altitude considerations at our elevation. And, I can, Mr. Bynum's expert remarks on these issues in that thing that Justin provided you. But, he neglected to do the calculations. And, we're prepared to do that just as an eyeopener, but you should see it. The FAA theory is to look at all common types of general aviation fleet aircraft that might be in use at a particular airport, like Sky Ranch, and calculate from those performance figures whether an airplane can leave the ground on a hot, thin-air summer day when it's fully loaded. A real-world Cessna 182, the most common aircraft, calculates at between 4200 and 5600 feet. Now, this is not absolute leaving the ground, but it is with FAA safety margins. And, according to John's arrival and departure corridor, if that airplane were taking off to the south on a 98 degree day, um, it wouldn't be able to miss the fence at the end because there's a 2% incline in that runway. So, I'm not saying that you can't land a plane safely at Sky Ranch. I do, on my side of the fence all the time. But, I don't find. . .
		Wrap it up, Karl.
42:43	K. Spielman	. . .okay. So, um, the airport people are going to have to be apprised of the circumstances. Um, you should all care about a few calculations because you're planners yourselves. Whether you think that the airport is grandfathered or not, or if you think that Mike Bynum is obligated or not to follow FAA guidelines, you can't repeal the laws of physics. Because the nature and level is changing at Sky Ranch. You're going to have different owners, they're going to have different levels of expertise.
		Thanks, Karl.
	K. Spielman	You guys. . .
		Thank you. Thank you.
43:00	K. Spielman	. . .are the evaluators of the last resort. You must consider the public safety.
		Thank you. Okay, any other public comment?
		It looks like Monette wants to make. . .
		Two minutes.
	M. Clark	I have a comment. This is Monette Clark.

Time	Participant	
		Okay. Two minutes. Go ahead.
43:49	M. Clark	Hello? Oh, thanks very much. Um, I just would, ah, like to say that I have many concerns that Ann has I live right across the street from her. And, um, about a mile, maybe less from the airstrip. Um, it was my uncle who built the original airstrip and Bud Tangren, and back then when he did it, it was a great idea because nobody lived here, and, ah, but he failed to go ahead and go full speed with it. Now, the ideas just have so many complications, so I'm truly worried about safety because, um, ah, I could have my house crashed into, and so the time of day for flights to avoid that school bus would be, would be a really good idea – to prohibit flights during the times the school bus, in the morning and afternoon. And, then, um, I, too, and concerned about just how many flights really might be happening. The estimated three a day seems a little – no, that seems like, it's just a guess. It's just – I don't think, it could go up, and, um, and so I'm concerned about regulation of the airport. It doesn't seem to be, you know, there needs to be somebody regulating it, watching planes, and so forth. I think because if so many people live here now, it just can't really ignore the public safety. I appreciate everything you're doing with this, and thank you.
45:49		Thanks, Monette. Any other public comment? Okay, commission. In my opinion, really thorough. . .
		Trent, just one second. SITLA's deciding if it has a comment on this or not.
		Anyway. . .
46:19	SITLA	We don't have a comment on this. I mean, it was just informational, um. . .
		I appreciate that. Okay. RV Resort Conditional Use Permit. front and center . . .

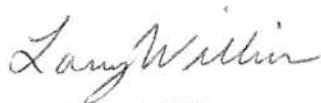
# EXHIBIT 11

## Larry Williams and Associates

San Juan County Board of Commissioners

Greetings:

I have attached the supplemental Safety Report for Sky Ranch Estates Subdivision, Phase 2, for your review.



Larry Williams  
Aviation Safety Expert



San Juan County Board of Commissioners  
Supplemental Safety Report for Sky Ranch Estates Subdivision, Phase 2

This report is provided to the San Juan County Board of Commissioners (“Board”) outlining the operational safety of a private airstrip located in the Sky Ranch Estates Subdivision, Phase II (“Sky Ranch”), which was previously approved on February 16, 2021. I was asked to review all the data and evidence submitted concerning the approval of Sky Ranch Estates Phase II. The Report supplements my report dated October 28, 2021, which was previously presented to the Planning Commission on November 18, 2021. This Report also responds to allegations and assertions contained in the “Report on Safety Considerations at Sky Ranch Airport” dated February 10, 2022 from the Wicks Group. I reviewed all the submitted documents, the record contained in the Court case challenging the Board’s approval of Sky Ranch, researched rules and regulations, FAA legal opinions, and conducted an on-site inspection and evaluation. My conclusion, consistent with my previous report, is that Sky Ranch can be safely and efficiently operated with minimal impact on neighboring properties.

## **BACKGROUND**

Phase II of Sky Ranch Estates includes 45 additional residential lots (Phase II Lots 1-45) arranged on either side of the airport’s runway.<sup>1</sup> The runway is 3700 feet long and 50 feet wide, with sloping shoulders of approximately 10 feet. As in the past, only small, propeller aircraft will use the runway once the Sky Ranch Subdivision is developed. The runway has 300 feet of displaced threshold on either end, which provides an additional safety margin for operations. Sky Ranch has developed safety and operational rules that will govern its operation (“Desert Sky Ranch Safety Rules and Regulations Regarding Operational Practices”), including arrival and departure procedures as recommended by the FAA Advisory Circular (AC 150/5300-13). Public civil airports (over 5,200) and private airports (over 14,700) are not required to adhere to any of the advisory guidance in the document, as it is only advisory. However, the runway complies with the recommendation that there be a 125-foot “Object Free Area” maintained on either side of the runway centerline. The historic runway that had been in use since the 70s/80s was enlarged from 200’ to 250’ in the Amended Sky Ranch Plat (Phase I) approved by the County in 2018. The runway was also re-asphalted and extended approximately 400’ to add displaced thresholds (explained in more detail below) and to increase operational safety margins.

There are numerous examples of fly-in communities that do not comply with all the requirements of the Advisory Circular, which is principally intended to apply to large commercial, public airports. For example, Spruce Creek Airport, located in Port Orange, Florida, has trees and buildings that are 125 feet from (or within 125 feet) the center line of the runway. Spruce Creek has over 400 aircraft based in the subdivision and has 25,000 operations annually (average 68 per day). Ridge Landing Airpark in Frostproof, Florida, appears to have 125-foot building setbacks,

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<sup>1</sup> Not all of these 45 lots appear to be buildable – especially on the east side of the airstrip.

but trees line the runway within approximately 100 feet of the centerline. Tailspin Airpark in Weatherford, Texas, has a grass runway with some buildings located within approximately 100 feet of the runway centerline. Duchy Airpark in Melbane, North Carolina has 100-foot setbacks with trees and homes on 100 feet of either side of the runway centerline. Long Island Airport in Sherrills Ford, North Carolina, is a grass strip runway with residences located within 100 feet of the centerline. Lake Riverside Estate Airpark in Aguanga, California, is a dirt landing strip with buildings and residences with what appear to be 125-foot setbacks.

The FAA does not approve or license airports; it only issues an "Operating Certificate" for airports with scheduled or unscheduled air carrier aircraft with more than 30 seats and scheduled air carrier operations with aircraft with more than 9 seats but less than 31 seats. (14 CFR 139.1).

The FAA has issued a legal opinion concerning the authority of local governments to regulate aircraft operations. This includes, but is not limited to, the safety of airport traffic patterns, etc. The FAA has determined that local governments lack the authority to do so. In the legal opinion (December 1, 2020), it states in part that "By statute, the FAA has authority to regulate for safety; the efficient use of the airspace..." The opinion further states, "Under 14 CFR part 157, Notice of Construction, Alteration, Activation, and Deactivation of Airports, persons proposing to construct, alter, activate, or deactivate a civil airport (including heliports) or to alter the status or use of such an airport must provide notice to the FAA using Form 7480-1. The FAA then conducts an aeronautical study of an airport proposal and, after consultations with interested persons, issues a determination to the proponent ("no objection," "conditional," or "objectionable"). In its determination, the FAA considers matters such as the effects the proposed action would have on existing or contemplated traffic patterns of neighboring airports; the effects the proposed action would have on the existing airspace structure and projected programs of the FAA; and the effects that existing or proposed manmade objects (on file with the FAA) and natural objects within the affected area would have on the airport proposal (14 CFR § 157.7(a)). The purpose of aeronautical study is to determine what effect the proposal may have on "... the safe and efficient utilization of the navigable airspace by aircraft, **and the safety of persons and property on the ground**" (emphasis added).

The FAA has conducted several aeronautical studies of Sky Ranch since 1984 and has always issued a "no objection" response, including statements such as "...there is no impact on the safe and efficient utilization of airspace." The earliest information available is a FAA letter from the FAA Airports District Office dated June 20, 1984, stating in part, "In making this determination, the FAA has considered matters such as the effect the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and the projected programs of the FAA, **the effects it would have on the safety of persons and property on the ground**, and the effects that existing or proposed manmade objects (on file with the FAA) and known natural objects within the affected area would have on the airport proposal."

A later FAA study was done in 2018 after the runway was repaved, and the results were the same (no objection). See attachments.

An onsite inspection was conducted by the author at Sky Ranch on April 28, 2025. This consisted of observing the landing area, the approach paths, the surrounding area, and the environment, during the approximately one hour while on the site, no vehicles were observed on the road to the north or the driveway to the south of the airport. The FAA standards recommend an approach slope (runway obstacle-free zone) (ROFZ) at a minimum ratio of 20 to 1 (20 feet horizontally to 1 foot vertically). The runway threshold to the public road to the North is 350 feet, which means the ROFZ is 17.5 feet above the road. The distance from the south to the private road is approximately the same (17.5 feet above the private road). This exceeds the recommendations of 15 feet above a public road and 10 feet above a private road as per FAA Advisory Circular 150/5300-13 and 14 CFR 77.

#### **COMMENTS AND RESPONSE TO MICHAEL P. FLEMING (THE WICKS GROUP) REPORT OF FEBRUARY 16, 2022**

1. The author of this report (Fleming) is not an Aviation Safety Expert. His expertise is an attorney advising on airport regulations, grant assurances, legal and operational aspects of obtaining private investments at airports, generation of aeronautical and non-aeronautical revenues, U.S. airports' airline incentive programs, forms of private investment in U.S. airports, Essential Air Service Program, level and variety of rates and charges at major US airports and Tokyo, regulatory review of the pricing strategy for compliance, negotiating ground handling arrangements for airlines. He has no expertise in writing, interpreting, and enforcing safety regulations and no experience in testifying before the National Transportation Board (NTSB) in regulatory matters as an expert witness, and no formal training or experience in aircraft accident investigation. Additionally, he is not an experienced pilot and has no formal training, testing, or experience in operating aircraft.
2. Sky Ranch's altitude and potentially high temperatures during certain times of day in the summer is no different than unusually high winds or an infrequent snow storm during the winter. All airports can present extreme weather conditions where it would potentially be unsafe to operate an aircraft but that is not a basis to conclude the Sky Ranch is not safe. Even in the summer during mid-day at high temperatures, Sky Ranch is a safe airstrip. Additionally, each pilot is independently responsible for considering high-density flight operations, as this is the responsibility of the individual pilot, not the airport owner. Many airports, public and private, operate at higher altitudes and higher ambient temperatures than Sky Ranch. Like each person who drives a car and expected to obey traffic laws, each pilot is individually responsible for evaluating their take-off weight in their aircraft given the altitude and temperature and aircraft rating and performance. Saying that a driver might speed and cause an accident or that a road might flood during the a summer monsoon and thus would be dangerous for a motorist to cross is not a basis to conclude that this road should not exist. Each pilot is trained and tested on these procedures before they are issued a pilot's license. The length of Sky Ranch's airstrip is more than sufficient to accommodate the aircraft currently in use by the vast majority of private individuals especially those individuals who will own property and live at Sky Ranch.
3. Concerning the safety aspects of operating in potentially strong winds and challenging wind patterns at the airport, again it is the responsibility of the operator (pilot) of the aircraft to consider mountain wind effects, crosswinds and high winds when operating at any airport. The Sky Ranch airstrip provides a 250' clear zone and a sufficiently long runway (3,700') with displaced thresholds to allow for safe operations. Many

mountainous area airports are open to the public, have many more operations with larger aircraft, are open 24 hours, and operate safely (i.e., Aspen, Colorado, and Sun Valley, Idaho as examples). Sky Ranch will have an on-site weather station that will provide real-time data to pilots. Extreme weather conditions can shut down even the largest public airports, but variable weather conditions (which exist everywhere) are not a reason to disapprove of an otherwise safe private airport.

4. There is no evidence that non-standard traffic patterns affect safety or contribute to its degradation. Furthermore, many airports in the U.S. operate with non-standard patterns for various reasons, and there is no indication that these airports are less safe than those with standard (left-hand turns) patterns. If this were the case, the FAA would prohibit non-standard patterns. Pilots are trained and evaluated on non-standard traffic patterns. The non-standard traffic patterns at Sky Ranch are not unusual or hazardous – they simply deviate from a left-hand pattern (in this case, a right-hand pattern for one runway). The developer has taken steps to minimize and mitigate separation from roads by displacing the threshold 300 feet, thereby providing additional height for aircraft when crossing the roads. This is industry standard, and many public use airports have such a plan, as stated in my previous submissions.
5. There is no evidence that non-standard traffic patterns affect safety or contribute to its degradation. Furthermore, many airports in the U.S. operate with non-standard patterns for various reasons, and there is no indication that these airports are less safe than those with standard (left-hand turns) patterns. If this were the case, the FAA would prohibit non-standard patterns. Pilots are trained and evaluated on non-standard traffic patterns. The non-standard traffic patterns at Sky Ranch are not unusual or hazardous – they simply deviate from a left-hand pattern (in this case, a right-hand pattern for one runway). The developer has taken steps to minimize and mitigate separation from roads by displacing the threshold 300 feet, thereby providing additional height for aircraft when crossing the roads. This is industry standard, and many public use airports have such a plan, as stated in my previous submissions.
6. Safety Consideration 1: Density Altitude and Mountainous Terrain. The petitioner uses an example of a fifty-year-old Cessna 172 with a 145HP engine, which in that configuration (without modifications and upgrades), is no longer a commonly operated aircraft. The examples are not appropriate as the respondent presented examples of a later model Cessna 172 with a 180HP engine (Cessna no longer makes the Cessna 172 with a 145HP engine). The bottom line here is that a prudent pilot would not operate out of any airport where the airplane would not safely take off due to a variety of factors, such as high-density altitude and temperature. It is not the responsibility of the airport owner and operator to make pilot decisions. Any aircraft that is not in flight-worthy condition or is substantially underpowered or that cannot be safely operated out of the Sky Ranch will not be allowed to do so by the Sky Ranch Owners Association, who will monitor and enforce the safety and operating procedures at the airstrip.
7. The runway has an approximately upslope of 2 percent to the south, and a pilot must take into consideration that the takeoff distance will increase by 10 percent. However, the takeoff distance will decrease by 10 percent if taking off to the north. Again, this is not the responsibility of the airport owner, but the pilot. A prudent pilot would determine the minimum runway length required and determine if a safe takeoff was feasible, as pilots are trained and tested on runway takeoff length requirements.



8. The petitioner states that nearby ridges require aircraft to descend faster when approaching land because they start from a higher altitude above ground level to ensure safe clearance over the higher terrain. He also states fast descents lead to high ground speeds while landing, again requiring longer runways and ideally longer/broader safety buffer zones. This statement is without merit. Airplanes that descend at a faster rate do not necessarily increase the airspeed, but increase the rate of descent, not airspeed. Moreover, the airplane approaches at a specific airspeed, not ground speed.
9. The petitioner states that aircraft taking off from Sky Ranch must not only depart the runway but must have the ability to climb at a rate that is faster than the rise in the terrain. There is more than sufficient separation between the airstrip and terrain such that the rate of climb will not be a factor. If the aircraft does not have that ability, the pilot simply avoids the higher terrain by turning the aircraft. This does not present a concerning safety issue. Moreover, as previously stated, it is the responsibility of each pilot to evaluate the conditions and performance of their aircraft. The FAA regulates aircraft operations, and its reviews have found no objections concerning operations out of Sky Ranch, including terrain.
10. The Petitioner has submitted numerous charts and graphs concerning wind strengths and patterns. The information shows winds at MOAB and Spanish Valley, not Sky Ranch. This data shows only one day in March and one day in May over 13 years with winds over 15 miles per hour. It also shows only 3 months with any days of wind gusts over 25 miles per hour. These wind speeds are not considered extreme. Again, it is up to the individual pilot to operate the airplane safely, not the airport owner or operator. Pilots are trained and tested in all types of takeoffs and landings (including crosswind and gusty winds).
11. The Petitioner gave the example of the required runway length for the most popular single-engine aircraft using the highest temperature available on FAA-approved charts for the airplane, which shows it can operate safely at those extreme conditions. These examples show the runway has sufficient length for safe operations.
12. The Petitioner states that Sky Ranch did not address the lack of appropriate separation between the active runway at the airport and the public roadway. He refers to the Runway Obstacle Free Zone (ROFZ), which is "a defined volume of airspace centered above the runway centerline, above a surface whose elevation at any point is the same as the elevation of the nearest point on the runway centerline and extends 200 feet beyond the end of the runway." Sky Ranch has a paved surface beyond each end of the runway of 300 feet (200 feet beyond the FAA requirement), which provides an acceptable ROFZ. The required 20:1 slope is achieved at the end of the paved surface at a height of 15 feet. Fleming's report shows a photo of a school bus transiting near the end of the runway at Sky Ranch. Sky Ranch's runway threshold is approximately 350 feet from the public road and provides a ROFZ exceeding the recommendation of the FAA (15-foot vertical clearance). The threshold of the runway to the end of the paved surface is 300 feet, which provides a ROFZ (formerly referred to in the FAA's aeronautical studies as a "clear approach slope") as identified in FAA Advisory Circular 150/5300-13. The ROFZ is 15 feet over the end of the paved area from the runway threshold and approximately 17.5 feet over the public road. This ROFZ is approximately the same on the other end of the runway (approximately 17.5 feet over the private road, which the FAA recommends only 10 feet minimum). Therefore, the ROFZ exceeds the recommendation of the FAA.

Finally, the FAA confirms the safety of the area in its aeronautical study of June 2018, stating in part "... concerning the safety of persons and property on the ground."

13. The Petitioner states, "The runway bumps up against a busy local road, further exacerbating the foregoing concerns." This is not true. The road is not busy. In fact, during the approximately one hour of my on-site survey, no traffic was observed on the road. Additionally, the paved overrun is 300 feet from the threshold of the runway and approximately another 50 feet to the road.
14. This is a private airport that will be marked as such and not open to the public. The operator will provide all necessary air traffic procedures and local rules, and regulations to all users.

## **GENERAL AVIATION SAFETY**

According to the latest (2024) *Richard G. McSpadden Report (formerly the Joseph T. Nall Report)*, the general aviation accidents in the U.S. are improving dramatically. The report analyzes the last ten years (2015 – 2024), and the latest accident rate is only 4.84 per 100,000 flight hours, with a total of only 930 accidents in 2022 and only 903 accidents in 2024 (this is for all non-commercial fixed-wing aircraft). These statistics are an example of the fact that it is extremely unlikely that an accident would occur at Sky Ranch.

As stated in my report of October 28, 2021, there were only an average of two flights per day at the Canyonlands airport north of Moab from the approximately 30 aircraft based there. When Sky Ranch is fully developed, it is anticipated that it will have no more than two flights per day on average, as it is a private airport open only to property owners, with no touch-and-goes or training allowed, and daytime-only operations. Therefore, it is estimated that there would be no more than 700 flights per year when the airport is fully developed.

## **CONCLUSION**

It is my professional opinion, with over 30 years as an FAA Aviation Safety Inspector and 15 years as an aviation safety expert, that the Sky Ranch subdivision can be safely and efficiently operated as a fly-in community as currently planned.

Respectfully submitted,

*Larry Williams*

## **LIST OF EXHIBTS**

1. Federal Aviation Administration Airport Analysis Determinations from 1984 to 2018
2. December 1, 2020, FAA Chief Counsel Legal Opinion
3. 2024 *Richard G. McSpadden Report (formerly the Joseph T. Nall Report)*
4. Curriculum Vitae of Larry Williams



## **EXHIBIT 1**



Federal Aviation Administration  
26805 East 68th Ave., Suite 224  
Denver, CO 80249

Denver ADO

June 13, 2018

TO:  
Red Rock Partners LLC  
P.O. Box 99  
Moab, UT 84532  
Mike@bzzrz.com

**NOTICE OF AIRPORT AIRSPACE ANALYSIS DETERMINATION  
ESTABLISH PRIVATE USE AIRPORT  
\*\*CONDITIONAL NO OBJECTION\*\***

The Federal Aviation Administration(FAA) has conducted an aeronautical study under the provisions of Title 14 of the Code of Federal Regulations, Part 157, concerning:

RE: (See attached Table 1 for referenced case(s))

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Airport Name	Description	Location	Latitude (NAD83)	Longitude (NAD83)	Airport Elevation (feet)
2018-ANM-248-NRA		SKY RANCH	The Sky Ranch Airport recently re-paved the RUNWAY to a length of 3,600'. The Old RUNWAY that is in the database is not correct. The correct runway that needs to be evaluated is the pending Runway listed in the database. This Case needs to be evaluated with Red Annie and the BLM Helibase. All three facilities are in very close proximity to each other. Other Cases include 2017-ANM-1989-NRA and 2018-ANM-177-NRA.	MOAB, UT	38-29.39.77N	109-26-49.66W	4000

We have completed an airspace analysis of the proposed private use airport. As studied, the location is approximately 7 nautical miles S of MOAB, UT.

2018-ANM-248-NRA Sky Ranch Air Park (UT53); Red Annie Ranch Private Airpark (2018-ANM-1989-NRA) and the BLM owned Heliport (2018-ANM-177-NRA) are all located within very close proximity to each other. According to FAA Order 7400.2, Chapter 10, Section 3, Paragraph 2(a)(1) [current edition], Airport VFR traffic patterns may touch but should not overlap. All flight operations must proceed at their own risk. FAA Flight Standards recommends that the owners of all three (3) private airports/heliports develop mutually agreed upon, voluntary, local traffic pattern procedures and communications plan in order to de-conflict the overlapping VFR traffic patterns as much as possible in the interest of aviation safety. We recommended that VFR approach and departure routes and altitudes be established that minimize the potential for traffic pattern conflicts and help prevent mid-air collisions between aircraft. FAA Flight Standards also recommends distributing the local procedures and communication plan to all airport users. A recommendation is not a condition of objection, but is an option left to the discretion of the proponent. Voluntary compliance with all provisions and recommendations would provide a higher level of safety.

It is recommended that your airport be constructed to the standards identified in FAA Advisory Circular (AC) 150/5300-13, Airport Design (current version). Also, a clear approach slope, as identified in (AC) 150/5300-13 Table 3-2 Approach/Departure Standards, should be established at each runway end. If there are other obstructions that penetrate the approach surface, they should be removed or lowered. If the penetrating obstructions cannot be removed or lowered, we recommend that the thresholds be displaced and appropriately marked, so as to provide a clear approach slope surface to each runway end. Please note that roads are defined as obstructions by 14 CFR Part 77. Private roads are the greater of a 10 foot vertical obstruction or the highest mobile object that normally traverses the road. Public roads are considered a 15 foot obstruction, interstate highways are a 17 foot obstruction, railroads are 23 foot obstructions and waterways are the highest mobile object that traverses the waterway.

Be advised, in accordance with 14 CFR Part 157, any construction, alteration to or abandonment of the subject airport requires notice to the FAA for aeronautical review. Notice for these actions can be given using FAA Form 7480-1, "Notice for Construction, Alteration and Deactivation of Airports". Please refer to Form 7480-1 for triggering events that will require notice.

Provided that the aforementioned conditions are met, our aeronautical study has determined that your proposed private use airport will not adversely affect the safe and efficient use of the navigable airspace by aircraft.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground. In making the determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA) and known natural objects within the affected area would have on the airport proposal. The proposal was not circulated to the public for comment.

The FAA cannot prevent the construction of structures near an airport. The airport environment can only be protected through such means as local zoning ordinances, acquisitions of property in fee title or aviation easements, letters of agreements, or other means. This determination in no way preempts or waives any ordinances, laws, or regulations of any government body or agency.

Please complete, sign and date the enclosed Airport Master Record Form and return it to my attention. SKY RANCH is activated and assigned/secured a private use location identifier. Please indicate on the Airport Master Record Form if you desire to have your airport charted. Please be advised that charting of private use airports is not guaranteed. Additionally, if charted, there is no guarantee your airport will remain on FAA published charts. Charting of private use airports relies heavily on landmark value and chart clutter. The inclusion on a chart may take several charting cycles and does not coincide with the issuance of a location identifier. Instructions for completion of the 5010-5 Form can be found online at [FAA.gov](#) in Advisory Circular (AC) 150/5200-35, "Submitting the Airport Master Record in Order to Activate a New Airport".

In order to avoid placing any unfair restrictions on users of the navigable airspace, this determination is valid until 12/31/2018. Should the airport not be established and the Airport Master Record 5010-5 Form not returned by 12/31/2018, an extension of our determination should be requested in writing by 11/30/2018. Should you not elect to establish the airport, please notify the FAA in writing by 11/30/2018.

If you have any questions concerning this determination, please contact me at (303) 342-1263 or at [john.sweeney@faa.gov](#)

Sincerely,

John Sweeney

ADO

Signature Control No: 367267595-DRAFT

Attachment: Airport Master Record 5010 Form

FAA DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION		AIRPORT MASTER RECORD		POST DATE 4/10/87 Form Approved OMB 75-30-0047	66-15700
1 AIRPORT CITY		4 STATE	LOC ID	FAA SITE NR	
2 AIRPORT NAME		6 REGION/ADO	5 COUNTY		
3 CND TO AIRPORT (NM)		7 SECT AERO CHT			
10 OWNERSHIP		SERVICES		BASED AIRCRAFT	
11 OWNER		70 FUEL		90 SINGLE ENG	
12 ADDRESS		71 AIRFRAME REPS		91 MULT ENG	
13 PHONE NR		72 PWR PLANT REPS		92 RT	
14 MANAGER		73 BOTTLE OXYGEN		TOTAL	
15 ADDRESS		74 BULK OXYGEN		93 HELICOPTERS	
16 PHONE NR		75 TANT STORAGE		94 GLETERS	
17 ATTENDANCE WHEN VIS		76 OTHER SERVICES		95 MILITARY	
MONTHS/DAYS/HOURS				96 ULTRA LIGHT	
18 AIRPORT CND		FACILITIES		OPERATIONS	
19 ACFT LAY		80 ACFT BUN		97 AIR CARRIER	
20 ACFT LORO		81 ACFT LGT SKED		98 AIR TAXI	
21 ACFT ELIN		82 UNBUNG		99 G A I OF AL	
22 ACFT AGE		83 WIND ENDR ATOR		100 G A I TMENT	
23 ACFT TRAFFIC		84 SCHEDULED CHT		101 MILITARY	
24 NEW CONDE LANDING		85 CONTROL TWR		TOTAL	
25 EXPANDED AGREEMENTS		86 FWS		OPERATIONS FOR 12	
26 AIR 1-80 INDEX		87 FWS ON ACFT		MONTHS ENDING	
		88 FWS PHONE NR			
		89 TOLL FREE NR			
RUNWAY DATA					
40 RUNWAY IDENT					
41 LENGTH					
42 WIDTH					
43 SURF TYPE COND					
44 SURF TREATMENT					
45 GROSS WT					
46 ON THRESH					
47					
48					
49 PCN					
LIGHTING/APPCH AIDS					
40 EDGE INTENSITY					
41 RWY MARK TYPE COND					
42 VASI					
43 THR CHROMING OUT					
44 VISUAL GLIDE ANGLE					
45 CENTERL TIZ					
46 RWY RVV					
47 RWY					
48 RWY LIGHTS					
OBSTRUCTION DATA					
50 MAX 754 MILES/HRS					
51 DISPLACED THR					
52 CLG OBSTN					
53 OBSTN MARKED DIST					
54 DIST ABOVE RWY END					
55 DIST FROM RWY END					
56 OBSTN CLG SLOPE					
57 OBSTN CLG SLOPE					
58 CLG OBSTN					
DECLARED DISTANCE					
59 TAKE OFF DIST AVBL (NORMAL)					
60 TAKE OFF DIST AVBL (NORMAL)					
61 ACFT STOP DIST AVBL (NORMAL)					
62 LANDING DIST AVBL (NORMAL)					
63 ACFT STOP PLEASE ADVISE FWS IN ITEM 86 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY *					
110 INSPECTOR		111 LAST INSP		112 LAST INFO REQ	

## EXHIBIT 2



U.S. Department  
of Transportation  
Federal Aviation  
Administration

Office of the Chief Counsel

800 Independence Ave., S.W.  
Washington, D.C. 20591

December 1, 2020

Kathleen A. Yodice, Esq.  
Yodice Associates  
12505 Park Potomac Avenue  
Sixth Floor  
Potomac, MD 20854

RE: State of Florida Regulation of Air Traffic Patterns and Aviation Safety

Dear Ms. Yodice:

Thank you for your letter requesting a legal interpretation concerning a Florida state law regarding airport licensing requirements. You advise that you represent an airport landing site owner who has applied for public airport site approval under Chapter 14-60 of the Florida Administrative Code, *Airport Licensing, Registration, and Airspace Protection Airport Site Approval*, and that the State's application of that law to your client raises preemption issues.

We understand that the land for the heliport (X44), an existing seaplane facility on Watson Island in Miami, is owned by the City of Miami, leased to your client, and that the City supports the establishment of the heliport. You suggest that application of the Florida Administrative Code, Rule 14-60.005, *Airport Site Approval*, unlawfully regulates air traffic patterns and is thus preempted by Federal statutory and regulatory law. You note that the Federal Aviation Administration (FAA) has issued a Notice of Airport Airspace Analysis Determination under 14 CFR part 157 finding no safety or airspace objection to the proposed heliport.

You state that the Florida Department of Transportation (FDOT) has refused to accept the FAA's safety determination as sufficient to meet the state's requirement that applicants demonstrate "that safe air traffic patterns can be established for the proposed airport with all existing and approved airport sites within three miles of the proposed airport site." Fla. Admin. Code R. 14-60.005(5)(j).

You advise that in discussions with FDOT concerning Rule 14-60.005(5)(j), that office asserted that a signed memorandum from each airport owner or operator is required in order to "deconflict" the airspace between the airport sites. You argue that the State lacks the authority to regulate air traffic and mention that FDOT does not provide any enforcement mechanism or remedy should a nearby airport refuse to execute an agreement or should the State refuse to accept such an agreement.

You state that in accordance with the provisions of State law detailed above, to acquire a state license your client must obtain and submit to FDOT written and signed documentation from approximately 12 aircraft landing sites that are within three miles of your client's proposed airport site. Fla. Admin. Code R. 14-60.005(5)(j). You indicate that most of these airports are uncontrolled and thus are only able to document the posted traffic patterns. Otherwise, you state that the traffic



flow is governed by communication with FAA air traffic control or the general operating rules of 14 CFR part 91, with no ability for the airport to control the flight of aircraft.

As you note, FAA has already issued a part 157 Notice of Airport Airspace Analysis Determination – Alter Public Use Airport – No Objection (June 1, 2019), after conducting an aeronautical study.

In short, State and local laws that attempt to regulate aircraft traffic or operations, including the safety of airport traffic patterns; the weather conditions under which aircraft may operate; and aircraft takeoff direction for purposes of preventing mid-air collisions between aircraft, are preempted in accordance with the Federal statutory and regulatory framework.

#### Florida's Statutory and Regulatory Framework

Title XXV of the Florida Statutes Annotated, Chapter 330, § 330.30, *Approval of airport sites; registration and licensure of airports*, requires that the owner of any proposed airport shall, prior to site acquisition or construction or establishment of the proposed airport, obtain approval of the airport site from FDOT. Among other things, FDOT must be satisfied that “safe air-traffic patterns can be established for the proposed airport with all existing airports and approved airport sites in its vicinity.” § 330.30(a)(4).

In accordance with § 330.30, Chapter 14-60 of the Florida Administrative Code, Rule 14-60.005 requires that any person proposing a new airport obtain an airport site approval order from FDOT prior to the establishment of an operational airport. Rule 14.60.005(4) states:

(4) Conditions for Site Approval. [FDOT] shall grant site approval for a proposed airport that complies with all the requirements of Section 330.30, subject to any reasonable conditions necessary to protect the public health, safety, or welfare. Such conditions shall include operations limited to VFR flight conditions, restricted approach or takeoff direction from only one end of a runway, specified air-traffic pattern layouts to help prevent mid-air collision conflict with aircraft flying at another nearby airport, airport noise abatement procedures in order to satisfy community standards, or other environmental compatibility measures.

Fla. Admin. Code R. 14-60.005(4).

Public airport site approval applications must include supporting documentation to allow FDOT to make its site approval determination and to ensure the applicant's satisfaction of conditions stated in Rule 14-60.005(4). For example, for proposed heliports, the application for site approval must include a list of “all VFR [visual flight rules] airports and heliports within three nautical miles and all IFR [instrument flight rules] airports within 10 nautical miles.” Fla. Admin. Code R. 14-60.005(5)(e)(2). The section also requires submission of information concerning air traffic patterns as follows:

(i) Air Traffic Pattern. Provide written confirmation, including a graphical depiction, demonstrating that safe air traffic patterns can be established for the proposed airport with all existing and approved airport sites within three miles of the proposed airport site. Provide a copy of written memorandum(s) of understanding or letter(s) of agreement, signed by each respective party, regarding air traffic pattern separation procedures between the parties

representing the proposed airport and any existing airport(s) or approved airport site(s) located within three miles of the proposed site.

Fla. Admin. Code R. 14-60.005(5)(j).

#### The Federal Statutory and Regulatory Framework

By statute, the FAA has authority to regulate for safety; the efficient use of the airspace; protection of people and property on the ground; air traffic control; navigational facilities; and the regulation of aircraft noise at its source. 49 U.S.C. §§ 40103, 44502, and 44701-44735. Congress has directed the FAA to “develop plans and policy for the use of the navigable airspace and assign by regulation or order the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace.” 49 U.S.C. § 40103(b)(1). Congress has further directed the FAA to “prescribe air traffic regulations on the flight of aircraft (including regulations on safe altitudes)” for navigating, protecting, and identifying aircraft; protecting individuals and property on the ground; using the navigable airspace efficiently; and preventing collision between aircraft, between aircraft and land or water vehicles, and between aircraft and airborne objects. 49 U.S.C. § 40103(b)(2). Since 1926, Federal law has provided that a citizen of the United States has a public right of transit through the navigable airspace. 49 U.S.C. § 40103(a)(2).

In furtherance of these statutory commands, the FAA has established a comprehensive regulatory scheme, governing, among other things, the certification of aircraft, airports, pilots and mechanics; aircraft equipment; air traffic control systems; aviation navigation and communication; airspace classifications, and more. See generally 14 CFR parts 21-193. Part 91, “General Operating and Flight Rules,” sets forth extensive requirements concerning, among other things, aircraft operations and the regulation of airport traffic patterns. See, e.g., 14 CFR §§ 91.130(b); 93.119, 93.163, and 93.339(c) and (d).

Federal courts have upheld the Government’s preemption of aircraft flight, including flight altitude and airport traffic patterns. See, generally, *Burbank v. Lockheed Air Terminal Inc.*, 411 U.S. 624 (1973). “Common sense, of course, required that exclusive control of airspace allocation be concentrated at the national level, and communities were therefore preempted from attempting to regulate planes in flight.” *British Airways Board v. Port Authority of New York and New Jersey*, 564 F.2d 1002, 1010 (2d Cir. 1977).

Under 14 CFR part 157, *Notice of Construction, Alteration, Activation, and Deactivation of Airports*, persons proposing to construct, alter, activate, or deactivate a civil airport (including heliports) or to alter the status or use of such an airport must provide notice to the FAA using Form 7480-1. The FAA then conducts an aeronautical study of an airport proposal and, after consultations with interested persons, issues a determination to the proponent (“no objection,” “conditional,” or “objectionable”). In its determination, the FAA considers matters such as the effects the proposed action would have on existing or contemplated traffic patterns of neighboring airports; the effects the proposed action would have on the existing airspace structure and projected programs of the FAA; and the effects that existing or proposed manmade objects (on file with the FAA) and natural objects within the affected area would have on the airport proposal. 14 CFR § 157.7(a). The purpose of an aeronautical study is to determine what effect the proposal may have on “... the safe and efficient utilization of the navigable airspace by aircraft, and the safety of persons and property on the ground.” FAA Order JO 7400.2M, *Procedures for Handling Airspace Matters* (Jan. 28, 2019), ¶ 10-2.1(a). A complete study consists of “... an airspace analysis, a flight safety review, and a review of

the proposal's potential effect on air traffic control operations and air navigation facilities." ¶ 10-2-1(b).

While part 157 determinations consider the effects of the proposed action on the safe and efficient use of airspace by aircraft and the protection of persons and property on the ground, they "do[] not relieve the proponent of responsibility for compliance with any local law, ordinance or regulation, or state or other Federal regulation." 14 CFR § 157.7(a).

### Analysis

The State's application of Rule 14-60.005 attempts to regulate the areas of aircraft safety, flight management, the protection of persons and property on the ground, and the efficiency of the navigable airspace. By conditioning approval of the proposed helicopter landing site on

compli[ance] with all the requirements of Section 330.30, F.S., subject to any reasonable conditions necessary to protect the public health, safety, or welfare [such as] ... operations limited to VFR flight conditions, restricted approach or takeoff direction from only one end of a runway, [and] specified air-traffic pattern layouts to help prevent mid-air collision conflict with aircraft flying at another nearby airport ... (Rule 14-60.005(4)),

the Rule, through § 330.30, intrudes into an area fully occupied by the Federal Government, and therefore is preempted. 49 U.S.C. §§ 40103(a)(2), (b)(1) and (2); *Burbank*, 411 U.S. at 638-639; *Montalvo v. Spirit Airlines*, 508 F.3d 464, 473-474 (9th Cir. 2007) ("...federal law occupies the entire field of aviation safety. Congress' intent to displace state law is implicit in the pervasiveness of the federal regulations, the dominance of the federal interest in this area, and the legislative goal of establishing a single, uniform system of control over air safety."). The FAA's regulations in the areas of aviation safety and airspace efficiency are comprehensive. See, e.g., 14 CFR §§ 91.130(b); 93.119, 93.163, and 93.339(c) and (d).

Under these principles, the State lacks the authority to regulate the safety of air traffic patterns, including whether traffic patterns between two nearby airports conflict; whether an airport can be used under instrument meteorological conditions; and runway operational usage. For example, in *Pirola v. City of Clearwater*, 711 F.2d 1006, 1008 (11th Cir.1983), *reh'g denied*, 720 F.2d 688 (11th Cir. 1983), the court held that local ordinances prohibiting night operations and proscribing air traffic patterns were federally preempted and therefore violated the Supremacy Clause. U.S. Const. art. VI, cl. 2. In *Hoagland v. Town of Clear Lake*, 415 F.3d 693, 698 (7th Cir. 2005), a case involving the operation of a heliport on private property, the court noted, "[i]t would be unmanageable—say nothing of terrifying—to have local control of flight routes or of flight times. Such things require nationwide coordination." See also *Menard v. FAA*, 548 F.3d 353, 359-60 (5th Cir. 2008) ("[t]he FAA submits that ... it has authority to establish non-standard traffic patterns, assign specific traffic pattern altitudes, or develop special operating procedures to mitigate potential airspace conflicts ... We agree ... Above all, adjusting air traffic patterns is part of the FAA's mandate. See *id.* § 40103(b)(1).").

Rule 14-60.005 requires that the applicant provide: (1) for proposed airport or seaplane landing facilities, a "list [of] all VFR airports and heliports within five nautical miles and all IFR airports within 20 nautical miles, or (2) for proposed heliports, a "list [of] all VFR airports and heliports within three nautical miles and all IFR airports within 10 nautical miles." Fla. Admin. Code R. 14-60.005(5)(e)(1)(2). The State also requires applicants to submit

written confirmation, including a graphical depiction, demonstrating that safe air traffic patterns can be established for the proposed airport with all existing and approved airport sites within three miles of the proposed airport site [and provide] a copy of written memorandum(s) of understanding or letter(s) of agreement, signed by each respective party, regarding air traffic pattern separation procedures between the parties representing the proposed airport and any existing airport(s) or approved airport site(s) located within three miles of the proposed site.

Fla. Admin. Code R. 14-60.005(5)(j).

Utilizing this air safety and airspace information to make determinations concerning the effects of the proposed landing facility or heliport on the safety of "all existing and approved airport sites" in the vicinity of the proposed site is beyond the scope of the State's authority.

Moreover, the State's assertion that its police power authority over "public health, safety, or welfare" would authorize it to determine whether to limit airport "operations ... to VFR flight conditions, restricted approach or takeoff direction from only one end of a runway, [and] specified air-traffic pattern layouts to help prevent mid-air collision conflict with aircraft flying at another nearby airport" (Rule 14-60.005(4)) is without merit. State police power authority (including land use) does not permit regulation of aircraft safety, flight management, the protection of persons and property on the ground, or the efficiency of the navigable airspace. In *Burbank*, 411 U.S. at 638-639, the court held that Federal control over the management of airspace prevented the non-proprietor City of Burbank from exercising police power authority over aircraft operations. Noting that the "the Federal Aviation Act requires a delicate balance between safety and efficiency, and the protection of persons on the ground ... The interdependence of these factors requires a uniform and exclusive system of federal regulation if the congressional objectives underlying the Federal Aviation Act are to be fulfilled," the court reasoned that the "pervasive control" vested in the Federal Government "seems to us to leave no room for local curfews or other local controls." See also *San Diego Unified Port District v. Gianturco*, 651 F.2d 1306 (9th Cir. 1981), *cert. denied*, 455 U.S. 1000 (1982) (non-proprietor, police power curfews on aircraft flights preempted). State and local governments may protect their citizens through land use controls and other police power measures not affecting aircraft operations.

If you have any questions, please do not hesitate to contact Jonathan Cross, Senior Attorney for Airport Certification, Regulations Division, at (202) 267-7173.

Sincerely,

Lorelei Peter  
Assistant Chief Counsel for Regulations

## **EXHIBIT 3**

Figure 1.2: General Aviation Accident Trends 2013-2022  
2022 Non-commercial fixed-wing

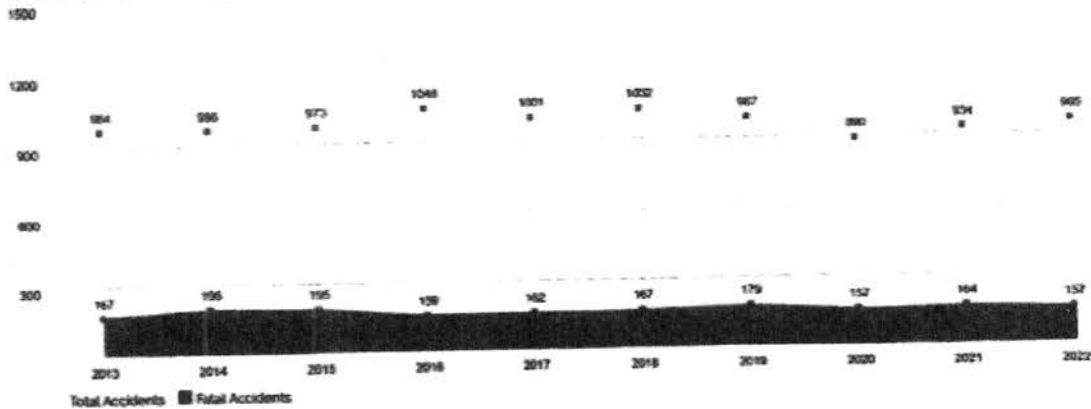


Figure 1.3: General Aviation Accident Rates 2013-2022  
2022 Non-commercial fixed-wing

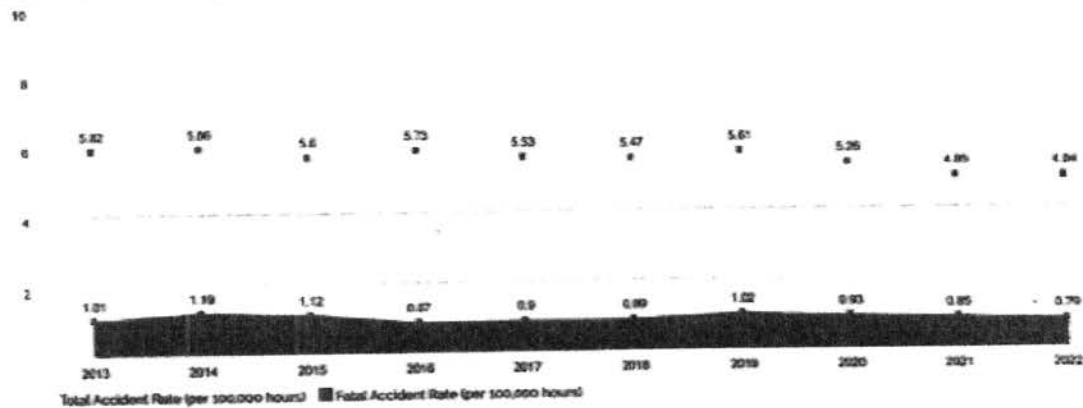


Figure 1.4: General Aviation Accidents in 2022  
2022 Non-commercial fixed-wing

	Accidents	Fatal Accidents
Pilot related	708 73.4%	117 76.5%
Mechanical	181 18.8%	31 13.4%
Other / Unknown	76 7.9%	19 12.1%

Figure 1.5: Aircraft class  
2022 Non-commercial fixed-wing

	Accidents	Fatal Accidents	Lethality
Single-engine fixed-gear	721 73.9%	109 68.1%	15.1%
Single-engine turbine	4	1	25%
SEF tailwheel	279	34	12.2%
Single-engine retractable	176 18.3%	33 20.6%	18.4%
Single-engine turbine	11	5	45.5%
Multisengine	73 7.6%	18 11.3%	24.7%
Multisengine turbine	12	2	16.7%
Unknown	3 0.3%	0 0%	0%

## **EXHIBIT 4**



## Curriculum Vitae of Larry Williams

Larry Williams served over 30 years as a FAA Aviation Safety Inspector conducting FAA Air Carrier Certification, enforcing the FAA Regulations, auditing Air Carriers, Air Agencies, FAA approved schools, developing Safety Management Systems, providing expert witness testimony and technical assistance to a wide variety of aviation entities. During his FAA career he served as an Instructor for the International Civil Aviation Organization (ICAO) teaching numerous safety courses. He has taught these courses at the U.S Department of Transportation's Transportation Safety Institute and worldwide locations. He has served as an auditor with the FAA's Flight Standards Quality Assurance Staff (AFS-40), conducting ISO-9000 audits of FAA Field Offices. He has taught management and technical courses at the FAA's Center for Management and Executive Leadership and the Department of Transportation's Transportation Safety Institute. He has conducted over a thousand flight evaluations, issued hundreds of pilot certificates, and has over 40 years' experience investigating aircraft accidents. He was appointed an FAA-designated pilot examiner upon his retirement from the FAA.

Since his retirement from the FAA, he has worked as a consultant in regulatory, compliance and safety audits, accident and incident investigation, technical assistance to airlines and Civil Aviation Authorities, and other aviation entities as an expert witness and technical expert in FAA enforcement and civil proceedings. He presently serves as a contract instructor at the FAA academy, teaching various courses to FAA inspectors.

He has over 14,000 hours of flying hours and holds FAA Airline Transport Pilot certificate with Airplane Single and Multiengine Land and Sea, Rotorcraft-Helicopter and Gyroplane, and glider ratings. He has an FAA Flight Instructor certificate with Airplane Single and Multiengine, Rotorcraft-Helicopter and Gyroplane, Instrument Airplane and Helicopter, and Glider ratings.

He has consulted with domestic and foreign air carriers, foreign Civil Aviation Authorities, and other aviation organizations. Larry has been qualified as an auditor for International Air Carrier Operational Safety (IOSA), Air Charter Safety Foundation (ACSF), and International Standards for Business Aircraft Operations (IS-BAO) auditor.

He has received numerous awards, including:

- "Outstanding Contribution to Aviation by the Tennessee Aeronautics Commission (2004)
- Wright Award for fifty years of dedicated service in aviation safety (FAA, 2014)
- Awarded the Osprey Talon Award by the International Society of Safety Professionals, December 2022
- Awarded "Senior Air Safety Investigator Certificate" by the U.S. Department of Transportation, Transportation Safety Institute, March 2023
- Awarded U.S. Aviation Law Diploma by the International Air Transport Association and Embry Riddle Aeronautical University, May 2023
- Graduate of the University of Southern California's Aviation Safety Certificate Program

# EXHIBIT 12

BEFORE THE SAN JUAN COUNTY (UTAH) ADMINISTRATIVE LAW JUDGE

Karl Spielman, Tim O’Niell,  
Beverly O’Niell,  
*Petitioners,*

v.

San Juan County, Utah,  
*Respondents.*

\_\_\_\_\_  
Mike Bynum,  
*Owner*

\*  
\* Unofficial Transcript of  
\* Relevant Portions of Meeting  
\* of County Commissioners  
\* on February 16, 2021  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Part 1

Beginning at timestamp 2:37:00

(Timestamps based on YouTube recording, <https://www.youtube.com/watch?v=zGJvUZCQ7Dw>)

Time	Participant	
2:37:00	Comm’r Grayeyes	Going on to Sky Ranch Estates Subdivision, Phase 2. Mr. Scott Burton, subdivision administrator.
2:37:14	Burton	All right
	Comm’r Grayeyes	You have the floor.
	Burton	Thanks, Mr. Maryboy and commissioners [inaudible] and Grayeyes. My purpose in being here is the County has received application for the sky ranch estates subdivision phase 2. That application was received the end of October 2020. Since that time, the county staff has reviewed the subdivision application [inaudible] and the plat. Um, several changes were made with the developer as we went back and forth with the subdivision application. For three months, it was, once we felt that it met the requirements of the current zoning that was in place, we recommended, we placed this on the agenda for the San Juan County Planning Commission, which they, um, considered at their February 11 <sup>th</sup> meeting and approved this subdivision phase 2. There have been some questions with a couple of comments about lot sizes. The lot sizes, do meet the county requirement of 10,890 minimum square feet even with the even when you subtract the easements for the runway. There was also some things brought up about buffer zones at each end of the runway. None of those zones exist in our current zoning, um, so as staff as we reviewed this, we feel that it does meet the requirements of current zoning in place, so it is now on your agenda for your approval. I believe the developers are on the lines, as well, if there are specific questions. They may be better at answering them that you would like them to weigh in on it. And, the way I understand this, this is either a yes

Time	Participant	
		or a no. It's not a – if it were to be tabled, they would come back with the same. The application wouldn't change, so if it is a no I think I would [inaudible] out of courtesy to [inaudible] the developer if you have specific things you wanted them to look, maybe give them an opportunity to explain where it's, um, if that is what you're leaning towards.
2:39:50	Comm'r Grayeyes	All right. Um, the board, can we, what you're talking about?
	Burton	The subdivision?
	Comm'r Grayeyes	Yeah.
	Burton	So, in your packet, there's two, there's a plat, as well.
	McDonald	Um, do you want me to pull it out so you can see it on your computer, Commissioner?
	Burton	I don't have a large-scale plat, but I do have a more, an 8-1/2 by 11.
	Comm'r Grayeyes	Which view?
	Burton	Let me get to it.
2:40:30	Comm'r Grayeyes	Is this the one?
	McDonald	No, it's [inaudible] right here. Okay, it should be on your computer monitor.
	Burton	It's three pages to the plat, and they tie together this way. There's a right way. I've got separate sheets, so they kind of tie together. There's – this one ties right here. So, there's housing here in this little circle and then the runway comes this way and extends down here.
	Comm'r Grayeyes	What runway?
	Burton	So there's...
	Comm'r Grayeyes	Right here, the airstrip?
	Burton	Yeah, the airstrip runs right along here. And they have a 250 foot easement that is the runway that runs along the center right here.
2:41:35	Comm'r Grayeyes	A lot of comments were made, right, regarding this?
	Burton	Yea, so the airport, the airport had their FAA license was, has been in effect since 1985, so they've had their, they've operated the airport, the airport was in operation which, I think, predates most of the housing in that area. Um, so, that's where...We're not necessarily going back to 1985 to consider the airport. The airport has been there. Um, where this is a subdivision application that we received just recently. So. . .
2:42:41	Comm'r Grayeyes	Is there a motion to approve or deny?
	Comm'r Adams	I make a motion to approve
	Comm'r Grayeyes	Mr. Adams' Motion to Approve. Is there a second?

Time	Participant	
2:43:00	Comm'r Maryboy	Oh, stuck in mute, second, yeah. Now that's for the discussion, right?
	Mack	No, he just made a motion to approve it
2:43:30	Comm'r Grayeyes	Motion is to Approve without discussion
	Comm'r Maryboy	. . . [inaudible] to determine to acknowledge that.
	McDonald	Can you hear him? He was talking.
	Comm'r Maryboy	Mr. Chair?
	Comm'r Grayeyes	Mr. Maryboy?
2:43:48	Comm'r Maryboy	Where is this airport located at?
	Burton	Um, it's in Spanish Valley.
	Comm'r Grayeyes	Spanish Valley right in the middle of residences.
2:44:22	Comm'r Maryboy	Oh, my gosh. I will back out on my second on that one, then, if it's approval. For discussion I would but if it's for approval, I – maybe you can second that.
	Comm'r Grayeyes	There is a lot of comments made about Sky Ranch Development because the airport was first established way before residential housing. So, right now, their plan is to, um, adjacent to the runway, they will develop housing lots and build homes. The question that is raised are health and safety issues. If a plane crashes into some of the residences, we know who's going to be at fault.
2:45:40	Comm'r Maryboy	Um-hum.
	Comm'r Grayeyes	There were comments that were made. . .
	Comm'r Adams[?]	Who would be at fault?
	Comm'r Grayeyes	. . . that [inaudible] a lot of [inaudible] these safety measures are not in place. In fact somebody said, I've lived the airport airstrip runs sort of the northeast and southwest.
	Comm'r Maryboy	Yes sir.
2:46:19	Comm'r Grayeyes	And I believe there are three airplane hangars along the, adjacent to the airstrip, and a comment was made that somebody lives, Mr. Calvin Walker, I believe it was, at the end of the airstrip. There's no safety measures. If a plane doesn't take off and continues to run, what happens?
2:45:56	Comm'r Adams	I've been down there. I've been to the airstrip.
	Comm'r Grayeyes	Yeah, I've been there, too.

Time	Participant	
	Comm'r Adams	I think that if it takes off, it'll just continue and it will run off into the field, there's not a home at the end of the strip. So it would just. . .
	Comm'r Grayeyes	Is it going? The runway is from the southwest to northeast.
2:47:23	Comm'r Adams	I guess it can go either way.
	Burton	It's kind of angled from southeast to northwest.
	Comm'r Adams	And, I think that the intention that he won't make – my understanding was the homes that were being built, there would be a hangar underneath the home, but maybe not, I don't know.
2:47:48	Burton	Yeah, they have talked about . . .
	?	Yeah.
	Burton	I don't know the exact configuration of what the homes will be, but, yeah, I think there is some desire.
	Comm'r Adams	I don't think that's a requirement, is it?
	Burton	No. And, they meet the lot size requirements per the plat, and that's what I say, you know. The concerns that are raised on each end of the runway, um, we recognize those concerns, but we don't have anything in our current zoning that requires a buffer area for private runways. These have their FAA license.
	Comm'r Grayeyes	But, there's no . . . [Crosstalk.]
	Burton	Not on private runways.
	Comm'r Adams	[Inaudible.] This is a private runway [inaudible]. [Crosstalk.]
2:48:30	Comm'r Maryboy	Mr. Chair. . .
	?	Yeah, okay.
	Comm'r Grayeyes	Yes, Mr. Maryboy. [inaudible]
	Comm'r Maryboy	Mr. Chair, we're talking about safety issue and all of this. I've recused myself in seconding the motion for the record. Now, what I would like to do is maybe do a substitute motion and send this back to the safety expert regarding the location of the airport and also recognize the residential zoning. Maybe that way, we'll have a clearer picture of making a decision with each other. I would make that substitute motion. Give it back to the planning commission.
	McDonald	So, let me just try to help, um. We don't have a safety expert that would look at this. All that you can really apply, and this was kind of made to the planning commission as well, recognizing that there's an airport there. The airport's already been approved. It's in existence no matter what you do. It's gonna continue as a private airport, because it's that. It's an FAA approved private airport, so it exists. And, so really what you're looking at today is whether or not this plat, um, that they meet our zoning ordinance. That's all that we're looking at. We can certainly work

Time	Participant	
		<p>with the private owner to try to mitigate any of the safety concerns, but, really, what we're looking at today with this plat map approval process is whether or not it meets code. Um, as you look at chapter 17-27a-603, it's kind of specific on what, what you're allowed to do once your approval is. We can't get into the airport ramifications or anything like that, because that's the private property owner's responsibility. When we look at this zoning, um, and there was a comment from the public as well. Back in 2018, we made these promises, but that was also under a different zone. Since then The Spanish Valley ordinances have been approved which allow for a higher density. So, the developer [inaudible] is that he went in and discussed this with the planning commission. That was really all you can weigh in on is whether or not it meets San Juan County ordinance. Um, you know, the lot sizes, we looked over that the lot sizes they do meet those changes in your ordinance and then, if you look through here, you one of those things mentioned is water, um, you know that water concern will come later, but it's something that they to reconcile themselves. The owner will have to go meet with the special service district and apply for the water permits if he hasn't already done so for these properties. But first and foremost, it's just subdividing his land in accordance with our ordinance. So really, we're looking at does this comply with our ordinance or not. That's really the only question that you can answer today. If it does comply with our ordinance, there is nothing in here that allows you to deny it. If it meets the ordinance.</p>
2:52:32	Comm'r Maryboy	Mack?
	McDonald	Yeah, go ahead.
	Comm'r Maryboy	Did I hear you say it's a section 17?
	McDonald	Chapter 17-27a-603.
	Comm'r Maryboy	Thank you for that clarification. Mr. Chair?
	Comm'r Grayeyes	Yes sir. Go ahead.
	Comm'r Maryboy	<p>That particular comment there that's being brought to us clearly states that the airport does not belong to the county or the state or any other entity as government. It belongs to the impacted people just like Navajo Oil and Gas. Navajo Oil and Gas is a section 17 to where it doesn't belong to the Navajo Nation, the state, or any other chapter. It belongs to the impacted area. So, therefore, the local people just made some comments. If it's a section 17, they're following the right order as it is, again without the help of our attorney. That's how I understand section 17.</p>
2:53:41	McDonald	<p>That sounds like a different chapter 17. This is the land use law in state code. Land use law doesn't give any rights to, um, to affected parties. It's mostly for individuals that own property. This is an owner acknowledgement survey and certificate.</p>



Time	Participant	
	Comm'r Adams	Mr. Chair?
	Comm'r Grayeyes	Mr. Adams.
	Comm'r Adams	Um, I'd like to request if we have an attorney online that he give us some advice.
2:54:23	Comm'r Grayeyes	Request for a legal opinion/advice.
	Comm'r Adams	I saw him on [inaudible]
	McDonald	He was on earlier. I know Kendall is not there.
	Burton	I talked to him earlier, and he had to go back in court.
	Comm'r Adams	Can we table the argument until we get an attorney online?
2:55:03	Comm'r Grayeyes	Temporary? Mr. Adams, temporarily table until legal attorney can respond to our or give us some advice on this issue. Is that your favor, Mr. Maryboy?
	Comm'r Maryboy	I stick with my motion, sir. Give it back to the planning commission to consult with the experts. That way, they can deal with the expert and give us all the data by the time they're done.
2:56:02	Comm'r Grayeyes	As I understand, I believe either the planning zoning committee has identified those issues before. The safe and healthy of the public. And, was forwarded to, um, the owner, but no response was made, no improvement. No planning of whatever is being that were issues so it just might be a continuation of that situation.
2:56:55	McDonald	Do you, Scott, are you aware of any conditions that are put on there before?
	Burton	Um, not that I'm aware. No. The airport, itself, was in place before any conditional use requirement was in our zoning.
	McDonald	Okay.
	Burton	And so, from what I understand it predates any – there is a conditional use now in our zoning, in our umbrella zoning, not the new zoning that's . . .
	McDonald	In Spanish Valley.
2:57:56	Burton	. . . that, you know, that we're doing this now. But, the umbrella ordinance does have a conditional use requirement for an airport.
	McDonald	But not back then.
	Burton	So, this was, this predated this.
	McDonald	Yeah. And this would be all grand – so the airport is grandfathered in when it was approved and continues forward to be grandfathered in.
	Burton	The planning commission has approved this so I don't know . . .
2:57:52	McDonald	Yeah, we did take this, so last Thursday, this was on the planning commission for recommendation to you, and it came out as a favorable recommendation to them, the commission. As that, we can certainly table it until we get an attorney in here to look at it.

Time	Participant	
	Comm'r Grayeyes	I'll go ahead and second Mr. Adams' motion to temporarily table until we get a legal opinion on it. So with that, I'd like to go ahead and call for the question at this time and say, all those in favor.
	Comm'r Adams	Aye.
	Comm'r Grayeyes	Aye. Opposed? Mr. Maryboy?
	Comm'r Maryboy	I oppose. [Crosstalk.]
2:59:05	Comm'r Grayeyes	The vote is – two in favor, one opposed. Motion carries. Next.

Ending at timestamp 2:59:08

## Part 2

Beginning at timestamp 4:24:35

Time	Participant	
4:24:35	McDonald	So the last item on the agenda, you had temporarily tabled the Sky Ranch Estates subdivision phase 2 until we can get an attorney here. It looks like we do have an attorney. Alex is on. Ah, Scott, I don't know if you want to recap that discussion. On that, we'll turn it over to Scott to kind of get us a recap of where we were at and then we can get into some of the legal discussion we've had.
	Burton	All right. So, we talked about this subdivision, Sky Ranch Estates Phase 2. We discussed that the airport, itself, is a use that's been there since 1985. Um, and that we are considering the subdivision, Phase 2, of this Sky Ranch Estates Subdivision, lot sizes, and things, that this was received in October. The county staff has reviewed it and has found that it meets all the requirements of the zoning, and then it went before the planning commission at their February 11th meeting, and they unanimously approved that so now it is coming before the county commission for their approval – the county commissioners.
	Comm'r Grayeyes	Is that number 11?
	Burton	It was...
4:26:27	McDonald	On the agenda, it was 9.
	McDonald	This is the one Commissioner Maryboy had asked us to hold off until we had an attorney present to help with the decision on there. One of the, one of the things, Alex if you're there, one of the things that was mentioned and just brought up is we've got Utah Code that we follow with as well as our ordinance that we follow for land use and plat maps.
	Goble	Yep.
4:27:02	McDonald	One of the things we discussed is everything on the plat map really should be considered outside of the airport. The airport isn't in

Time	Participant	
		consideration today. The regulations and rules and then guidelines that the airport falls under is the FAA's guidelines and nothing, has nothing to do with the county's guidelines. And, so, what we're looking at today is and only applying the ordinance as it was adopted in 2019, and so all of this, the airport predates our current ordinances. They're not asking to change the ordinance or land use request to allow for the airport because that's already something grandfathered in. Because of that, all we're really looking at is does the plat map comply and meet the requirements of the zone that this is in as far as plat maps are concerned.
4:28:09	Goble	Okay, so there's a lot of information in there, um. What's the – which question do you want me to hit first?
	Comm'r Adams	I'll ask you the question.
	Goble	Okay.
	Comm'r Adams	In my opinion, we're just being asked to approve or deny the Sky Ranch Estates Subdivision Phase 2. The planning and zoning board has determined that they meet all the requirements and recommended that we approve. If we don't approve it and we deny it, are we putting ourselves in any legal jeopardy?
4:28:57	Goble	That would depend on the reason for denying it. So, all land use decisions are, um, made one at a time probably isn't the right way to describe it, but, um, as it has been described to me, the airport was approved years ago, and the question before this body is the residential development around it.
	Comm'r Adams	But, I think. . .
	Goble	Denying the residential development absent a reason in the ordinance itself could land the county in legal trouble.
	Comm'r Adams	But to deny it because there's an airstrip in the, in the subdivision itself, does that place us in legal jeopardy?
	Goble	To deny it because an airstrip exists nearby?
	Comm'r Adams	Yup.
	Goble	Yes, because I've – at least in looking at the ordinance, the Spanish Valley Sub-ordinance that was adopted in 2019, it makes no discussion in that residential zone about there being a barrier or anything around that airport. And, since there's nothing in the ordinance that says that you can't build residential homes around the airport in that residential area, you're – those are the rules that the county adopted and those are the ones we have to live by.
	Comm'r Adams	So, if we deny this, we could possibly be sued by the developer – the county could?
	Goble	Correct. I mean, all land use decisions . . . let me think of the best way to phrase this. All land use decisions come fraught with the possibility that somebody somewhere is going to sue the county over it. The purpose for this commission is to review whether or not the Spanish Valley Sub-

Time	Participant	
		ordinance has been complied with. If it has been complied with, then you risk a denial that will be overturned and will cost the county. If that's a lawyer-enough answer for you. So, um, my understanding in speaking with Scott about this is it's his opinion that they are in compliance with the Spanish Valley Ordinance in making this request. And, if that is the determination of county staff and it's been approved by the planning and zoning commission, then the commission cannot deny it just because. There has to be a reason based in law, either, hey, we found something that's in violation of the ordinance; we found something that's in violation of state law. If there's been no such finding, then there's no basis for the denial.
4:31:53	Comm'r Adams	Okay. That's all I have. [inaudible]
	McDonald	Commissioner Maryboy, did you have any questions for our attorney? I know that you – that was one of the things that you wanted and asked for.
	McDonald	Commissioner Maryboy, are you there?
4:32:29	Comm'r Maryboy	There you go. Which attorney is that?
	Goble	This is Alex.
	Comm'r Maryboy	Whoa.
	McDonald	The illustrious.
	Comm'r Maryboy	Um, well, um, I think every individual, every group of people, everybody has a right and right now, I've asked, I think, Bruce asked for legal opinion, and I said, why isn't our attorney available? Why can't we have an attorney there that will be sitting there to give us information when it's readily available? Now, it's after the fact that we're dealing with it. I thought I tabled this thing. Now, we're talking about it again at the end of the agenda. So, Section 17 was brought up that needs to be looked at.
	McDonald	Yeah, chapter 17.
4:33:34	Comm'r Maryboy	And, everybody has a right. Anybody. The community that lives there and resides there are concerned. And, I'm also concerned about this. So, if the attorney that's advising us is saying what he's saying then what's the point in discussing it. He sounds like he's already ready to make an approval without even thinking about this whole thing thoroughly. So, if that's the case, if we can bring it back up again then my motion would be to table this item until we get in touch with the right, appropriate people to give us some guidance. And also, the recommendation of how it's being dealt with in other rural cities. And, earlier we heard these people making statements. What if that happens? What if this happens? And, if it's in the middle of a subdivision, it would be ludicrous for anybody to develop any kind of an operating establishment. You never know what would happen. That's my concern. I think that should be a concern to all of us. Otherwise, if you don't think like that, then write a letter to the community saying we don't care what happens to you. We're going to go

Time	Participant	
		ahead and put an airport right here and operate it. Maybe that needs to be done. So, I made a motion.
4:35:35	public	Mr. Chair, is it possible for me to make a comment?
	McDonald	So, with that . . .
	Goble	I'm not sure if there was a question in there for me or not, Mack.
	McDonald	Yeah, I didn't hear a question. I don't see the applicant online either anymore. I don't know if Mike has anything to add to it. With that, kind of what I'm hearing is Commissioner Maryboy had made a motion to table, did you hear that?
4:36:07	Comm'r Grayeyes	Yeah.
	McDonald	So, we just need a second for that.
	Comm'r Grayeyes	I will go ahead and second. If there's no further comment, all those in favor say "Aye." Aye.
	Maryboy	Aye.
	public	Yes. Yeah
	Comm'r Grayeyes	Opposed?
	Adams	No.
	Comm'r Grayeyes	One opposed. Two in favor. One opposed. The motion carries to table.
4:36:51	McDonald	So, one of the questions we have with that. So if it's tabled, what do you want us to do now with this?
	Goble	Mack, I can answer that question.
	McDonald	Okay, go ahead Alex.
	Goble	The tabling is a no.
	McDonald	So the tabling is actually a denial.
	Goble	It is an actual denial
	McDonald	So, but it's a denial without reason, though. That's why I have a hard time, is though that's a denial without reason
	Comm'r Adams	Open to a lawsuit?
	McDonald	Yeah...
4:37:27	Comm'r Grayeyes	It seems that a dinosaur was there before development around it.
	McDonald	Oh, absolutely. A pangea was there before.
4:37:45	Comm'r Grayeyes	At that time, there was no planning and zoning committee there. Also the commission did not have, or aware or not aware of the situation. This continues to rollover, rollover until . . .
	McDonald	Yeah.
4:38:28	Comm'r Grayeyes	People around there realize, hey, there's health and safety issues and there should be a buffer zone. All of that. How do we get out of it?
4:38:53	Burton	We need to consider the law as it is. That's what Alex was getting at. If we want a buffer zones then we need to do that through zoning ordinance and to develop an ordinance that creates a buffer zone. But,



Time	Participant	
		there's not one. That's where we're at right now, and we have an active application.
4:39:10	McDonald	And, that's the hard part is so you're in a point where land and property owners have rights to develop. They have the right to subdivide. And so last year you set the zoning to where you allowed for a smaller lot size in the Spanish Valley Ordinance. So, you allowed for that. All the applicant is doing is just that. He's made an application to go and get smaller lot sizes within his development. He owns that property. He has the right to do that [inaudible]. Now, understanding that there's all these concerns you heard today that, you know, as homes encroach airports. If you look at several airports throughout Utah, you'll see this very same thing. Hill Air Force Base. Moab. Moab sits right next to the highway and any of bus that's driving down that road has a same problem with the approach with airplanes there. You look at airport 2 in Salt Lake City. This kind of all goes around.
4:40:27	?	[Crosstalk] Provo Airport.
4:40:38	McDonald	All of these residential pieces encroaching airports. But the problem [Crosstalk] that you have is the airport was there before. And the developer, and what I like about it is the developer had mentioned that he's treating this as a private airport and the uses that are around here that he's planning on is a mixed use where you have residential and you have that airport hangar tied together. And so, he's creating a public or a private use, not a public use, with his own property. And so, to me that's – my concern is tabling kind of like Alex had mentioned is it is a denial, but you denied the application without cause, without merit. And that's illegal. You have to in your actions, we've got to state why it is that you do not like this plat, or where it meets and doesn't meet your zoning ordinance. That's why I referenced, and it's not Section 17 of Utah Code. It's chapter 17 of the Utah Code which governs plats required when land is subdivided, which is what this applicant is doing. If it's more information that you want for us to seek out before you make a decision, you know, then we can definitely state that as part of it. But, to just table it outside of no reason at all, I have some concerns with that, as well as your attorney.
4:42:21	Comm'r Grayeyes	Well, ah, the motioning party. . .
	McDonald	Commissioner Maryboy.
	Comm'r Maryboy	Mr. Chair, we just barely voted, right?
	Comm'r Grayeyes	Yeah.
	Comm'r Maryboy	And, after the fact, we're discussing. Mr. Chair, again, it's black and white. Two different things. The attorney wants to call it non-action item denial. But for the record, I tabled the item, and Mr. McDonald is seeking some guidance of what's supposed to come out of this tabling. Tabling motion. When we table deciding as you and Mr. Chair yourself, we are

Time	Participant	
		hoping that we would at least come up with a recommendation of who, how, when this item should be brought back. And, it doesn't make any sense for our attorney to tell us that no matter what, the airport was there and so therefore, those people that are around it can just hush and go back into their dark hole. I don't see it that way. These are people, just like you and I. They deserve to live where they want to. And, where is the negotiation? Where are the parties? We're the ones that are supposed to be the people, that's supposed to be in between the two parties to make a good living. I don't see that. So, again, we're discussing after the fact and, for the record, I tabled it. I didn't deny it. That's the attorney's call. If he wants to call it denial, then by all means.
4:44:46	McDonald	Okay. Just so you're aware when we did consult our ALJ, so our, so our (oh for some reason, it's skipping my head. It's getting late in the afternoon) our administrative law judge. When our administrative law judge looked at another item similar to this where you had just tabled it, um, he did, in fact, remind us that it is in state code that it does state that table during the land use decision is an actual denial. So, even if you table, you've got to give a little bit more than just an outright table because a table in itself is that, it's a denial.
	Comm'r Maryboy	Mr. Chair.
4:45:44	Comm'r Grayeyes	I guess it has to be table, isn't it. In this case it's tabled forever.
	McDonald	Which would be a denial, correct.
	Comm'r Grayeyes	Now. . .
	Comm'r Maryboy	Mr. Chair.
	Comm'r Grayeyes	If the table was with some type of timetable.
	Comm'r Maryboy	Mr. Chair.
4:44:15	Comm'r Grayeyes	And reason and directive would be more care than just to table it. If there was some, then we wouldn't be able to or there's not going to be any legal action against the tabling motion. That's what I would look for. Um. . .
	Comm'r Maryboy	Mr. Chair.
	Comm'r Grayeyes	Yes, Mr. Maryboy.
	Comm'r Maryboy	So my last question to our attorney. So this is a complete denial is the way you're going to respond.
	Goble	So, to answer that question if you table without any follow up directive or anything such as seeking information then it's a denial, and as the motion was only to table and nothing else was attached to that motion, then it's a denial.



Time	Participant	
4:47:23	Comm'r Maryboy	Well, my phone cuts out. There's certain things I cannot hear. It must be the same thing on that side. You don't table anything without no probable cause or no recommendation. My tabling motion was to get you to get in touch with those that are involved with this and come back with an answer, but all that, I don't know if you all heard me, but that's what my recommendation and my tabling motion was. Did anybody hear that?
	Goble	That didn't come through to me.
	Adams	Nope.
	Comm'r Grayeyes	No. Neither I.
4:48:08	Comm'r Maryboy	Well, we already voted unless if you want to call it back and I can make that recommendations.
	Comm'r Grayeyes	Okay. Go ahead. Recall the item.
	Comm'r Maryboy	Go ahead Bruce. Bruce, want to recall it?
	McDonald	Do we need a vote? Do we make a motion to recall it so it's all clean?
4:48:47	Comm'r Grayeyes	Yeah.
	Comm'r Grayeyes	Is there a motion to recall the item? Number. . .
	McDonald	Seven. Let's see, sorry.
	Comm'r Grayeyes	Number 9. Item number 9.
	Comm'r Adams	Motion to recall.
	Comm'r Grayeyes	Mr. Adams' motion to recall. Is there a second?
	Comm'r Maryboy	Second.
	Comm'r Grayeyes	Second by Mr. Maryboy. All those in. . .
	Comm'r Maryboy	Mr. Chair.
	Comm'r Adams	Aye.
	Comm'r Grayeyes	All those in favor say "Aye."
	Comm'r Adams	Aye.
	Comm'r Maryboy	Aye.
	Comm'r Grayeyes	Aye.

Time	Participant	
	Comm'r Grayeyes	Three in favor.
	Comm'r Maryboy	Mr. Chair.
	Comm'r Grayeyes	Nay, zero. Mr. Maryboy.
	Comm'r Maryboy	Mr. Chair, I'd like to make another motion.
	Comm'r Grayeyes	Okay, go ahead.
4:49:40	Comm'r Maryboy	I'd like to make a, I'd like to make a motion for approval of this project but with the conditions that the community is being consulted with the party that's going to be developing is being consulted and bring that information back to the planning commission.
	Comm'r Adams	Second.
	?	[Inaudible.]
4:50:12	Comm'r Grayeyes	Mr. Maryboy, second by Mr. Adams. Any further and lengthy discussion?
	Comm'r Adams	Question.
	Comm'r Grayeyes	Question by Mr. Adams.
	Comm'r Adams	Alex, does that get us out of legal trouble?
	Goble	Um, yes and no. Um, if I'm understanding the motion correctly, the motion is to approve with a requirement which gets a little bit complicated that the developer needs to meet with the planning and zoning commission and take public comment on their concerns. If I understand commissioner Maryboy's motion correctly.
4:51:00	Comm'r Maryboy	The safety oversight that oversees airports and airplane and community, that, we need to know when the respond comes back.
	Goble	Okay. So, that discussion is for informational purposes?
	Comm'r Maryboy & Comm'r Adams	Yes.
	Goble	Then, I believe, as long as Mr. Burton has otherwise determined and the planning and zoning commission has otherwise determined the plat to be in compliance with the Spanish Valley Sub-ordinance, that should save us the legal trouble.
4:51:32	Comm'r Adams	Okay. Call for question.
	Comm'r Grayeyes	Call further question. All those in favor.

Time	Participant	
	Comm'r Adams	Aye
	Comm'r Maryboy	Aye
	Comm'r Grayeyes	Aye
	Comm'r Grayeyes	Opposed, nay. Three in favor; zero opposed. Motion carries. Thank you.
	Comm'r Maryboy	So, what's the vote?
	?	Tell us the vote.
	Comm'r Grayeyes	Three in favor, zero opposed.
	Comm'r Maryboy	I have to run to the [inaudible]. I'm going to be taking off, guys.
	McDonald	Okay, we just need a motion to adjourn. I think, though, unless you guys have public comments.
	Comm'r Maryboy	Motion to adjourn.
	Comm'r Adams	Second.
	Comm'r Grayeyes	Motion is made by Kenneth to adjourn. Seconded by Mr. Adams. And I third. Call further question.
4:52:23	Comm'r Adams	Yes.
	Comm'r Grayeyes	Say aye.
	Comm'r Maryboy	Aye.
	Comm'r Grayeyes	Aye.
	Comm'r Grayeyes	Three in favor. Opposed, nay? Nada. Three to zero. Motion to adjourn is at 3:45.
	?	6:00. [Crosstalk.]
	?	We want to thank you guys. Appreciate it.

Ending at timestamp 4:52:56 (YouTube recording)

Comm'r Grayeyes: Commissioner Willie Grayeyes  
Comm'r Maryboy: Commissioner Kenneth Maryboy  
Comm'r Adams: Commissioner Bruce Adams  
Burton: Scott Burton, Subdivision Administrator  
McDonald: Mack McDonald, County Administrator  
Goble: Alex Goble, Deputy County Attorney

# EXHIBIT 13

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BEFORE THE SAN JUAN COUNTY UTAH ADMINISTRATIVE LAW JUDGE

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KARL SPIELMAN; TIM O'NEILL; and  
BEVERLY O'NEILL;

Petitioners,

vs.

SAN JUAN COUNTY, UTAH,  
Respondents.

and

BUSINESS RESOLUTIONS, LLC as Trustee  
of the Moab Development Trust and Mike  
Bynum as Manager;

Intervenor.

**SAN JUAN COUNTY'S SUPPLEMENTAL  
BRIEF ON RELEVANT SAN JUAN  
COUNTY ORDINANCES**

Respondent San Juan County, through the San Juan County Attorney's Office, respectfully submits the following Supplemental Brief on Relevant San Juan County Ordinances in response to ALJ Creswell's questions posed at March 16, 2022 pre-hearing.

**I. The Effect of the Passage of 2019 Spanish Valley Sub-Ordinance**

The Spanish Valley Sub-Ordinance was passed by the San Juan County Commission on November 19, 2019 through Ordinance 2019-02. That ordinance states specifically that "the San Juan County General Plan and the San Juan County Zoning Ordinance are *amended* to include [the Spanish Valley Sub-Ordinance]". (Emphasis added). The zoning map was also amended based on Ordinance 2019-02.

It is the County's position that the SVR specifically is the new zoning rule in effect for this subdivision application. It should be noted that the sub-ordinance defines no terms and the original ordinance should be consulted for definitions and procedures but the SVR should be followed for the relevant rules. All prior decisions were made under the prior ordinance.

**II. What are the Effects of the County Ordinances on the Present Matter**

While not specifically requested by the ALJ, the County believes it is critical to ensure that the administrative review in this matter is considers the following information. Therefore, the County hereby submits the following for consideration by ALJ Creswell.

**a. What is the actual land use decision before ALJ Creswell**

The question before ALJ Creswell is whether a subdivision application is allowed under the Spanish Valley Sub-Ordinance. The subdivision application is a request to subdivide property for the purpose of constructing single family homes. This property falls into the SVR (Spanish Valley Residential Zone) which expressly permits the subdividing and constructing of single family homes.

The question *not* before ALJ Creswell is about the use, expansion of the use, or anything else regarding the pre-existing runway. It is likely that there will come a time in the future where Intervenor will request building permits, complete with plans and further details about their project. At that time, impacts on the use of the runway may be ripe for discussion before the ALJ. However, the present situation is purely on the *subdividing* of a large parcel into multiple smaller properties for the purpose of constructing single family homes. Therefore, the expansion and historic use of the runway is not at issue at this time and a decision on whether the subdivision will lead to more use or different use is not appropriate for decision at this time.

**b. The Runway and Zoning Estoppel**

Zoning estoppel, according to the Utah Property Rights Ombudsman, “stops local government from changing its position concerning a land development decision when a property owner has relied upon the government’s position, and it would be unfair to allow the government to change its position.”<sup>1</sup> Zoning estoppel requires reliance on a person with actual authority. It can’t be just anyone at the government entity. However, in this instance, in 2019 there are correspondence in the record from Walter Bird, the then Planning Administrator for San Juan County, stating that “several years ago” Mike Bynum had contacted the County about paving and expanding the runway and that Bynum was told that no permit was necessary and that he could proceed. The local newspaper published an article about the paving, neighbors complained, but nobody appealed that decision. In fact, nobody appealed when Mr. Bird reaffirmed that decision in his 2019 email.

It should be noted that the San Juan County Attorney’s Office was not fully consulted about that decision at that time. Had consultation occurred, it is probable that the recommendation would have been for an application for Conditional Use Permit to be submitted. However, based on Bynum’s obvious reliance on Mr. Bird’s (the Planning Administrator) decision, the County doesn’t see how Zoning Estoppel isn’t applicable. Based on the record, the County believes that this is not a question about the expansion of a non-conforming use. In regards to the runway, this is a reliance and zoning estoppel issue.

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<sup>1</sup> [Propertyrights.utah.gov/zoning-estoppel/](http://Propertyrights.utah.gov/zoning-estoppel/)

Mr. Bird's approval is further evidenced in the County's approval of the 2018 Phase I amendment to the Sky Ranch Subdivision as reflected in the record. Wherein the runway dimensions were altered and it was apparent that there were future plans for further development.

According to the Property Rights Ombudsman, "'action' by a zoning authority may be representation made by the authority that a particular development or land use is allowed. The representation must be clear and definite and made on behalf of the authority itself not by an employee or even an official within the authority." Walter Bird was the authority for San Juan County at the time he stated "Mike Bynum contacted the County several years ago about resurfacing the runway [sic] he was told that no permit was needed and proceeded as such".

**c. The 2018 Land Use Decision was Never Appealed and Cannot Be Brought Now**

The Planning Administrator made a decision prior to the 2018 paving and expansion of the runway that it could proceed as a permitted use. That paving took place, articles were written in the paper, and neighbors complained therefore actual and constructive notice was given to the world by both publication and by the existence of the new paved surface. No appeal was ever made to that decision and the time for appeal has long since passed. Furthermore, no appeal was ever lodged when Sky Ranch went through the Phase I amendment process in 2018 (after the 2011 ordinance requiring a CUP was passed) even though there was actual notice and the changes in the runway were reflected in that amendment and it was approved by the County at that time. Finally, when concerned citizen William Love questioned the runway he received a response from Mr. Bird on May 6, 2019 regarding that runway and the decision to allow it and still no appeal followed.

The application for subdivision in 2021 and the appeal of that application decision now before the ALJ does not resurrect the pre-2018 determination by the Planning Administrator that the Sky Ranch runway was a permitted use.

**III. Conclusion**

San Juan County's position is that all questions regarding the runway are either not yet ripe or were decided long ago and the appeal period has long since run. The present question before the ALJ is on the subdivision of real property for the purpose of constructing single family dwellings. It is likely that at either the site plan or building permit phase, the conversation about the impacts on the runway will then become ripe for decision. However, if the ALJ's position is that those decisions are ripe now, the decision should be limited to the impacts of the development on the runway and not on the existence or configuration upon the runway as it presently exists.



RESPECTFULLY SUBMITTED this 17th day of March, 2022.

/s/ Kendall G. Laws  
Kendall G. Laws  
San Juan County Attorney



Real Estate Business  
**Resolutions**  
Property Management

November 6, 2019

Trent Schafer  
Lloyd Wilson  
Walter Bird  
Mark Vlassic

Gentlemen-

I have an existing approved airstrip, known as Sky Ranch, on property in San Juan County. We recently received approval for an amended subdivision, and we are nearing completion on the construction of the first home with its own hanger. I reviewed the latest draft code revision from Landmark and attended the Planning Commission meeting on October 30, 2019. I have a concern with the fact that the existing airstrip is not listed as a permitted or conditional use in the proposed Spanish Valley Residential (SVR) District. Could you please clarify why the existing airstrip is not included?

If the County chooses not to include an airstrip as a permitted or conditional use in the future, then we respectfully request that some language be added that existing airstrips are considered permitted conforming uses and that no new airstrips are permitted.

I would appreciate an open discussion on how best to acknowledge the existing airstrip and to ensure its continued use in the future. I look forward to hearing from you.

Sincerely,



Mike Bynum

# EXHIBIT 14

[\(https://www.facebook.com/pages/San-Juan-County/546601698721762/\)](https://www.facebook.com/pages/San-Juan-County/546601698721762/)

[\(https://twitter.com/Sanjuancountyut\)](https://twitter.com/Sanjuancountyut)

On Fri, May 11, 2018 at 8:05 AM, Bird, Walter <[walterbird@sanjuancounty.org](mailto:walterbird@sanjuancounty.org) (mailto:walterbird@sanjuancounty.org)> wrote:  
That works for me.

Walter

On Thu, May 10, 2018 at 6:55 PM, Lloyd Wilson <[ccconstruction@rocketmail.com](mailto:ccconstruction@rocketmail.com) (mailto:ccconstruction@rocketmail.com)> wrote:

I spoke with Mike, 3:00 on Tuesday the 15th would work best for him at his office on 4th east next to Jones and Demille's office.  
Sent from my iPhone

SUBJECT: Document submission to San Juan County Planning and Zoning Commission  
FROM: "Karl Spielman" <[2karlspielman@comcast.net](mailto:2karlspielman@comcast.net)>  
TO: "Walter Bird" <[walterbird@sanjuancounty.org](mailto:walterbird@sanjuancounty.org)>, "Kelly Pehrson" <[kpehrson@sanjuancounty.org](mailto:kpehrson@sanjuancounty.org)>  
DATE: 17/05/2018 14:22  
ATTACHMENTS (20180517-142232-0017289): "Cover letter for SJC 05172018.docx" (file://\SANJUAN-SERVER\Shared\Google Takeouts\Walter Bird\takeout-20210428\Takeout\Mail\AttachmentCache\All mail Including Spam and Trash\20180517-142232-0017289 Cover letter for SJC 05172018.docx), "DRAFT de-conflict letter from FAA.docx" (file://\SANJUAN-SERVER\Shared\Google Takeouts\Walter Bird\takeout-20210428\Takeout\Mail\AttachmentCache\All mail Including Spam and Trash\20180517-142232-0017289 DRAFT de-conflict letter from FAA.docx), "BLM MOU.PDF" (file://\SANJUAN-SERVER\Shared\Google Takeouts\Walter Bird\takeout-20210428\Takeout\Mail\AttachmentCache\All mail Including Spam and Trash\20180517-142232-0017289 BLM MOU.PDF), "Red Annie Ranch Landing Area History .docx" (file://\SANJUAN-SERVER\Shared\Google Takeouts\Walter Bird\takeout-20210428\Takeout\Mail\AttachmentCache\All mail Including Spam and Trash\20180517-142232-0017289 Red Annie Ranch Landing Area History .docx), "Red Annie Airport Conflicts and Obstructions.docx" (file://\SANJUAN-SERVER\Shared\Google Takeouts\Walter Bird\takeout-20210428\Takeout\Mail\AttachmentCache\All mail Including Spam and Trash\20180517-142232-0017289 Red Annie Airport Conflicts and Obstructions.docx), "LUDMA Letter Spielman.docx" (file://\SANJUAN-SERVER\Shared\Google Takeouts\Walter Bird\takeout-20210428\Takeout\Mail\AttachmentCache\All mail Including Spam and Trash\20180517-142232-0017289 LUDMA Letter Spielman.docx)

Karl Spielman  
7104 Greenwood Ave. N.  
Seattle, WA. 98103  
435-260-1383

Walter Bird  
Kelly Pehrson  
San Juan County  
P.O. Box 338  
Monticello, UT. 84535

05/17/2018

Re: Cover Letter for document submission regarding proposed Sky Ranch Airport

Dear Kelly and Walter,

This cover letter is included in an email sent to you both on this date with what I believe is important information for your eventual deliberations on the Sky Ranch Airport issue. In keeping with Walter's intent that this issue not be included in tonight's Agenda Items, I have undertaken to provide some further information to you both via email. You may share it with both sets of Commissioners as you see fit, but I wanted to get it into the public record.

I have included a draft letter from the FAA that will soon be sent to all three aviation entities in Spanish Valley. It calls for agreement between the three, of which I am one, to de-conflict our airspace in the interests of safety. I heartily agree. Another document included under this cover letter is a Memorandum of Understanding between the BLM's Helibase, and my property Red Annie Ranch to create an airport traffic area with a common traffic frequency. This took place ten or so years ago. The BLM and Red Annie Ranch are the two substantial and responsible aviation interests in Spanish Valley and have never been in conflict. It is the change in the magnitude of the use at Sky Ranch which threatens the status quo. I have included a history of Red Annie Ranch (and to some extent Sky Ranch) in a document that was supplied to the FAA in December of 2017. I hope that you find it interesting and useful background.

Also included in this email is an opinion letter from attorney Dale Kimsey, to me, on the question of Sky Ranch and it's certain oversight or lack thereof by San Juan County. It is information that we all have covered before, but you may find it interesting, reading some of the State of Utah's guidance to counties.

Tonight I intend to speak as a citizen about the future of my property in the eyes of the County. I have questions about my obligations and liabilities going forward, such as what happens if there is a serious accident on my property behind a seasonally locked gate. How are emergency vehicles to access the crash site? What types of restrictions will the County place on my property and the property of others in close proximity to Sky Ranch in the future to accommodate those owners, over existing residents?

You may want to consider this small fact in regards to its greater implications to the County. In 20 years of aviation activity at Red Annie Ranch, we have had 5 accidents. I fly only 10 or 12 times a year and the public is not invited to use my airstrip. One of these accidents was nearly a fatality, except for excellent pilot skills, familiarity with the area and a great amount of luck. My point is, that accidents are a very real part of flying.

It is not a matter of if, but only a matter of when accidents will occur at Sky Ranch. It is not only a numbers game, but by inviting many pilots who are unfamiliar with the area's unique challenges, we are creating a dangerous, attractive nuisance. San Juan County may feel that the FAA-FSDO and the NTSB are staying at arm's length in the matter of Sky Ranch, but should an incident or accident occur, they, as well as any possible injured parties, will be the ones reviewing all of the mistaken decision points leading up to the event. I think that it is important that SJC appear to have given the Sky Ranch development adequate consideration. Thank you.

Sincerely,  
Karl Spielman

SUBJECT: Meeting/phone call with County Attorney next Tuesday May 29th  
FROM: <amy@berez.com>  
TO: "Bird, Walter" <walterbird@sanjuancounty.org>  
CC: "Mike Bynum" <mike@berez.com>  
DATE: 23/05/2018 13:39

Hello Walter-

Mike and I both blocked out next Tuesday morning as the potential time to talk with the County's attorney about Sky Ranch.

Can you please let us know what time is going to work that day? We just need to get it on our calendar's.

Thank you,

Amy

## Amy Weiser

Project Manager  
Business Resolutions, LLC  
301 S 400 E  
Moab, UT 84532  
Cell: 435-355-9289  
Office: 435-215-7172 ext. 2

SUBJECT: Fwd: Meeting/phone call with County Attorney next Tuesday May 29th  
FROM: "Bird, Walter" <walterbird@sanjuancounty.org>  
TO: Kelly Pehrson <kpehrson@sanjuancounty.org>  
DATE: 23/05/2018 14:42

Kelly:

I guess its not all set up. Do you want to contact Kendall and set a time?

Walter

----- Forwarded message -----

From: <amy@berez.com (mailto:amy@berez.com)>

Date: Wed, May 23, 2018 at 1:39 PM

Subject: Meeting/phone call with County Attorney next Tuesday May 29th

To: "Bird, Walter" <walterbird@sanjuancounty.org (mailto:walterbird@sanjuancounty.org)>

Cc: Mike Bynum <mike@berez.com (mailto:mike@berez.com)>

Hello Walter-

Mike and I both blocked out next Tuesday morning as the potential time to talk with the County's attorney about Sky Ranch.

Can you please let us know what time is going to work that day? We just need to get it on our calendar's.

Thank you,

Amy

## Amy Weiser

Project Manager  
Business Resolutions, LLC  
[301 S 400 E \(https://maps.google.com/?q=301+S+400+E+Moab,+UT+84532&entry=gmail&source=g\)](https://maps.google.com/?q=301+S+400+E+Moab,+UT+84532&entry=gmail&source=g)  
[Moab, UT \(https://maps.google.com/?q=301+S+400+E+Moab,+UT+84532&entry=gmail&source=g\)](https://maps.google.com/?q=301+S+400+E+Moab,+UT+84532&entry=gmail&source=g) 84532 (<https://maps.google.com/?q=301+S+400+E+Moab,+UT+84532&entry=gmail&source=g>)  
Cell: 435-355-9289  
Office: 435-215-7172 ext. 2

SUBJECT: RE: Meeting/phone call with County Attorney next Tuesday May 29th  
FROM: <amy@berez.com>  
TO: "Bird, Walter" <walterbird@sanjuancounty.org>  
DATE: 23/05/2018 16:27

Walter-

Some time between 10:00am to 12:00noon works best for us.

Thanks again,

Amy

Bill:

As stated, there is no conditional use application and no permit was granted. UCIP, the county's indemnity pool, is fully aware of this airport issue that has been vetted for several years now by many parties. This is far from a new issue. The county is in a no win situation - one side sword rattling that we haven't followed code and that the airport is dangerous, and the other side alleging that any infringement on an existing property right may lead to legal action. So if the goal is avoid a lawsuit that may not happen.

Walter J. Bird

SJC Planning and Zoning Director

On Mon, May 6, 2019 at 4:44 PM William Love <[william.e.love75@gmail.com](mailto:william.e.love75@gmail.com) (<mailto:william.e.love75@gmail.com>)> wrote:

### 12-3 Conditional Uses

All other uses than those listed.

I could not find an airport listed in any of the zones as P or C in the SJC Land Use Code. Therefore under section 12-3 of the land use Code the enlargement of the airport is an Conditional Use. Is this correct? This is not a resurfacing of an existing runway. Most of the runway did not exist to be resurfaced prior to the enlargement. **The Commission needs to determine if this is just a resurfacing project or a major enlargement.** Moab City currently has a lawsuit when the City made a determination that almost doubling the size of a resort was a minor change and not major. San Juan County does not need another lawsuit.

I need to see the Conditional Use Application for the airport and the approval of the use. The enlarged airport has not been in existent for many years. The number of landings and takeoffs will increase several hundred times and the runway does not meet the suggested No Development Zones beyond the end of the runway recommended by the FAA or by the San Juan County Spanish Valley Area Plan -April 17, 2018.

A major road is only 5 to 10 feet off the end of the runway.

Can you email me information from the Conditional Use Application and Permit or I can review the information in the Courthouse. MY feeling is this airport expansion is illegal. I need information that shows the airport met the requirements of the Land Use Code and information that will change my mind about the legal status of the airport.

The County has a large liability if the Land use Code was not followed and a school bus or other vehicle is hit by an aircraft.

The primary question is "Was the Land Use Code followed by the County and the Developer? If not we need to notify the County's Insurance Company and the Commission. An illegal airport needs to be closed ASAP before someone is killed.

This subject needs to reviewed by your new County Administrator if hired tomorrow (Tuesday)

Bill Love

SUBJECT: San Juan County, UT Permit # 18015

FROM: San Juan County UT <[wo@iworq.net](mailto:wo@iworq.net)>

TO: [walterbird@sanjuancounty.org](mailto:walterbird@sanjuancounty.org), [jwhitney@grandcountyutah.net](mailto:jwhitney@grandcountyutah.net), [amber.wiggins@pacificorp.com](mailto:amber.wiggins@pacificorp.com), [netmetering@pacificorp.com](mailto:netmetering@pacificorp.com), [cpalmer@grandcountyutah.net](mailto:cpalmer@grandcountyutah.net), [sburton@sanjuancounty.org](mailto:sburton@sanjuancounty.org), [colton.nelson@pacificorp.com](mailto:colton.nelson@pacificorp.com), [gary.lawley@rockymountainpower.net](mailto:gary.lawley@rockymountainpower.net), [dan.vink@pacificorp.com](mailto:dan.vink@pacificorp.com)

DATE: 28/08/2019 15:51

Click [Here \(https://www.iworq.net/iworq/0\\_Pages/popupInspection.php?sid=CMNOKLFDINBORNRBAROORABNAL600&id=16041382\)](https://www.iworq.net/iworq/0_Pages/popupInspection.php?sid=CMNOKLFDINBORNRBAROORABNAL600&id=16041382) to open inspection



#### Inspection Information

Permit #: 18015

Permit Date: 08/06/2018

Inspection Date: 08/28/2019

Inspection Type: \*Inspection

Requested By: Henderson Builders, LLC

Contact Info: Jason Henderson

Scheduled Date: 08/28/2019

Scheduled Time: 15:45

Completed Date: 08/28/2019

Description: Permanent power WO# 6736843

Inspection Status: Clearances OK

Assigned To: Jeff Whitney

Time In: 00:00

Time Out: 00:00

Hours: 0.0

#### Notes

08/28/2019 No corrections ok for service

#### Property Information

Parcel#: 0006400A1040

RAMSEY JOHN

RAMSEY JOHN

PO Box 1245

characteristics that residents wanted to be prioritized in the planning process. These attributes contribute to vibrant, healthy and friendly neighborhoods, yet the proposed plan is so vague and non-specific that the prioritization of these attributes is not obvious in the proposed plan.

- **Sky Ranch Airport.** The proposed development plan completely fails to address the proposed Sky Ranch airport, located in the midst of the planned city and residential area! Airports have many serious safety and noise issues, and they negatively affect property values in surrounding neighborhoods. Professional planners would not propose an airport for the middle of a residential area. Who benefits from Sky Ranch airport? Some out-of-town amateur pilots that want to fly into their driveway might benefit, but neighborhoods throughout Spanish Valley will be bombarded with noisy, low flying private aircraft buzzing the valley. Residents in closer proximity to the airport will be burdened with safety concerns. Spanish Valley is a growing residential area; the era in which an airport in Spanish Valley would be acceptable is long gone. San Juan County should require Landmark to address the proposed airport now, otherwise the entire development planning process will be futile.
- **Nightly Rentals.** The proposed development plan also completely fails to address the issue of nightly rentals. Failing to address such a significant issue up front, choosing instead to delay dealing with it until sometime down the road (when?) when the majority of properties are being operated as nightly rentals is poor planning. By then it will be nearly impossible to reverse course and protect neighborhoods. All one needs to do is look at the explosion of nightly rentals (condo's, air bnb's, VRBOs, etc) in Grand County to realize that these commercial ventures greatly impact neighborhoods. Unless they are restricted to appropriate areas, their numbers will continue to increase and they will eventually dominate residential neighborhoods. SJ County should require Landmark to address the nightly rental issue now, to provide certainty to current and future property owners.
- **SITLA.** Although Landmark acknowledges that SITLA (Utah School and Institutional Trust Lands Admin) owns most of the land in south Spanish Valley, Landmark fails to disclose that SITLA does not have to abide by any development plan San Juan County eventually approves for Spanish Valley. SJCO cannot mandate that SITLA develop homes (versus condos or hotels or manufacturing plants) on SITLA land. Thus, San Juan County should negotiate an agreement with SITLA regarding future development that includes affordable and diverse residential housing.

Sincerely,

Liz Thomas

Moab, UT

SUBJECT: Re: 3/8/18 P & Z meeting

FROM: Walter Bird <walterbird@sanjuancounty.org>

TO: Karl Spielman <2karlspielman@comcast.net>

DATE: 28/02/2018 20:02

Karl:

I'm out of the office this week, but I figured I needed to return your email. There is chance that the Planning Commission meeting scheduled for March 15 will be moved to March 22 to accommodate a public hearing for the draft SPV plan.

With that said, your more than welcome to be placed on the agenda. In fact, I'll put you down for sure. I just need to firm up the date of the meeting. Once set, I'll let you know. Thanks and contact me with questions or concerns.

Walter J. Bird

SJC Planning and Zoning Director

(435) 587-3225

On Tue, Feb 27, 2018 at 2:52 PM Karl Spielman <2karlspielman@comcast.net (mailto:2karlspielman@comcast.net)> wrote:

Hello Walter,

I left a voicemail at your office. I'm interested in getting on the Planning Commission agenda on 3/8/18 for a short presentation and some questions. The subject is Sky Ranch Airport and what I have to say pretty much parallels my concerns that you and I have spoken about before. As you know, I am a supporter of aviation and think that residential airparks are a neat idea in the right setting. But they are still airports, with all of the commensurate responsibilities associated with airports. What makes this one potentially different, is the possibility of overnight rentals. By allowing renter pilots to access what Mike calls a "private" airstrip, we are creating a safety and noise disaster for the current and future residents surrounding the airport. I've been told by some of my pilot friends, that they look forward to the day when they can rent a house on Sky Ranch for the weekend, and invite a bunch of their friends over for "fly-outs" to the various back country airstrips. As a retired commercial pilot, I can assure you that this invites a level of amateurism to the equation. Additionally, the noise footprint of a small airplane at the required minimum altitude of 1000' AGL is approximately 24 acres. This is a much more serious issue than ground based noise like UTV's. Simple CC&R's will not be able to restrict this type of activity because of the anonymity factor of visiting renters, and the fact that CC&R's can be changed by a vote of the landowners at a later time. Deed restrictions are better and even better are Conditions that are placed on the subdivision in the permitting process by the County. Several articles in the newspapers have quoted individuals asserting that the FAA is the ultimate overseer of Sky Ranch. This is incorrect. Sky Ranch is deemed by the Denver Flight Standards District Office (FSDO) to be an "unobligated airport", meaning that it takes no funds from the National Integrated Airport System. The FAA relies on County zoning ordinances and Conditional Use Permits to define those airport environments beneath their level of control. Someone at the County should contact the FAA and establish this fact. It is important that San Juan County knows its responsibilities and contingent liabilities. San Juan County's Planning Commission is the ultimate decider of the shape of the Sky Ranch development. I look forward to chatting with the Planners on Thursday the 8<sup>th</sup> and I still have a couple of procedural questions for my presentation. I can be reached at 435-260-1383.

Karl Spielman

[2karlspielman@comcast.net](mailto:2karlspielman@comcast.net) (mailto:2karlspielman@comcast.net)

SUBJECT: Fwd: Public Notice for Planning and Zoning Commission

FROM: markv <markv@ldi-ut.com>

TO: Kelly Pehrson <kpehrson@sanjuancounty.org>, walterbird@sanjuancounty.org

DATE: 18/03/2018 23:02

Hi,

I don't see any discussion of zoning code ideas in this latest agenda. Can that discussion get rolled into 4.1 or does that need to be a separate agenda item?

I anticipate at least 30 minutes, so please let me know if that works for you as well.

Also, since we will be presenting the Area Plan for adoption to the county commission on April 17th AND presenting preliminary guidelines for discussion, is it possible to invite the Planning Commission members as well?

Mark