

Casandra Davis

From: Casandra Davis
Sent: Thursday, April 03, 2014 2:57 PM
To: 'Ron Haines'
Cc: BCC-All Commissioners
Subject: RE: Lantana Airport Helicopters Friday Update N479AT, N471AT, N771MM, N44XL

Mr. Haines,

I have reviewed the 2005 CCAN Agenda files for scheduled meetings.

I did not find any references to helicopter routing at LNA or the map that you described as being submitted by PB Helicopter. It was my understanding that I had responded to you on Wednesday and updated you; by explaining that I had to go through computer files here and paper files in an off airport location. I searched my files for the e-mail and did not locate one. I will insure I provide this in the future. I also searched 2004 and 2006 in hopes of locating the map with no success.

Thank You

From: Ron Haines [<mailto:ronaldhaines@bellsouth.net>]
Sent: Wednesday, April 02, 2014 2:36 PM
To: Casandra Davis; Bruce V. Pelly
Cc: BCC-All Commissioners
Subject: RE: Lantana Airport Helicopters Friday Update N479AT, N471AT, N771MM, N44XL

Casandra:

You still owe me an answer on this one. Six weeks ago you wrote: "I will locate and research the CCAN 2005 files, I will respond to this request by Wednesday of next week."

Regards,
Ron Haines

Casandra Davis

From: Casandra Davis
Sent: Thursday, April 03, 2014 3:03 PM
To: 'Ron Haines'
Cc: BCC-All Commissioners; Bruce V. Pelly
Subject: RE: Comment about Helicopters N3181Q, N3202D, and N7687H at Lantana Airport Today

Mr. Haines,
I did request this information and as of today's date, I have not received a response.

From: Ron Haines [<mailto:ronaldhaines@bellsouth.net>]
Sent: Wednesday, April 02, 2014 2:33 PM
To: Casandra Davis
Cc: BCC-All Commissioners; Bruce V. Pelly
Subject: RE: Comment about Helicopters N3181Q, N3202D, and N7687H at Lantana Airport Today

Hi Casandra:
Still waiting for some information you owe me. A month ago you wrote: "I said I would respond to you today, unfortunately I have not reached the manager. I will contact him and to discuss the information and provide it to you as soon as I reach him."
Regards,
Ron Haines

Ron Haines cell 561 315-0528
<http://ronhaines.wordpress.com/canoeing-the-mississippi-river/>
Sent from my iGarage

From: Casandra Davis [<mailto:srdavis@pbia.org>]
Sent: Thursday, March 06, 2014 6:08 PM
To: 'Ron Haines'
Cc: BCC-All Commissioners; Bruce V. Pelly
Subject: RE: Comment about Helicopters N3181Q, N3202D, and N7687H at Lantana Airport Today

Mr. Haines,
The attachment is of flight tracks covering the time of your comments (2 maps). I have isolated the flight track that fits your description.
I said I would respond to you today, unfortunately I have not reached the manager. I will contact him and to discuss the information and provide it to you as soon as I reach him.
Thank you.

From: Ron Haines [<mailto:ronaldhaines@bellsouth.net>]
Sent: Wednesday, March 05, 2014 1:40 PM
To: Bruce V. Pelly; Casandra Davis
Cc: BCC-All Commissioners
Subject: Comment about Helicopters N3181Q, N3202D, and N7687H at Lantana Airport Today

To: Bruce Pelly, Casandra Davis, Department of Airports
CC: Commissioners, Palm Beach County

Hello All:

Could the Department of Airports please find out what unique condition/training requirement existed this morning that required that helicopter N3181Q (two photos attached) use the airspace above my house and my neighborhood over and over again as a helicopter pilot training classroom, in direct defiance of the existing Noise Abatement Guidelines that were put into place to protect neighbors of Lantana Airport from just such abuse?

While you are at it, please ask the pilot of the huge N3202D (three photos attached) why it was necessary to take off from the airport and make a pass over my house, instead of following normal take-off patterns for the airport. (If I had to guess, I would say it was because whoever was hanging out the side door wanted a photo of me, but that would just be paranoid thinking wouldn't it?).

I have tossed in a photo of N7687H just for the record, but in fairness it made 'only' a couple passes over the neighborhood, so the behavior wasn't quite so egregious as that of N3181Q.

Regards,

Ron Haines

Ron Haines cell 561 315-0528

<http://ronhaines.wordpress.com/canoeing-the-mississippi-river/>

Sent from my iGarage

Casandra Davis

From: Casandra Davis
Sent: Thursday, April 03, 2014 4:37 PM
To: 'william'
Subject: RE: n7687h concentrating low altitude training
Attachments: DIRECTOR LETTER TO FAA LNA 2012.pdf; FAA LETTER LNA 2012.pdf

Mr. Coakley ,

I had typed this response and sent it earlier but after checking through my past files this too was an e-mail I could not locate,
so at the risk of duplication I am sending this one.

In response to your e-mail.

Inquiries and responses to community comments are retained. We also respect tenant requests.

We continue to communicate with the tenants of LNA in our noise abatement efforts.

As per your request I am attaching two letters: (I think you were forwarded copies of both in 2012)

1. From the Director of Airports to the FAA
2. Response from the FAA

Thank you for your comments

From: william [<mailto:wcco@comcast.net>]
Sent: Tuesday, February 25, 2014 1:17 PM
To: Casandra Davis
Cc: 'Ron Haines'; silverus@comcast.net; samsmith1@att.net; rmatulis@aol.com
Subject: n7687h concentrating low altitude training

This R22 registered in Broward has been around awhile and may be a PB HELICOPTER training craft. This helicopter and n471at which is a BP training helicopter; were pelting our neighborhood with noisy and sometimes inappropriately low approaches flying right over my home. At 12:58, n7687h made a very low and dangerous pass directly over my house. There was no other traffic or conditions that would have imposed such risk on the public. I would like to know what explanation they might offer.

It is clear that the County Tenant responsible for this non compliant behavior has no intention of conducting his pattern training elsewhere as he agreed to do by accepting (and helping construct) the non-mandatory flight standards which were specifically established to protect the public from this harmful activity. What isn't clear is why the County allows this to continue without asking the FAA to make those rules mandatory.

INFORMATION REQUEST:

1. I would like to see the follow up report made on this incident per your direct statements made to the public in January 2011 that logs are kept of each and every report.
2. I would like a YES or NO as to whether or not there exists any correspondence between the Department of Airports and the Tenant
3. I would like to know IF any formal request has ever been made of the FAA to make the Guidelines that carry the County's seal... mandatory.

Thank you in advance for you time

William Coakley
President, Lake Osborne Estates Civic Association, Inc
Coalition of Communities

PALM BEACH COUNTY
BOARD OF COUNTY
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COUNTY ADMINISTRATOR
Robert Weisman
DEPARTMENT OF AIRPORTS



March 12, 2012

Ms. Winsome Lenfert
Regional Airports Division Manager
Federal Aviation Administration
Southern Region
P O Box 20636
Atlanta, GA 20636

Re: Palm Beach County Park (Lantana) Airport

Dear Winsome:

Thank you enormously for taking the time last week to meet with my colleagues from Palm Beach County and myself to discuss the challenges concerning control of helicopter operations at Palm Beach County Park (Lantana) Airport.

As we discussed, Palm Beach County has embarked upon an effort to control the adverse noise effects of repetitive helicopter operations (principally training flights) in the vicinity of the Lantana Airport. We are working cooperatively with helicopter operators with some success. In addition, we are enormously grateful for your involvement in securing an FAA reallocation of airspace in the vicinity of Lantana that will allow helicopter training operations to use a considerably higher altitude of airspace. This higher altitude should lead to a noticeable reduction in noise effects on the ground.

In addition to these efforts (and other County-wide efforts at noise mitigation), we have been asked by the community to consider other measures that have the potential to address helicopter noise impacts. Among the measures that the community has requested that the County pursue are the following:

- Ban helicopter training
- Order that all helicopter training be conducted at Pahokee or North County Airport
- Prohibit non-tenants from conducting training operations
- Limit the number of circuits within the pattern before operator must land
- Limit the number of helicopter operations (at one time, at certain times of day)

846 PALM BEACH INTERNATIONAL AIRPORT
West Palm Beach, Florida 33406-1470
(561) 471-7412 FAX: (561) 471-7427 www.pbia.org

PALM BEACH COUNTY GLADES AIRPORT
Pahokee

PALM BEACH COUNTY PARK AIRPORT
Lantana

NORTH COUNTY GENERAL AVIATION AIRPORT
Palm Beach Gardens


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Ms. Winsome Lenfert
Regional Airports Division Manager
FAA Southern Region
March 12, 2012
Page 2.

- Prohibit overflights of the hospital and/or residential areas
- Impose altitude restrictions on helicopter operations
- Limit the number of touch-and-go operations
- Set a noise limit for helicopters
- Impose additional charges on operators or SASOs for training functions at the airport
- Levy fines for operations that violate rules on noise, altitude, etc.
- As proprietor of the airport, unilaterally amend the leases with tenants and sub-tenants to impose mandatory helicopter noise/operating restrictions

We would appreciate your feedback on which of these measures are ones that Palm Beach County would lawfully implement at Lantana in light of federal law, FAA policies and the County's obligations to the FAA.

Sincerely,



Bruce V. Pelly
Director of Airports



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

Airports Division
P.O. Box 20636
Atlanta, GA 30320-0631
Email: 7-ASO-600@faa.gov
Phone: 404-305-6700

March 13, 2012

Mr. Bruce V. Pelly, Director of Airports
Palm Beach County Airports
846 Palm Beach Int'l Airport
West Palm Beach, FL 33406-1470

Dear Mr. Pelly:

I have received your March 12 letter as a follow up to our meeting in West Palm Beach on March 1.

As you recognize, the Federal Aviation Administration is committed to working with the Palm Beach County Department of Airports to address community concerns about the noise impacts of helicopter over flights in the vicinity of Palm Beach Park (Lantana) Airport.

Your letter sets forth a list of a dozen measures that the County apparently wants to consider. Ordinarily, the FAA does not review proposed noise abatement measures or use restrictions in the abstract or provide advisory opinions in the absence of factual data. Nevertheless, to assist the County in its planning, we have reviewed the list of measures set forth in your letter. For reasons explained below, none of those measures are ones that the County could realistically expect to implement.

Palm Beach County is subject to a complex set of federal laws, regulations and Grant Assurances that limit the County's authority to regulate access to Lantana Airport. Even though the County operates a system of airports, Lantana is a public use airport and the County cannot unilaterally decide to limit access to certain helicopter operations at one of its airports, even if the County provides substitute access to another County airport.

Many of the measures listed in your letter would involve efforts to restrict, control or otherwise regulate the flight of helicopters in the air. As you are aware, the FAA has exclusive jurisdiction over the actual flight of all aircraft. While the FAA works cooperatively with aircraft and helicopter operators and the airport sponsor to address reasonable measures to mitigate any adverse on-the-ground effects of helicopter operations, Palm Beach County has no authority by itself to regulate helicopter operations.

Each of the remaining measures in your list would consist of a noise or access restriction, as defined in the Airport Noise and Capacity Act and Part 161 of the FAA regulations. Palm Beach County cannot impose any regulation that has the effect of limiting or restricting the use of Lantana Airport by helicopters without complying with the study, notice and comment procedures outlined in Part 161. The FAA takes the position that a formal noise or access restriction should be a measure of last resort, imposed only after the airport sponsor has

considered and implemented less restrictive measures to address community noise concerns. We do not believe that Palm Beach County has satisfied this requirement. We would strongly recommend that the County study the benefits of the new airspace allocation in the vicinity of the airport before considering any further restrictive measures.

You should be aware that measures designed to shift helicopter operations to other airports, to impose a fee or penalty for certain operations or to impose fees specifically for helicopter training would all be considered to be use or access restrictions subject to FAR Part 161. These measures could not be implemented without preparation of the study and compliance with the procedural process set forth in Part 161.

Furthermore, even if the County were to engage in the lengthy and costly Part 161 study process, it is not realistic to expect that it could implement any of the measures listed in your letter. The most likely outcome of such a process would be a conclusion that the existing voluntary procedures, in combination with the airspace change, exhaust the limit of measures that could legally be implemented.

Any action by the County to impose a use restriction affecting helicopters at Lantana would also be subject to the County's Grant Assurance obligations. The County is obligated to make Lantana Airport available on reasonable terms and conditions without unjust discrimination to all types, kinds and classes of aeronautical activities. The County cannot use its leases or other contractual arrangements to unreasonably deny access to the airport. While the measures in your list would use various mechanisms to restrict access, each of them would violate the Grant Assurance obligations.

Of course, neither the Grant Assurances nor Part 161 preclude an airport sponsor from working cooperatively with operators to implement voluntary measures to address community concerns. We would urge Palm Beach County to continue to pursue such measures.

We hope that these general observations are helpful as you consider further efforts. We applaud Palm Beach County for its efforts to date to work with helicopter operators to develop voluntary programs to address community noise concerns. We believe that these efforts, especially when combined with the airspace newly available for helicopter training in the vicinity of Lantana, should go a long way in addressing community concerns.

Sincerely,



Winsome A. Lenfert

Manager Airports Division

Casandra Davis

From: Casandra Davis
Sent: Friday, April 04, 2014 3:31 PM
To: 'Ron Haines'; Bruce V. Pelly
Cc: BCC-All Commissioners; humanresources@galaxyaviation.com
Subject: RE: Lantana Helicopter N701RH UPDATE Friday

Mr. Haines,
I will respond as soon as I speak to the operator.
Thank you for your comments.

From: Ron Haines [<mailto:ronaldhaines@bellsouth.net>]
Sent: Friday, April 04, 2014 11:41 AM
To: Casandra Davis; Bruce V. Pelly
Cc: BCC-All Commissioners; humanresources@galaxyaviation.com
Subject: RE: Lantana Helicopter N701RH UPDATE Friday

To: Casandra Davis, Bruce Pelly, Department of Airports
CC: Palm Beach County Commission
Galaxy Aviation

Hello all,

The helicopter noted from yesterday is now being joined by another in noisy, repetitive rotations south from the airport, over my neighborhood and then after a turn, north over my neighborhood back to the airport. This is abusive and totally unnecessary and I will ask again what I have asked before and never received an answer to:

What is there about the particular helicopter pilot training that is going on with these helicopters this morning that makes it necessary that that training occur over my neighborhood, one of the several 'noise sensitive' neighborhoods around Lantana Airport supposedly protected from such abuse by Palm Beach County's Helicopter Noise Abatement Guidelines?

Will the Department of Airports answer this question? Highly unlikely. I will get a response that they will do so, but then months go by and 'the manager' isn't available, yada yada yada. And I just give up, once again.

I am letting your friends at Galaxy Aviation know what's going on, in case they weren't told by the county that they were inheriting a huge human and public relations headache at Lantana Airport.

Ron Haines cell 561 315-0528

<http://ronhaines.wordpress.com/canoeing-the-mississippi-river/>

Sent from my iGarage

From: Ron Haines [<mailto:ronaldhaines@bellsouth.net>]
Sent: Thursday, April 03, 2014 7:33 PM
To: Casandra Davis; Bruce Pelly
Cc: Palm Beach County Commissioners
Subject: Lantana Helicopter N701RH

To: Casandra Davis and Bruce Pelly, Department of Airports
CC: Palm Beach County Commissioners

Not much wind, sparse fixed wing traffic and this turkey in N701RH has to cut corners and do his or her helicopter training rotations over my neighborhood and my house, in flagrant defiance of the wishes of Palm Beach County.

Will something be done about this? Doubtful.

Will I ever find out why this particular pilot chose to defy the wishes of the county today? Hardly likely.

It's just a crime, a crime against the folks living in the county-designated 'noise sensitive' neighborhoods around Lantana Airport, repeated day in and day out and this county is doing nothing about it.

How can I say that, you ask. Look at the record. This has been going on since 1996. Tell me that isn't proof that the county isn't doing anything about it.

The photos attached were taken by me, from my yard, between 6 and 7 pm today, April 3, 2014.

Regards,

Ron Haines

Ron Haines cell 561 315-0528

<http://ronhaines.wordpress.com/canoeing-the-mississippi-river/>

Sent from my iGarage