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ROBERT M. BALL, A.A.E.
EXECUTIVE DIRECTOR

DAVID M. OWEN
PORT AUTHORITY ATTORNEY

February 11, 2009

Dear Page Field Customer:

On October 30, 2008, the TSA unveiled a Notice of Proposed Rule Making (NPRM), aimed at mandating security requirements for general aviation airports and aircraft operators. The TSA refers to this rule as the Large Aircraft Security Program (LASP), and has invited comments from interested parties no later than February 27, 2009.

Port Authority staff members have spent much time reading and analyzing the NPRM, and have been following the comments provided by various associations, such as the AOPA, NBAA, NATA, and AAAE. The overwhelming response has been one of opposition as the NPRM is currently written. Even though all of these associations are working diligently on behalf of the general aviation community, it is imperative that the rule-making process hear from each segment of the aviation industry. In that regard, we are suggesting that every Page Field tenant, operator, flight department, aircraft owner, and pilot submit individual comments to the rule-making process.

Below are several key elements of the TSA's proposed security rule that you may wish to use in formulating your response.

- The proposed security rule will add regulations for operators of aircraft having a maximum takeoff weight over 12,500 pounds ("large aircraft") and for operators of general aviation reliever airports. Page Field is designated as a reliever airport, and is therefore subject to additional regulation under the proposed rule. The basis for the selection of aircraft over 12,500 pounds and the selection of reliever airports is not specifically addressed in the rule making and appears to be largely arbitrary. No detailed discussion is provided on how the additional regulations will improve aviation security.

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- The TSA would require all pilots of “large aircraft” to undergo a fingerprint-based criminal history records check. All passengers, including aircraft owners on these aircraft, would have to be checked against a no-fly list, via an approved third-party vendor. All baggage and cargo on these aircraft would have to be screened by a designated in-flight security coordinator, and each aircraft operator would be subject to biennial third-party audits.
- The proposed rule includes a list of more than 80 “prohibited items,” some of which may be routinely carried aboard business aircraft; every day hand tools are an example. This list should not simply replicate the prohibited list of commercial carriers; rather, it should be eliminated or tailored in light of the unique nature of business aircraft operations.
- Reliever airports, such as Page Field, would be required to develop a security program as defined by the TSA. A designated airport security coordinator must be added to the airport’s staff and additional law enforcement officers will be necessary to oversee new security aspects for the airport. These requirements will add expected annual operating costs of \$150,000 to the airport’s budget. Page Field, along with the majority of general aviation airports, has experienced a significant decline in aircraft operations and sales during the last two years, and accordingly, airport revenues have suffered. The TSA proposes to implement all of these costly regulations without any means of funding. This action alone constitutes an Unfunded Mandate pursuant to the federal government Unfunded Mandate Act of 1995. Airports such as Page Field will have no alternative except to pass these costs along to aircraft operators and airport tenants.

The above provides important elements of the NPRM that, if enacted, will have a detrimental affect on general aviation airports throughout the country, and specifically, in your community and our airport, Page Field. It is vitally important that the general aviation community work together to stop these regulations as written, and commit to working with the TSA and others to develop appropriate general aviation security rules that do not needlessly harm our industry.

Please take the time to send in your comments and make your voice heard. Every response counts, especially yours. The general aviation industry cannot afford the implementation of these regulations as proposed.

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If you wish to view the entire NPRM, you may do so at the below link:

<http://www.nbaa.org/ops/security/programs/lasp/TSA-2008-0021-0001.pdf>

You may post your comments on-line by going to <http://www.aopa.org/advocacy/gasecurity/> and follow the step-by-step instructions provided.

If you wish to send your comments by mail, they must be sent no later than February 27, 2009, to:

Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue
West Building, Ground Floor
Room W12-140
Washington, DC 20590-0001

RE: Docket No. TSA-2008-0021.

Thank you for your continued support of Page Field, and if I can be of any assistance, please let me know.

Sincerely,

LEE COUNTY PORT AUTHORITY

A handwritten signature in black ink, appearing to read "Robert M. Ball", is written over a light gray rectangular background.

Robert M. Ball, A.A.E
Executive Director

RMB:SCS:amf

cc: Peter B. Modys, Aviation
Gary E. Duncan, Aviation