



County of San Mateo
620 Airport Way
Suite 10
San Carlos, California 94063
(650) 363-4100

Primary Management and Compliance Documents Comment Compilation and Response

County of San Mateo

San Carlos Airport (SQL)

Half Moon Bay Airport (HAF)

July 23, 2018



Introduction

This report conveys public/stakeholder comments regarding draft Minimum Standards, Rules and Regulations, and Leasing/Rents and Fees Policy (collectively referred to as Primary Management and Compliance Documents or “PMCDs”) for the San Carlos Airport (SQL) and Half Moon Bay Airport (HAF). The County of San Mateo (County) believes that the development and implementation of PMCDs are:

- 1) consistent with best management (and customer service) practices, and
- 2) necessary to ensure the successful planning, development, operation, and management of general aviation activities at San Carlos Airport and Half Moon Bay Airport (Airports)

By way of background, when an airport sponsor (in this case, the County of San Mateo) obtains a grant for airport improvements under the Airport Improvement Program, the airport sponsor is required to give certain assurances to the Federal Aviation Administration (FAA) known as the Airport Sponsor Assurances. Airport Sponsor Assurance #22, *Economic Nondiscrimination*, states “The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.”

FAA Order 5190.6B *Airport Compliance Manual* further states that “Grant Assurance [Airport Sponsor Assurance] 19, *Operations and Maintenance*, requires the sponsor to protect the public using the airport by adopting and enforcing rules, regulations, and ordinances as necessary to ensure safe and efficient flight operations.”

In the Airport Sponsor Assurances, the FAA identifies a number of Advisory Circulars (ACs) that, when attached to or incorporated by reference into the grant agreement, become mandatory contractual obligations of the airport sponsor.

Minimum Standards for Commercial Aeronautical Activities

In AC 150/5190-7, *Minimum Standards for Commercial Aeronautical Activities*, the FAA highly recommends the “use and implementation” of minimum standards “as a means to minimize the potential for violations of federal obligations at federally obligated airports.”

The AC states that “The FAA objective in recommending the development of minimum standards serves to promote safety in all airport activities, protect airport users from unlicensed and unauthorized products and services, maintain and enhance the availability of adequate services for all airport users, promote the orderly development of airport land, and ensure efficiency of operations.”

The AC also suggests that “airport sponsor (in this case the County) establish reasonable minimum standards that are relevant to the proposed aeronautical activity with the goal of protecting the level and quality of services offered to the public.”

It is significant to note the AC also states that “The airport sponsor’s purpose in imposing standards is to ensure a safe, efficient and adequate level of operations and services is offered to the public” and the standards should be “relevant to the proposed aeronautical activity with the goal of protecting the



PMCD COMMENT COMPILATION AND RESPONSE

level and quality of services offered to the public.” The FAA specifically indicates, in multiple instances throughout the AC, that an airport sponsor should develop minimum standards to address the level and quality of general aviation aeronautical services provided at an airport.

Several documents provide the foundation for the development and implementation of Minimum Standards including: FAA Airport Sponsor Assurances, AC 150-5190-6 *Exclusive Rights at Federally-Obligated Airports*, AC 150/5190-7 *Minimum Standards for Commercial Aeronautical Activities*, and Order 5190.6B *Airport Compliance Manual*. All interested parties are encouraged to thoroughly review and carefully consider each of these documents and to view these draft Minimum Standards in totality.

PMCD Development, Review, and Comment Process

Within this context, it is the desire of the County to: (1) ensure that the level and quality of products, services, and facilities desired by aviation consumers are consistently provided at the Airports in a safe, secure, efficient, prompt, and professional manner, (2) ensure the safe, orderly, and efficient operation and use of the Airports, (3) protect the public health, safety, interest, and general welfare of the Operators, Lessees, Sublessees, Permittees, and users of the Airports, and (4) create a “level playing field” (for operators) and “promote fair competition” (between operators).

Beyond being consistent with FAA policies and directives, the County believes that these objectives are consistent with best management (and customer service) practices. It is not the desire or the intent of the County to create an undue burden on existing or future operators, tenants, consumers, or users of the Airports.

As such, the County and Aviation Management Consulting Group (AMCG) have prepared draft PMCDs that are: (1) relevant to the current (and/or anticipated) general aviation activities at the Airports, (2) reasonable and appropriate for the Airports and the market, (3) necessary to meet the type and level of demand that exists (and/or is anticipated) at the Airports and in the market, and (4) protects the public health, safety, interest, and general welfare of all users of the Airports.

During the document development process, AMCG gathered and considered relevant information from: (1) current operators at the Airports and (2) airports considered comparable to the Airports. In addition, AMCG and the County viewed Minimum Standards from a consumer perspective.

The draft PMCDs were made available to the public for review and comment over a 43-day period beginning Friday, March 2, 2018 and ending on Friday April 13, 2018.

Attached is a compilation of the PMCD comments submitted. All comments have been reviewed and addressed in this document. Each comment is represented by a “C” and the response to the comment is represented by an “R”. The numbering is utilized only as a method to identify and organize comments and responses.



PMCD COMMENT COMPILATION AND RESPONSE

Also, if a respondent has requested to delete language from the draft documents, that language has been identified using ~~strikethrough~~ and when a respondent has requested to add language or Airport staff agrees to add language, that language has been identified using **red** highlight. Any language identified in *italics* is taken verbatim from the draft documents.

The County wishes to thank all stakeholders who took the time to review the draft documents and especially the individuals who provided comments for consideration.



PMCD COMMENT COMPILATION AND RESPONSE

04/13/18 Rabbit Aviation Services – Dan DeMeo – Minimum Standards	
C23	Pg. 6, Sec. 2.8 - Like other service industries there is a shortage of qualified employees in the greater SF Bay Area. Two years is enough experience given the scope of activities at SQL. Requesting this changed to 2 years.
R23	Five years recent and relevant experience managing similar activities at a comparable airport is a reasonable requirement for a position that is responsible for the integrity of the services being provided to the customers.
C24	Pg. 6, Sec. 2.8 - Qualified shift supervisor will be available during normal business hours but may not be on-site for the entire time from opening to closing. Requesting this be replaced with "on-call".
R24	The requirement that <i>"a qualified, experienced, and professional on-site supervisor shall be Readily Available and authorized to represent and act on behalf of Operator"</i> reflects best industry practices related to customer service, emergency response, unforeseen circumstances, etc. Therefore, no change will be made to this standard.
C25	Pg. 6, Sec. 2.10 - All after hours requests should be arranged during normal business hours for each respective type of operator.
R25	<p>Section 2.10. has been changed to read as follows: <i>"Unless otherwise stated in these Minimum Standards, Operator's Activities shall be available all other times (after-hours), on-call"</i>.</p> <p>After hours requests should be arranged during normal business hours for each respective operator unless the operator is:</p> <ul style="list-style-type: none"> Operating an aircraft owned by Federal, State or local government entity Participating in an active law enforcement activity Engaged in a lifesaving activity such as life-flight or organ-transplant. <p>In the above instances, the FBO shall respond to such requests within one (1) hour</p>
C26	Pg. 9, Sec. 2.14 - Unenforceable and doesn't have any checks or balances to protect both the operator and the County. I would suggest arbitration through a third party for remedy or remove all together.
R26	Section 2.14. establishes the enforcement mechanism related to non-compliance with the minimum standards related to all commercial operators at either of the airports – including all sublessees that might not have an agreement with the County
C27	Pg. 10, Sec. 3.2 - Placing time restrictions on line-service is not consistent with a safe working environment as well as against NATA Safety 1st training. The response time requirement applies to a FBO's with an exclusively managed ramp, not to an entire airport. Response time is also covered in Section 2.8. Employees, "It shall be the responsibility of Operator to maintain close supervision over its employees to ensure high quality products, services, and facilities are consistently provided in a safe, secure, efficient, courteous, prompt, and professional manner." Please remove this requirement. Please change from "15" to N/A.
R27	The minimum response time is reasonable given the size of the airport. The caveat listed qualifies the response time as follows: <i>"...except in circumstances or situations beyond the control of the FBO"</i> .
C28	Pg. 12, Sec. 3.2 - Change this to optional. Some aircraft at SQL have a cartridge style lavatory where a cart isn't necessary.
R28	The lavatory service requirement has been deleted
C29	Pg. 12, Sec. 3.2 - Please remove "AC" No current or planned certificated aircraft that use SQL use AC power. Aircraft that use AC are generally large business class or transport category.
R29	Type of Ground Power (AC/DC) has been deleted. The requirement to provide ground power remains in effect.
C30	Pg. 12, Sec. 3.2 - I would request that all of the passenger and crew requirements with the exception of the courtesy transportation be optional.



PMCD COMMENT COMPILATION AND RESPONSE

R30	The required FBO passenger and crew services delineated in Section 3.2. are reasonable and customarily found at FBO's that provide line & customer services and reflect industry best practices. FBOs routinely help customers with their baggage, assist in making local hotel arrangements, have courtesy shuttles and provide many other services and facilities. This type of service is not unique within the industry. The absence of this level of customer service at SQL doesn't mean it should not happen at the Airport. Making them optional defeats the purpose of a minimum standard.
C31	Pg. 11, Sec. 3.2 - AOG services only through pioneering period. Tires, wheels, brakes, fluid, 50/100 hour. Most tenants have off-airport maintenance arrangements. Pioneering phase of bringing maintenance back to SQL will require time to attract those customers back.
R31	The first paragraph of Section 3.2. has been modified to read as follows: "Unless otherwise stated in these Minimum Standards, all required products and services shall be provided by FBO's Employees using the FBO's Aircraft, Vehicles, Equipment, and resources." Required products and services that are not being provided by the FBO at the time these Minimum Standards are adopted are subject to a phase-in period not to exceed one year from the date of adoption.
C32	Pg. 11, Sec. 3.2 - Requesting this changed to optional. Turbine aircraft are routinely on a prepaid maintenance plan through a dealer. Too few based turbine aircraft to justify the \$100K investment in tooling and insurance.
R32	Maintenance and repair of turbine aircraft may be conducted by a County approved/ authorized Aircraft Maintenance operator as provided for in the bullet point below the table and as provided for in Section 14.
C33	Pg. 11, Sec. 3.2 - I would request the ability to contract with off-site aviation maintenance providers to provide specialty repair services to based aircraft. Many aircraft require significant investment in tooling and/or equipment for basic annual or phase maintenance/repair. It would help the aircraft owner immensely if I could provide specialty service through either our own contracted maintenance provider or the customer's own repair provider.
R33	Maintenance and repair of turbine aircraft may be conducted by a County approved/authorized Aircraft Maintenance operator as provided for in the bullet point below the table and as provided for in Section 14.
C34	Pg. 14, Sec. 3.4 - Please change this to 10,000. The current plan is to reuse our current 100LL AvGas tank for unleaded avgas storage. This tank is 10,000 gallons in capacity.
R34	The unleaded fuel tank requirements to have been changed from 12,000 gallons to 10,000 gallons
C35	Pg. 13, Sec. 3.4 - Please change this to 200 gallons. One tank of each product (mogas and diesel) would be required.
R35	The minimum mogas/diesel fuel tank requirements have been changed from 500 gallons to 200 gallons
C36	Pg. 13, Sec. 3.4 - Please change this to "2". Current GSE requires both mogas and diesel.
R36	The minimum number of mogas/diesel tanks has been changed from "4" tank to "2" tanks
C37	Pg. 18, Sec. 3.6 - Is this a legal requirement? If not cell phones have replaced land lines.
R37	The first paragraph of Section 3.6. has been changed to read as follow: ".....a fully operational and readily accessible telephone (or other communication device permitted under applicable Legal Requirements),"
C38	Pg. 14, Sec. 3.6 - One aircraft based at SQL can be fueled via single-point refueling. Maximum ramp weight of refueling vehicles precludes the additional weight of a single-point fueling system. Please remove this requirement "and single point Aircraft".
R38	The first sentence of the paragraph has been changed as follows: "...Vehicle dispensing Jet Fuel shall have over-the-wing and single point Aircraft servicing capability."
C39	Pg. 14, Sec. 3.7 - Request this be zero since we are not required to provide lavatory services.
R39	The lavatory service cart(s) requirement has been deleted.
C40	Pg. 14, Sec. 3.7 - Requesting this be changed to "0". aircraft that utilize SQL do not have potable water systems.
R40	The potable water unit(s) requirement has been deleted.



PMCD COMMENT COMPILATION AND RESPONSE

C41	Pg. 14, Sec. 3.7 - Request to change this to "0" No current or planned certificated aircraft that use SQL require AC power. Aircraft that use AC are generally large business class or transport category.
R41	Type of ground power (AC/DC) has been deleted. The requirement to provide ground power remains in effect.
C42	Pg. 15, Sec. 3.7 - Request this be changed to "0" or removed in its entirety. Crew car and Courtesy car are interchangeable terms. One vehicle will meet the needs of transient customers.
R42	The requirement for one (1) Crew-car has been deleted along.
C43	Pg. 15, Sec. 3.8 - Requesting to allow hours to be truncated. Hours of operation should be adjusted to most effectively serve the needs of the customers all awhile taking into consideration the noise impact the airport has on the surrounding communities during holidays.
R43	The required hours of service specified in Section 3.8. could be seasonally adjusted, but customers/user should have a reasonable expectation of when services are available.
C44	Pg. 15, Sec. 3.8 - Request change from 1 hour to "with prior arrangement during normal business hours" Most calls for after-hours service are exploratory in nature. Specifically calls for jet fuel after hours are rare and routinely ends up with the client not showing up as promised. Jet fuel is available 24 hours a day at 3 airports within 20 miles of SQL.
R44	Response time specified in Section 3.8. is a generally acceptable standard – the requested caveat of "with prior arrangement during normal business hours" defeats the purpose of after-hours response requirements. What if an air ambulance operator flew in to drop of a patient and needed to be fueled for a departure? Shouldn't the operator be able to call the 24-hour response number and get refueling service?
C45	Pg. 16, Sec. 3.9 - Request changing from 1 employee to "0". The FBO does not operate 24 hours a day.
R45	The number of employees on third shift has been changed from "4" to: "on-call"
C46	Pg. 16, Sec. 3.11 - Could we add something like: "During normal business hours and at their discretion the FBO shall be prepared to lend assistance within 30 minutes..."
R46	An accident could occur at any time. A minimum of 30-minute response time during normal business hours is acceptable. A 60-minute response time during all other hours seems appropriate given an emergency situation given the potential impact on the operations of the airport.
C47	Pg. 16, Sec. 3.11 - Request changing this to optional
R47	Aircraft removal is a critical component of an Airport's emergency plan. An FBO should be required to facilitate an aircraft removal when necessary.
C48	Pg. 18, Sec. 4.4 – "Customer Service Representative(s)" - Can a representative from the FBO fill this position?
R48	These are minimum standards for and Aircraft Maintenance Operator. At a minimum the company should have two employees. An FBO that is separate and apart from the Aircraft Maintenance Operator cannot perform this function. Section 4.4. states as follows: <i>An A & P Mechanic may fulfill the responsibilities of the customer service representative unless the A & P Mechanic is performing duties off the Leased Premises.</i>
C49	Pg. 18, Sec. 4.4 – "If Operator is not certified as a Repair Station (as defined in 14 CFR Part 145) and is providing annual or phase inspections, one A & P Mechanic shall have FAA Inspection Authorization (IA). - Can we contract the position or have it removed?
R49	Section 4.4., second paragraph has been changed to read as follows: "...shall have FAA Inspection Authorization (IA) or Operator may utilize an authorized Independent Aircraft Maintenance Operator that has FAA Inspection Authorization (IA) in conformance with Section 12."
C50	Pg. 39, Sec. 16.1 - Please add: ASTM D7547 specification for unleaded aviation gasoline" Swift UL94 and Swift 102 fall under this classification.
R50	The first sentence of the second paragraph has been changed to read as follows: "...ASTM D1910 (Avgas), ASTM D7547 (unleaded Avgas) or ASTM D4814 (Mogas without ethanol)."



PMCD COMMENT COMPILATION AND RESPONSE

C51	Pg. 41, Sec. 16.1 - It would be tough to comply with this NFPA 407 rule at SQL. The confines of our taxiway and hangars would make a 25' from a hangar difficult if not impossible to attain. Consider lowering the distance to 10 feet.
R51	In conformance with industry best practices, and to maintain a safe operating environment at the two airports, the County requires full compliance with NFPA 407.
C52	Pg. 42, Sec. 16.1 – “Entities engaged in Fuel Handling shall fully reimburse the County for any fines, legal or court costs, incurred by the County for any such violation, error, omission, or negligence.” – Is this legal?
R52	This is no different than indemnification language and referees back to the previous paragraph.
C53	Pg. 41, Sec. 16.1 – “Refueling Vehicles shall not be operated in reverse unless another person is present to safely monitor and direct the movement of the Refueling Vehicle.” - Request removing the highlighted sentence all together. The physical constraints of the SQL ramp make backing up a necessity. It's our SOP to not back up unless absolutely necessary and after clearing the area to be backed into and sounding the horn twice before engaging reverse.
R53	The first sentence of the fourth paragraph has been changed as follows: <i>“Refueling Vehicles shall not be operated in reverse unless absolutely necessary and after visually clearing the area to be backed into and sounding the horn twice before engaging reverse or utilizing another person is present to safely monitor...”</i>
C54	Pg. 42, Sec. 16.1 - Would a hangar that is used for aircraft storage/ maintenance be approved for GSE maintenance?
R54	The use of an aircraft storage hangar to conduct maintenance on ground service equipment (GSE) must comply with building/fire codes (Legal Requirements) and comply with the FAA policy on the non-aeronautical use of aircraft storage hangars. Such activity should be approved in advance by the Fire Marshall.
04/05/18	San Carlos Airport Pilots Association (SCPA) – Minimum Standards
C55	Pg. 1, Sec. 1.1 - a. Pg. 5, Sec. 1.1 - Sect. 1.1(c) (safety and security) should be prioritized. Also, the listed purposes neither expressly includes <i>access, efficiency, or advancing the GA community</i> . b. Moreover, Sect. 1.1 does not include assuring the participation of all stakeholders, nor address improving and advancing transparency and process. None of these items appear to be within the meaning of the definition of “Activities”. c. Should SASOs be encouraged to make improvements (subject to review/approval by the County) rather than merely lease them? We recognize that Sect. 2.1 et seq. permit improvements.
R55	a) The list of items in the first paragraph on Pg. 5, Section 1.1 carries equal weight – the order of the list should not be construed to i to diminish the importance of safety and security. b) Stakeholder participation in the leasing of land and improvements is subject to established County protocols. The term “Activities” is defined in the draft Rules and Regulations in Section 6 Appendix B which states as follows: <i>Aeronautical Activity (or Activity) – Any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of Aircraft. Any activity which contributes to, or is required for, the safety of such operations. Any activities which have a direct relationship to the operation of Aircraft or the operation of the Airports.</i> c) The County encourages all commercial operators to make leasehold improvements as provided for in Section 2.5. <i>Leased Premises</i> and in conformance with respective agreements.
C56	Pg. 1, Sec. 1.3 - Para. 2 states that “the County may elect to provide certain Activities ‘directly’”. Should this be softened to permit third party aircraft storage upon prior approval that will not be unreasonably denied?



PMCD COMMENT COMPILATION AND RESPONSE

R56	The second paragraph specifically addresses the County's proprietary exclusive right (in accordance with the Airports Sponsor Assurances) to provide aeronautical activities directly to the public and bar others from providing the same services. When exercising its proprietary exclusive rights, the County must utilize County employees, vehicles, equipment, and resources. In exercising its proprietary exclusive right to provide aircraft storage facilities (hangars/tiedowns) at both airports, the County has barred all others from providing such services.
C57	Pg. 2, Sec. 1.4 - For agreements undertaken for a "Pioneering Period", should reasonable prior notice of the intent to enter into such agreements be sent to or otherwise made available to airport stakeholders?
R57	Stakeholder/public participation in the leasing of land and improvements is subject to established County protocols.
C58	Pg. 2, Sec. 1.5 - "Any required determination" of what "constitutes an acceptable standard or requirement" is made exclusively by the Country. There should be a continuing opportunity for airport stakeholders to participate in this determination. Keep in mind that this provision does not address whether an entity <i>complied</i> with a standard. Rather, this provision provides for the monolithic/exclusive determination of the suitability, propriety, and legality of a standard.
58	<p>The authority to: (a) lease the Airports' land and/or Improvements, (b) allow the occupancy and/or development of the Airports' land or Improvements, (c) grant the right to engage in any activity at the Airports, and (d) implement, supplement, amend, modify, approve, or adopt any Agreement, policy, standard, rule, regulation, or directive, including the PMCDs, is expressly reserved to the County by and through the Board of Supervisors.</p> <p>The authority to adopt any policy, standards, rules, regulations, or directive, including the PMCDs, is delegated to the County by the State of California, through California PUC Section 21001 et seq., otherwise known as the State Aeronautics Act, and the California Code of Regulations (CCR), Title 21, Sections 3525-3560, Airports and Heliports.</p> <p>Compliance with Minimum Standards is provided for in Section 2.14. <i>Enforcement</i> which states as follows:</p> <p><i>"In the event an entity fails to comply with these Minimum Standards, the County shall send a written statement of violation to such entity at its last known address. The entity shall immediately address the notice of violation as provided for in the Agreement with the County; or the entity shall have 14 calendar days within which to (a) provide a written statement to the County explaining why the violation occurred and to advise the County that the violation has been corrected or (b) when and how the violation will be corrected. The County, in its sole discretion, has the right to suspend the entity's Activities and/or revoke the entity's privileges at the Airports, as the County deems necessary in order to obtain a correction of the violation. In addition, any such violations shall be considered any time the entity submits an application, seeks permission, or requests approval from the County. The entity shall pay for any costs incurred by the County, including but not limited to, attorney fees, expert witness fees, court costs, and other legal costs, etc."</i></p> <p>Stakeholder/public participation in the leasing of land and improvements is subject to established County protocols.</p>
C59	Pg. 2, Sec. 1.5 - 2nd Arrow-Bullet - Notice/disclosure of the Country's exemption or variance of any of these Minimum Standards should be made available to all airport stakeholders.
R59	Commenter does not propose a change to the language of this Section. Stakeholder/public participation in the leasing of land and improvements is subject to established County protocols.



PMCD COMMENT COMPILATION AND RESPONSE

C60	Pg. 2, Sec. 1.5 - Entities are given six months to comply with these Minimum Standards. To the extent that any of the Minimum Standards affect health and safety, should this six month delay apply?
R60	Commenter does not propose a change to the language of this Section. Compliance with health and safety issues are subject to the provisions of the Rules and Regulations and compliance with legal requirements as established by applicable regulatory agencies.
C61	Pg. 2, Sec. 1.5 - Why should Minimum Standards <i>materially</i> affecting health and safety not apply until updating contract terms?
R61	Commenter does not propose a change to the language of this Section. Compliance with health and safety issues are subject to the provisions of the Rules and Regulations and compliance with legal requirements as established by applicable regulatory agencies.
C62	Pg. 3, Sec. 1.6 - This section states the County established the listed objectives. If the following items require separate process for reconsideration by the Country, this serves as a request for airport management to initiate such process. [see following comments to this section]
R62	Commenter does not propose a change to the language of this Section.
C63	Pg. 3, Sec. 1.6 - Remarkably, neither "Environmental" or "Sustainability" include ANYTHING dealing the one of the greatest existential threats to the airport: flooding / climate change. Even "Economic" (that otherwise purports to seek preservation of property values) fails to do so. This needs heightened attention and corresponding redrafting.
R63	Commenter does not propose a change to the language of this Section.
C64	Pg. 3, Sec. 1.6 - In "Social", change "possible" to "practicable". Rationale: almost anything is "possible" but not necessarily appropriate, fair, or in the interest of legitimate airport stakeholders.
R64	Comment noted.
C65	Pg. 7, Sec. 1.6 - In "Social", change "possible" to "practicable". Rationale: almost anything is "possible" but not necessarily appropriate, fair, or in the interest of legitimate airport stakeholders. In "Safety", do not limit/restrict enhancements to "industry" best practices. Also, "industry" is not defined.
R65	Comment noted.
C66	Pg. 7, Sec. 1.6 - In "Visual", expressly include "safety" in addition to the bullet entitled "Safety".
R66	Comment noted.
C67	Pg. 4, Sec. 2.1 - Change "Operator" to "Operators"
R67	The first sentence of the first polarograph of Section 2.1. has been changed as follows: Operator Operators <i>engaging in Commercial Aeronautical Activities at the Airports...</i>
C68	Pg. 4, Sec. 2.1 - Should not the first paragraph also include compliance with applicable law/regulation?
R68	The second paragraph of Section 2.7 addresses compliance requirements as follows: <i>Operators engaged in Activities at the Airports, whether using or occupying Airport land and/or Improvements, shall adhere to the practices recommended by the FAA and shall comply with all Safety Management Systems (SMS), Legal Requirements, and directives issued by the County.</i>
C69	Pg. 4, Sec. 2.3 - The Agreement should also state requirement to comply with applicable law/regulation.
R69	See R68.
C70	Pg. 4, Sec. 2.5 - The bullets in this section should include a requirement that the lessee's operations will not impede or otherwise interfere with the operations of other users of the airport.
R70	Section 3.2. "Key Terms and Conditions" of the leasing, Rents and Fees Policy addresses quiet enjoyment of leasehold premises.
C71	Pg. 4, Sec. 2.5 - Consider removing "adequate" to the extent that it may offer lessee's an unintended excuse for nonperformance. Or, have the lessee acknowledge in their Agreement with the Country that the Leased Premises are "adequate" for the performance of all intended activities.
R71	The word "adequate" is an appropriate term to use in this context.



PMCD COMMENT COMPILATION AND RESPONSE

C72	Pg. 4, Sec. 2.5 - Re: "Taxilane" - why not reference applicable FAA ACs for minimum clearances or otherwise articulate them.
R72	Taxilane is a term defined in the draft Rules and Regulations in Section 6. Appendix B – Definitions. As the Airport Sponsor, the County must comply with FAA standards related to taxilane dimensions and related obstacle free areas. The dimensional requirements of a taxilane are unnecessary in this document.
C73	Pg. 5, Sec. 2.5 - If an "Operator utilizes a Hangar for storing Operator's Aircraft..." that Operators' dual use of the Hangar may preclude its ability to consistently store all of its aircraft (even where not handling or storing customer aircraft)-- and thus Tiedowns might be necessary.
R73	Compliance with this provision would be a material part of an agreement. Therefore the use of any leasehold area for unpermitted aircraft tiedowns or aircraft storage would be a material breach of the agreement and subject to default of the agreement.
C74	Pg. 5, Sec. 2.5 - Door width - To what extent has there been consideration of the likely longer wingspan of single-engine electric aircraft (akin to the wingspan of gliders) and how that might hanger door width requirements to facilitate tenant aircraft needs?
R74	The dimensional requirements of the hangars are a "minimum standard" and are not intended to represent every possible requirement for a given fleet of aircraft (existing or future). Operators desiring to accommodate aircraft with greater wing spans or tail height are permitted to exceed this minimum standard so long as the improvements do not interfere with airport operations or violate FAA criteria.
C75	Pg. 6, Sec. 2.7 - "adherence to the practices recommended by the FAA" needs further clarification.
R75	Commenter does not propose a change to the language of this Section. This Section is not intended to state all of the "practices recommended by the FAA" or applicable legal requirements (which are subject to change from time-to-time). It is broad in nature and not intended to be specific.
C76	Pg. 10, Sec. 2.7 - Include an express pointer to the County's "SMS Legal Requirements".
R76	The punctuation in this sentence has been corrected to reflect the following: <i>"...comply with all Safety Management Systems (SMS), Legal Requirements, and directives issued by the County."</i>
C77	Pg. 6, Sec. 2.8 - Notwithstanding other relevant text, it might be helpful/preferable to change "Operator shall control" to "Operator shall control and remain responsible for".
R77	The first sentence of the third paragraph of Section 2.8. has been changed to read as follows: <i>Operator shall control, and remain responsible for, the conduct, demeanor....</i>
C78	Pg. 6, Sec. 2.9 - The obligation to maintain availability should not be reduced under any circumstances to the extent that it affects the safety of the operation. This safety condition should be explicitly stated -- rather than merely requiring: "one". Restated, it should be "performance-based".
R78	Comment noted.
C79	Pg. 7, Sec. 2.11 - Why do the draft Min. Standards require cooperation for investigations, as appropriate, with the Sheriff's department but not with airport management?
R79	The third bullet point has been changed to read as follows: <i>Operator shall cooperate with County of San Mateo Sheriff's Department and Airport Manager regarding screening or investigations.</i>
C80	Pg. 7, Sec. 2.12 - Should an Operator be required to notify the Country upon making a claim to the insurance company where such claim could reasonably be anticipated to cause the insurance company to seek termination of the policy?
R80	It is unclear as to intent of the comment, however the County's existing insurance policies require that the County is listed as an additional insured with a 30-day notice of cancellation. Should a claim on a policy result in the cancellation of the policy (or failure to pay the premium, sale of the aircraft, etc.) the County would be notified of the cancellation/termination of the policy.



PMCD COMMENT COMPILATION AND RESPONSE

C81	Pg. 13, Sec. 3.6 - FBOs should have fueling equipment capable of defueling an aircraft. Recognizing that KSQL has a very short runway, everything feasible should be undertaken to ensure that aircraft can and will depart safely within weight/balance limitations. In any event, if this capability is not made a requirement, then the Minimum Standards should indicate why it is not included and offer a reasonable alternative.
R81	Defueling requirements has been added to this Section as follows: 3.7. Defueling Operator shall have the capability to defuel Aircraft if necessary for weight and balance or Aircraft Maintenance purposes. Operator shall have adequate and proper equipment and Fuel storage for defueling of Aircraft.
C82	Pg. 16, Sec. 3.10 - Do (or should) SOP requirements include a requirement to use a rubberized mat during all refueling to minimize damage to aircraft? FAA AC 00-34 merely states that a "rubber shower mat" ***may*** be used. Is there any reason this should not be mandatory absent a specific reason to the contrary?
R82	Operational procedures that exceed the requirements of AC 00-34 "Aircraft Ground Handling and Servicing" are subject to the discretion of the operator.
C83	Pg. 18, Sec. 4.4 - Recognizing the volume of turbine aircraft operations at KSQL, should there be a minimum requirement (at least for one of the employees) to have *any* recognized turbine aircraft experience?
R83	The minimum standards do not specify the type of A&P mechanic employed by the operator due to the variability of the customer demand or the market served by the aircraft maintenance operator.
C84	Pg. 18, Sec. 4.7 - Defueling should be permissible in the event of mistake in over-fueling an aircraft (unless defueling capability is expressly required of each fueller).
R84	The first sentence of the first paragraph of Section 4.7. has been changed to read as follows: <i>"Operator may only defuel Aircraft in the event the aircraft is overfilled or if necessary for Aircraft Maintenance purposes. Employees engaged in defueling and refueling shall be trained..."</i>
C85	Pg. 23, Sec. 5.2 - The leased premises square footage requirements for an avionics or instrument maintenance operator should not be so great as to discourage or preclude its willingness to service turboprops (noting a 10X greater requirement for turboprop than for single-engine piston aircraft)
R85	Turboprop aircraft are generally larger than single engine piston aircraft. The dimensional requirements delineated in this Section reflect Industry best practices and the fleet mix using the airports. The dimensional requirements for leasehold premises for turboprop aircraft are 10,000 square feet larger than that required for single engine piston aircraft – not 10X larger.
C86	Pg. 21, Sec. 6.3 - Is there a reason that flight training operators are not necessarily required to provide training for sport pilot ratings?
R86	There are many other FAA pilot ratings (besides sport pilot) that are not listed here. These are the minimum types of FAA ratings that a flight training operator must provide flight instruction to the public. Flight training operators are permitted to exceed these standards as provided for in Section 1.5.
C87	Pg. 22, Sec. 6.3 - Is there a reason ground instruction requirements do not include instruction to pass a private or sport-pilot written exam?
R87	There are many FAA written exams (besides private and sport pilot) that are not listed in this Section. These are the minimum types of ground school instruction required. Flight training operators are permitted to exceed these standards as provided for in Section 1.5. However, it is agreed that the private pilot written exam is a fundamental element of flight training curriculum and should be included The last sentence of second paragraph has been changed to read as follows: <i>"...sufficient to enable students to pass the FAA written examinations for private pilot, commercial pilot, and instrument rating."</i>



PMCD COMMENT COMPILATION AND RESPONSE

C88	Pg. 23, Sec. 7.1 - Is there a reason ground instruction requirements do not include instruction to pass a private or sport-pilot written exam?
R88	<p>There are many other FAA written exams (besides private and sport pilot) that are not listed. These are the minimum types of ground school instruction required. Flight training operators are permitted to exceed these standards as provided for in Section 1.5. However, it is agreed that the sentence should be more inclusive and modified accordingly</p> <p>The second paragraph has been changed to read as follows: “...<i>capable of providing on-demand ground school instruction sufficient to enable students to pass the FAA written examinations for glider ratings</i>”.</p>
C89	Pg. 28, Sec. 7.5 - Is there a reason ground instruction requirements do not include instruction to pass a private or sport-pilot written exam?
R89	See R88
C90	Pg. 24, Sec. 7.7 - Consider having Operators review and, where needed update their SOP at least annually.
R90	The Operator is required to resubmit its SOP anytime a change is made, therefore, an annual resubmittal would be redundant and unnecessary.
C91	Pg. 30, Sec. 10.2 - Perhaps “adequate” is the stated <i>fix-all</i> nonetheless, it would be preferable to explain why the required square footage should not depend on the scope of operations (such as number of passengers, frequency of flights, etc.).
R91	The word “adequate” is an appropriate term to use in this context.
C92	Pg. 32, Sec. 11.1 - This provision does not appear to accommodate tenants who own particular aircraft that require specialized training from nationally recognized trainers. Such trainers are, of course, compensated by the aircraft owner, typically provide under one week of training to an owner annually, and do not have a contractual relationship with an approved Aircraft Rental or Flight Training Facility Operator. There is a legitimate safety need for such tenants to train with these specialized trainers that should be permissible per the Minimum Standards, and without additional process or burden on such tenants seeking such training.
R92	<p>Section 14 sets forth the minimum standards for such activity.</p> <p>Section 14.1. states as follows:</p> <p><i>“The County recognizes that Aircraft Owners or Aircraft Operators may, from time to time, have specialized aviation service requirements (i.e., Aircraft Maintenance, Flight Training, etc.). When specialized aviation service is required but is not available at the Airports through existing Operators due to the specialized nature of the aviation service requirements and/or existing Operators are unable to provide the services required within a reasonable timeframe, the County may allow an Aircraft Owner or Aircraft Operator to solicit and utilize the services of a qualified and experienced entity to provide said services.”</i></p>
C93	Pg. 34, Sec. 12 - When an FBO or Aircraft Maintenance Operator does not fully meet the demand for Aircraft Maintenance, such as for specialized turbine aircraft, Independent Maintenance Operators must be able to provide maintenance to such based aircraft in their respective hangars or tie-downs.
R93	<p>Section 3.14. <i>Maintenance</i> of the draft Rules and Regulations addresses aircraft maintenance as follows:</p> <p><i>“Aircraft Maintenance may only be performed within Hangars or buildings (or those areas specifically designated by the County) in conformance with the type rating established by Building and Fire Codes, and then, only in compliance with the instructions of the County and the orders of the Fire Department.”</i></p>
C94	Pg. 35, Sec. 13 - The Min. Standards should affirmatively permit unfettered AOG services for specialized aircraft.



PMCD COMMENT COMPILATION AND RESPONSE

R94	See R92. All commercial operators must comply with these Minimum Standards including Section 15. " <i>Commercial Operator Permit</i> . Specifically, Section 15.1. <i>Application</i> states, in part, as follows: <i>Any entity desirous of engaging in a Commercial Aeronautical Activity at the Airports (Applicant) shall complete all relevant and applicable sections of the Commercial Operator and Lessee Application (Application) and submit the Application to the County and obtain a Commercial Operator Permit (Permit) from the County prior to engaging in the desired Activities.</i> " Therefore "unfettered access" is not permitted.
C95	Pg. 40, Sec. 14 - In 12. and 13. above, state that the provision of such described services is <i>not</i> necessarily "temporary" and are not undertaken or subject to the requirements of Sect. 14.
R95	See R92 & R94.
C96	Pg. 36, Sec. 14.1 - The Minimum Standards should consider having any Aircraft Maintenance Operator publish a list of aircraft to which it asserts it is (a) competent and experienced, (b) maintains ample type-specific parts, and (c) is certified, recognized or otherwise authorized by an aircraft manufacturer as maintain such aircraft. A tenant would then have an opportunity to determine whether specialized services should be solicited off-field <i>prior</i> to an AOG situation.
R96	Such requirements fall outside of the Minimum Standards document. A potential customer may contact a given aircraft maintenance operator and ascertain whether or not such operators has the wherewithal to provide the desired services, parts or supplies.
C97	Pg. 36, Sec. 14.1 - The Minimum Standards should create a presumption that an aircraft owner/tenant's use of specialized services is efficacious.
R97	Comment noted.
C98	Pg. 37, Sec. 15.1 - Change "Trough" to "Through"
R98	The first bullet point has been changed to read as follows: " <i>A Permit is required for all Commercial Trough Through-the-Fence Operators.</i> "
C99	Pg. 38, Sec. 16.1 - The schema underlying the bifurcation of fueling requirements in the Minimum Standards vs. the Rules and Regulations is indeterminable
R99	The Rules and Regulations apply to all users of the Airports (commercial and non-commercial) whereby Minimum Standards apply strictly to commercial operators. Therefore the aircraft fueling contained in Appendix A of the Rules and Regulations relates to all fueling services.
C100	Pg. 38, Sec. 16.1 - The County's complete exculpatory clause regarding fueling violation is too broad and should not extend to situations where: the Minimum Standards or other requirements imposed by the County are found to be substandard, and the Country contributed to the harm or violation.
R100	Comment noted
C101	Pg. 38, Sec. 16.1 - The abbreviation "SWPP" should be stated fully.
R101	For brevity purposes the acronym SWPPP is defined in the Rules and Regulations under Section 6.1 <i>Acronyms</i>
C102	Pg. 40, Sec. 16.1 - The Minimum Standards for rotorcraft refueling do not indicate whether the removal of patients from a rotorcraft "as applicable" pertains to pre-fueling precautions, or subsequent to a fuel spill or fire.
R102	Fuel handling while passengers are on board is covered on Pg. 39 (paragraph 5) under " <i>Fuel Handling</i> " which states, in part as follow: " <i>Fuel Handling shall not occur while passengers are on board the Aircraft unless a passenger-loading ramp is in place at the Aircraft's cabin door, the door is in the open position, and a qualified attendant is present at the door.</i> "



PMCD COMMENT COMPILATION AND RESPONSE

C103	Pg. 42, Sec. 16.2 - A generic “fuel handling” section for those portions applicable to all fuel handling (e.g., general “due caution” provisions) would be preferable and applicable. Doing so would shorten the document, reduce confusion and perhaps make it more accessible.
R103	The minimum standards related to all “ <i>Fuel Handling</i> ” begins on page 38 and continues to page 40.
C104	Pg. 46, Sec. 16.2 - Change the arrow-bullet from “Rules and Regulations” to “Rules and Regulations and these Minimum Standards.”
R104	General Provisions, Section 5.10. of the draft Rules and Regulations states as follows: <i>“Compliance with Legal Requirements and Agreements All entities leasing, occupying, and/or developing the Airports’ land and/or Improvements and/or engaging in an Aeronautical Activity at the Airports shall comply, at the entity’s sole cost and expense, with all applicable Legal Requirements.”</i>
04/13/18	Alex Gertsen (NBAA) – Minimum Standards
C150	Pg. 3, Sec. 1.3 – According to the Advisory Circular 150/5190-7 “The airport sponsor’s purpose in imposing standards is to ensure a safe, efficient and adequate level of operation and services is offered to the public.” The goals raise concerns well beyond the intended purpose of minimum standards. While they may be a proper subject of discussion in other forums, they should be eliminated from the Minimum Standards. Environmental and social concerns (among others) may not take priority over FAA access requirements.
R150	Unsure if this comment is related to Section 1.3 (Exclusive Rights and Airport Sponsor Assurances). It appears that the comment is related to Section 1.6. (Operational Considerations) if so, these are general policy statements that reflect the County’s goals related to airport development, operation, compatibility, and functionality and are not specifically required minimum
C151	Pg. 28-29, Sec. 9.6 – We note that for aircraft charter operators, not only are some of the requirements are unrealistic (e.g., 1-hour response times for trip quotes after hours), they may be preempted by Federal requirements. We encourage the airport to work with all airport users and tenants to make sure that terms such as on-call FBO services outside of business hours and others are appropriate.
R151	The response times listed are reasonable, customary and reflect industry best practices.
C152	The draft appears to be from a template that AMCG has used at many other airports. We encourage the airport to ensure that it has been properly adapted to the circumstances at the airport and that appropriate additions have been made. For example, the 1994 version of Minimum Standards included an acknowledgement that Minimum Standards are subordinate to federal law, which the new version does not.



PMCD COMMENT COMPILATION AND RESPONSE

152	<p>AMCG has assisted sponsors with development of Primary Management and Compliance Documents (which includes Minimum Standards) for over 20 years across the country. Through this experience, AMCG has developed and refined the structure, organization, and certain provisions that are applicable to all airports as the nature of minimum standards is uniform across the industry (e.g., industry best practices, Airport Sponsor Assurances compliance, etc.). Inherently, there are baseline minimum requirements (e.g., 1 employee, 1 refueling vehicle, etc.), established relationships in the industry related to FBO development (e.g., land area to apron size, hangar area to maintenance area, etc.), consistent aircraft access and use (e.g., small cabin class turbojet aircraft, etc.), as well as common consumer expectations which lead to commonality in some of the requirements at different airports. However, the details and specific requirements for each airport are developed based on the unique attributes of the airport, the current operators, comparable airports, and considering a consumer perspective. For these reasons, there may be some similarities between these draft Minimum Standards and the General Aviation Minimum Standards at other airports.</p> <p>Understanding the subject airport is a significant step in the process of Minimum Standards development. For this reason, AMCG conducted an initial site visit to meet with Airport management, tour the Airport, and meet with existing commercial aeronautical operators. Each commercial aeronautical operator was provided a Commercial Operator Questionnaire to provide valuable information pertinent to the development of the draft Minimum Standards. Based on the information provided and AMCG's experience, Minimum Standards were developed that are relevant, reasonable, and appropriate for the Airports and the market.</p> <p>In addition to providing services for over 20 years solely to the general aviation industry, AMCG has conducted the Airport Sponsor Assurances, Leasing Policies, and Minimum Standards Workshop (also referred to as the Primary Management and Compliance Documents Workshop) on behalf of the American Association of Airport Executives (AAAE) for 20 years. During this workshop, AMCG teaches a best practices approach to the development, implementation, and enforcement of critical management and compliance documents including Minimum Standards. AMCG also assisted in the development of Legal Research Digest 11 – Survey of Minimum Standards: Commercial Aeronautical Activities at Airports for the Airport Cooperative Research Program which is managed by the Transportation Research Board. This publication provides practical guidance for developing, implementing, and enforcing minimum standards. The implication that AMCG would utilize a “fill-in-the-blank” approach is not accurate, contradicts AMCG's approach and instruction, and is not reflective of AMCG's industry reputation.</p>
-----	---