

# ALERT! UNSAFE CONDITIONS... GOVERNMENT EXPOSED TO LAWSUITS

To: National Transportation Safety Board

July 25, 2011

cc. US Attorney General; Sen. Rubio, Nelson; US Reps Buchanan and Mica; and "60 Minutes"

Please be advised that a very unsafe condition currently exists at the Venice Florida Municipal Airport. Up until recently this airport's approved Layout Plan included a smaller "BII" Runway Protection Zone at the Northwest (Rwy 13) end. This was purposely done and the stamped/approved 2000 Airport Layout Plan shows this. The reason was to keep the Runway Safety and Protection Zone clear and not extending over 24 homes, a public road and recreation area which are in the approach and departure paths.

In 2006 FAA spent \$6,000,000 to rehabilitate this runway based on a design that included a CII size Runway Protection Zone that encroached over these private and public properties, without requiring that proper procedures be followed or the notifying of owners, and without negotiating mitigation of this encroachment. **Worse, to date they have never notified pilots that the Runway Protection Zone was obstructed with 24 one and two story homes, a public road and recreation area.** This situation was made even worse when recent new technology allowed the implementation of GPS non precision instrument approaches and one was added to the northwest end where there had never previously been any kind of instrument approach. Again FAA failed to follow procedures for a proper survey of the Runway Protection Zone (CII size) which is required for this type of instrument approach that allows a visibility minimum of 1 mile instead of the normal 3 mile minimum. **And again there has been no notification to pilots using the new GPS non precision instrument approach that the Runway Protection Zone is not clear/object free and contains 24 one and two story houses, a public road and part of a recreation area in the approach path!**

Recently FAA forced the City of Venice (owner of the airport) to submit a new Airport Layout Plan that calls for Runway 13-31 to be slid back by adding 700 feet and installing EMAS at the southeast end which will remove 22 of the 24 homes from the CII Runway Protection Zone. **Besides the fact that this is an unnecessary waste of federal funds (see attached letter), the FAA has stated it will be at least 5 -7 years before funding is available and the project completed. In the meantime, they are doing nothing to notify pilots of the existing unsafe condition!**

**The FAA can and should immediately displace the threshold and use declared distances until the 13-31 runway is moved back, and should immediately notify pilots of the existing conditions. This would cost next to nothing as it only takes painting of markings on the runway end and issuing the standard notifications to pilots.** While this airport is mostly utilized for recreation by single engine aircraft, there are a number of twin engines and jets that come in here on a transient basis flown by pilots who are not personally familiar with the surrounding area. **The federal government is clearly being exposed to potential lawsuits by pilots and homeowners.**

Furthermore while Runway 13-31 is considered the primary runway, the wind is only very slightly more out of the northwest than the other headings, so there would be no significant loss of utility if the threshold were displaced temporarily on the northwest end. Currently there is a displaced threshold on the northeast end of Runway 4-22 due to a bridge and this displacement is approved to be increased resulting in a runway utility of

4300 feet instead of the current 4700 feet. **FAA has stated that this will not negatively impact any aircraft or cause a diversion to the other runway. The same of amount of displacement (approximately 700 feet with a utility of 4300 feet) at the northwest end would remove the homes from the Runway Protection Zone until the runway is moved back.**

**Pilots will still have the full 5000 feet of runway for departures to the southeast on runway 13 and also when departing to or approaching from the southwest on runway 4-22, which is also the noise abatement approach and departure.**

**FAA is clearly negligent in not taking simple, obvious, no cost measures to insure the safety and communication of conditions that pilots rely on when landing at this or any airport. The local and federal government is also being exposed to potential lawsuits because any accident, injury or damage to aircraft or property that results from misinformation supplied to pilots will no doubt result in a claim against the airport owner and the FAA.**

Please investigate this matter and take steps before there is an accident and costly lawsuit, one that will also cost the government and NTSB's reputation. As you may recall this is also the airport where Mohammad Atta was allowed to train, and, convicted felon Art Nadel (the "mini Madoff") used stolen investment funds to purchase and renovate the Venice Jet Center (now called Suncoast Air Center), so needless to say there are many problems at this airport, of which this is one. (See attached letter).

Signed,

Concerned Venice Citizens

# PLEASE STOP THIS COLOSSAL WASTE OF FEDERAL TRANSPORTATION FUNDS!

Dear Vice President Biden, Senators Feinstein, Inouye, Coburn, Nelson, Rubio, and, Congressmen Buchanan, Castor, Mack, Mica, Rogers and Members of the Appropriations and Transportation Committees.

A travesty is about to occur that will result in a colossal waste of precious federal transportation funds. The FAA is insisting on spending \$18,000,000 to cover up mistakes and expand facilities at a non-essential General Aviation Airport in Venice Florida. To put this in perspective, Sarasota International Airport which is 40 minutes from Venice, only received \$16,000,000 in a recent seven year period! The Venice Airport is pre-dominantly a small plane recreational airport. It is not an "essential air service" airport because there are five commercial airports within a 70 mile radius. It is also a constrained airport due to its location abutting the Gulf of Mexico and the ICW. The land the airfield sits on is worth between \$200-400,000,000. There are only four aviation businesses with employees (36 full time) at the airport. **Not a single permanent job will result from this unnecessary pork barrel project in Venice!**

For many years FAA encouraged grossly exaggerated aircraft operation counts and discouraged accurate professional counting. In 2009 the City of Venice paid for a certified count that revealed that actual operations were half of what the FAA and others had been reporting. The FAA then refused to take this into account and insisted that there was a CII jet aircraft based at this airport. There has never been a CII aircraft based here for the required six month duration except for one which was being overhauled and brokered for sale, and is no longer here! **How many other non-essential general aviation airports across the USA have grossly inflated operation counts or bogus documentation of based aircraft, upon which federal funding has been or is being based?**

In these lean times with a huge federal deficit, the FAA is spending tens of millions of dollars annually on non-essential general aviation. I doubt that this is what you intended as an elected policy maker. To make matters worse, the FAA recently forced Venice to submit a new Airport Layout Plan which is not in accordance with the 2009 findings of the paid professional airport consultants, and calls for encroachment beyond the airfield onto 24 homes, which the FAA plans to mitigate by spending \$10,000,000 on the installation of EMAS and sliding back of a recently rehabilitated runway! The FAA refuses to admit that they erred ten years ago in classifying this airport as a CII. In 2009 independent consultants paid by the City, stated publicly on the record, that they found the Venice airport to be a BII airport and **projected it would not become a CII airport for at least 20 years!** (Tape recordings of these meetings and supporting documents are available from the City of Venice.)

All that is needed in Venice for the next 15-20 years besides rehabilitating our noise abatement runway and relocating some aviation facilities away from abutting homes, daycare and assisted living units, is to **stay with the existing 2000 Airport layout Plan which shows a BII Runway Protection Zone at the Runway 13 End, keeping the Zone on airport property, or, displace the threshold and use declared distances so that a CII Protection Zone does not extend beyond airport property, This latter alternative was presented on the record to City Council last year by the airport consultant under contract for the purpose of updating the Plan. Either of these alternatives would not cost a dime!** Not a single aircraft currently using this airport would be deterred or inconvenienced or unable to use this airport with either of these plans.

The FAA, like the Bureau of Minerals Management, has a dual, conflicting mission, to both expand/advance aviation, and, to regulate aviation. FAA regulations state that airports should be self-sufficient to the greatest extent. **Yet in Venice and probably many other areas, the FAA has not encouraged the airport to be self-sufficient.** For example, in Venice two private vendors make a large profit selling fuel when FAA regulations specifically provide airport owners with a "proprietary exclusive right to sell fuel and build and rent hangars," so that they can be self-sufficient and not reliant on federal or state funds. Fixed base aviation businesses are also exempt from all real and personal property taxes in Florida!

**I urge you to investigate how many general aviation airports are not fulfilling their obligation to be self-sufficient and less reliant on federal and state transportation funds. Every dollar spent on non-essential general aviation airports is a dollar that is not available for our commercial airports which need and deserve federal subsidy!**

**PLEASE STOP THE FAA FROM WASTING PRECIOUS TRANSPORTATION FUNDS ON THIS COMPLETELY UNNECESSARY PROJECT AT THE VENICE FLORIDA AIRPORT, AND, ASK FOR AN INVESTIGATION INTO ALL FEDERAL FUNDS GRANTED TO GENERAL AVIATION AIRPORTS.**

Thank you.

Concerned Constituents  
Venice, Florida