



# Arizona Pilots Association

<http://www.azpilots.org>



## NEWSLETTER

2009 February

Asa Dean, Editor

### Tour the Barry M Goldwater Gunnery Range Nancy Benscotter, APA Secretary & Fund Raiser

The Arizona Pilots Association has arranged with Luke Air Force Base a tour of the Barry M Goldwater Gunnery Range and a Burger Burn! Come see F-16's drop aerial bombardment munitions on the range and afterwards have a hamburger lunch!

The tour is scheduled for Thursday, March 5<sup>th</sup>, 2009. The cost is \$15.00 person. Money is due when loading buses. Seats are reserved only.

RSVP by Monday, March 2<sup>nd</sup>, 2009 to Nancy Benscotter [nanbabi@aol.com](mailto:nanbabi@aol.com) (space is limited to 75 persons and the spaces are going fast - don't miss out!) **You must provide full name when RSVP.**



Fly-In or Drive-In, but plan to arrive by 7:30am at Gila Bend Municipal Airport (E63) to load into Luke Air Force buses that will take us onto the range. **Must be on time - the military will not wait.** Luke Air Force Base reserves the right to cancel the event should weather prevent aerial exercises or other safety concerns. No refunds once buses are loaded.

### Safety Seminars Howard Deevers

The Arizona Pilots Association continues to provide Aviation related safety seminars all over the State of Arizona. From February 16 to February 21, Fred Gibbs arranged to have Mr. Richard Neher from the Charting Office to be in Arizona presenting VFR and IFR Chart understanding seminars in Tucson, the Phoenix Area, and Prescott. Check the Arizona Pilots Association web site: [www.azpilots.org](http://www.azpilots.org) often for other seminars and programs of interest.

Many of the Arizona Pilots Association members are also FAASTeam representatives. FAASTeam representatives and Lead Representatives support the FSDO Safety Program Manager and assist in events and seminars to help educate pilots and create an attitude of safety for all pilots in order to promote aviation safety and reduce accidents. In October of 2008, the FAASTeam started a National CFI Workshop program. A CFI workshop will be presented quarterly. In Arizona, we will have two workshops; one in the Phoenix area, and one in Tucson. The same material will be presented at all workshops across the country. A CFI can renew their certificate by attending all 8 workshops in 2 years.

A CFI can start into these workshops at any time. Arizona and Alaska were among the earliest States to kick off these CFI workshops.

Do you have your "Wings" yet? The new "Wings" program is now 2 years old. There are 3 phases to the new Wings: Basic, Advanced, and Master. You must complete knowledge and flying credits for each phase. A completion of any phase serves as a Flight Review (BFR). We encourage everyone to get at least the Basic Wings. Go to: [www.faasafety.gov](http://www.faasafety.gov) and be sure you are registered, and start today. It will only make you a better pilot. If you want more information on the Wings Program contact me.

Howard Deevers, CFII  
[deeversjones@msn.com](mailto:deeversjones@msn.com)  
520-877-3201

## Executive Director's Report February, 2009

As reported earlier, we had been involved in the discussions for establishing a rather large aerobatic training area on the west side of the Estrella Mountains southwest of Phoenix. The area is planned for training foreign military student pilots in



formation flying and primary aerobatics in Grob G120 trainers. The conflict problem with the sailplane operations at Estrella Sailport have been resolved. Because of the type of training that will continue in this area for the long term, there are plans to have the training area depicted on both the TAC and Sectional chart. In the mean time, use caution when flying through the area.

I hope most of you took note of the TSA proposal to impose comprehensive security requirements on large aircraft and sent in comments in opposition. (aircraft over 12,000 lb.) If not, do it now. This can directly affect you. The costs for the added airport security requirements that would be imposed would be passed on to the airport tenants and users. The TSA would NOT be paying for these security costs. You would! Even if you don't own or fly a "large" aircraft, if this type of proposal is passed, the question is how long would it take before a similar type of regulation could trickle down to the rest of the general aviation fleet.

Where ever we have an airport, it seems we have a noise problem. In some cases it is more perceived than real, but it can be a real problem. In the case of Falcon Field in Mesa, the individuals that are disturbed by overflights have direct contact with the Mayor and select Councilmen. In general it's not good when "city hall" gets involved in finding a solution. When taking off, or even landing, fly friendly and try to minimize your sound imprint. Be aware of and use the recommended noise abatement procedures established for your airport.

We continue to be active in working with several airports in the state updating their Airport Master Plans and represent the general aviation users needs in this process. We attempt to make certain that these needs will be met in the course of the airport's development.

As an alternative to the proverbial \$100 hamburger, try the fly in breakfast. Starting in March, on the 3rd Saturday of the month there will be a fly in breakfast at Goodyear (GYR). (except for April which is NASCR weekend) Coolidge (P08) has one on the first Saturday of the month and Casa Grande (CGZ)

has one on the fourth Saturday of the month. These two are put on by a local service group in each city, so while enjoying a good breakfast you are also helping a worth while local community group.

Fly safe and enjoy the cool weather.

Jim Timm

Executive Director

## **Airport Security Requirements and You!**

### **Reply by Gary Christensen**

Appreciated the newsletter article on airport security by Ben Vardiman. In 2008, there was a new section of AZ law added related to this subject. HB2574 was sponsored by Rep Jerry Weiers (R-12, Glendale) and supported by NRA and AZ State Rifle & Pistol Association (ASRPA). The bill became law effective in Sept 2008 and was designed to both add local law enforcement jurisdiction, and protect the General Aviation community. [Bill appears below.]

These objectives are accomplished by first codifying the criminal behavior in ARS (AZ Revised Statute) which authorizes local jurisdiction (enforcement) of what was previously only a federal violation as presented by Mr. Vardiman's article. It explicitly defines GA exclusions and states that possession of a weapon in accordance with state and federal laws is protected. Note that the SIDA and Sterile areas are prohibited possession areas, but the AOA is not included. This essentially allows a GA plane to arrive and depart from GA areas without becoming part of the SIDA or Sterile Area. Stray into the area of airline operations though and expect full enforcement.

During discussions with authorities who requested this new law, Prescott airport was specifically discussed because there is a security screening gate for passenger loading, and a sterile area beyond, including a 'temporary' zone on the ramp. Authorities explained that the sterile zone is established when the aircraft is present, during loading/unloading but 'collapses' upon departure of the aircraft being protected. This invisible wall surrounding the aircraft is only a few feet from the GA gate to access the ramp.

Our concern at ASRPA was that a broad and general statute would endanger GA pilots and operations by allowing local airport managers to greatly expand the Secured Area of an airport to include all AOA operations and thereby make unsuspecting GA pilots and passengers subject to charges within an inconsistent and overly broad zone. The Secured Area must be defined in the TSA security plan submitted and approved. GA pilots and passengers can still enjoy the freedom of travel, without being needlessly disarmed to use the GA areas of the airports.

Arizona, and indeed, the Western US is a vast and sometimes hostile environment which includes many private runways, and rural lifestyle. Many states currently have Right to Carry (RTC) laws covering concealed weapons. In addition, GA operations often include transport of hunting firearms. All of these aspects of aviation must coexist in a post-911 world. We think that HB2574 accomplishes that goal and extend our thanks to Rep Jerry Weiers for his sponsorship and support to negotiate the bill.

\*\*\*\*\* House Bill 2574 \*\*\*\*\*

AMENDING TITLE 28, CHAPTER 25, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-8429; RELATING TO AIRPORTS.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 28, chapter 25, article 6, Arizona Revised Statutes, is amended by adding section 28-8429, to read:

28-8429. Misconduct involving weapons in a secured area of an airport; classification; definitions

A. A PERSON COMMITS MISCONDUCT INVOLVING WEAPONS BY INTENTIONALLY CARRYING, POSSESSING OR EXERCISING CONTROL OVER A DEADLY WEAPON IN A SECURED AREA OF AN AIRPORT.

B. THIS SECTION DOES NOT APPLY TO:

1. A PEACE OFFICER OR A FEDERALLY SWORN OFFICER WHILE IN THE ACTUAL PERFORMANCE OF THE OFFICER'S DUTIES.
2. A MEMBER OF THE MILITARY FORCES OF THE UNITED STATES OR OF ANY STATE OF THE UNITED STATES IN THE ACTUAL PERFORMANCE OF THE MEMBER'S OFFICIAL DUTIES.

3. AN INDIVIDUAL WHO IS AUTHORIZED BY A FEDERAL AGENCY IN THE ACTUAL PERFORMANCE OF THE INDIVIDUAL'S OFFICIAL DUTIES.

4. GENERAL AVIATION AREAS NOT INCLUDED IN THE SECURITY IDENTIFICATION DISPLAY AREA OR STERILE AREA AS DEFINED IN THE AIRPORT SECURITY PROGRAM APPROVED BY THE TRANSPORTATION SECURITY ADMINISTRATION.

5. THE LAWFUL TRANSPORTATION OF DEADLY WEAPONS IN ACCORDANCE WITH STATE AND FEDERAL LAW.

C. A VIOLATION OF THIS SECTION IS A CLASS 1 MISDEMEANOR.

D. FOR THE PURPOSES OF THIS SECTION:

1. "DEADLY WEAPON" HAS THE SAME MEANING PRESCRIBED IN SECTION 13-105.

2. "SECURED AREA OF AN AIRPORT" MEANS ANY AREA OF AN AIRPORT SPECIFIED IN AN AIRPORT SECURITY PROGRAM THAT IS AUTHORIZED AND APPROVED BY THE UNITED STATES TRANSPORTATION SECURITY ADMINISTRATION PURSUANT TO 49 UNITED STATES CODE SECTION 44903(h)(7)(F) AND DEFINED IN 49 CODE OF FEDERAL REGULATIONS SECTION 1540.5.

## Very Important Message Ed Chauza

[ED: This article was written for DVPA but copied here thanks to Ed Chauza.]

DVPA members,

I want to bring to your attention an issue that has gone unnoticed by many of us. Only recently it has come to my attention that the following proposal has some significant gotcha's. After research, I have concluded this proposal will have a serious negative impact on General Aviation. With that in mind, after reading my thoughts, if you agree I hope you will respond with action.

### TSA LASP "Can we afford it?"

I believe General Aviation (GA), with aircraft, "under 12,500 pound" has yet to realize the impact of the "Large Aircraft Security Program (LASP) Notice of Public Rule Making (NPRM)" proposal and it's cost. Many GA pilots and aircraft owners have largely ignored this subject because the NPRM addresses only aircraft with gross weight over 12,500 pounds. Don't bet on it.

The Transportation Security Administration (TSA) proposed the LASP program in a 260 page NPRM (Docket No. TSA-2008-0021) on Oct. 30, 2008, in which TSA "*proposes to amend current aviation transportation security regulations to enhance the security of general aviation by expanding the scope of current requirements and by adding new requirements for certain large aircraft operators and airports serving those aircraft.*" The public response deadline is **Feb. 27, 2009.**

I have talked to DVT tenants and am frequently told the NPRM doesn't affect "small aircraft". Most of us DVT tenants own aircraft under 12,500 pounds which is probably the case at most Arizona GA airports. So, how are we small aircraft owners affected? What quickly got my attention, after a discussion with our airport manager, is the implication that we will be tagged to pay for this. If this proposal is approved, our hanger rent will likely increase, maybe double. The reason is because there is no federal funding in this proposal and funding will be unlikely, especially with the current government stimulation and bailout actions underway. This possibility is pretty alarming considering that my aircraft

isn't in the category mentioned. Don't think for a minute that the airport will not look to ALL tenants to share this cost burden.

After Googling many articles and reading the AOPA & EAA LASP positions, the common thread I found is there is little to no support for the new proposed rules. I have since reached and summarized the following conclusions.

This new ruling will create an additional layer of bureaucracy, rules, regulations and cost for the over 12,500 pound crowd plus harness airports with unnecessary expense to enforce these security regulations. This is where the smaller guys (under 12,500 pounds) will also feel the impact. Airports will receive no federal funding but will be required to comply with and find the extra revenue. DVT obtains revenue from federal and state grants and rents from tenants. If there is no federal money and in the case of Arizona airports, where last year the aviation fund was swept of all funds due to the budget shortfall, the burden will be placed on tenants for revenue. Airports will eye tenant wallets for the revenue stream. So what are the teeth TSA has put into this proposal? The teeth will be to make airports non-compliant with grant assurances causing them to lose all federal funding if they don't comply. This could force municipalities to close airports because they cannot afford the extra security overhead expense required by this program. Any way you cut it, the TSA is going to make someone pay and it sure won't be their agency.

TSA's initial Arizona target airports are listed below: Others will most likely follow as aircraft categories are revised. "NON-FEDERALIZED" & "RELIEVER" airport lists include: GCN, 1G4, SDL & CHD, GEU, GYR, FFZ, DVT, IWA, SDL, AVQ, RYN

The LASP proposal seems to have no positive GA benefits, security or otherwise and creates BIG expenses to be borne by the pilot and aircraft owner. AOPA and EAA have been alerting GA; however, the message is focused on the over 12,500 pound GA group. Both organizations have encouraged pilots to respond to the NPRM. As of this writing, there have been approximately 3,000 responses. This response level is peanuts compared to the number of pilots and owners impacted. (AOPA has 414,000 members and 3,000 isn't even 1% of their membership.) Unfortunately, that is the history of the aviation community. Our tendency is to try to "un-ring the bell" after we see the consequence. Forget about "Do Overs", if this ruling succeeds, it is another nail in the GA coffin.

Suggestions I see from many Web postings is to respond to the NPRM but also more importantly is to WRITE YOUR SENATOR AND CONGRESSMEN. The TSA security issue is going to be fought in the political arena. Your opinions, as constituents, are important in determining how your U.S. representatives will respond to this legislation. As to the NPRM, the TSA will politely thank general aviation for their responses. They will tell us we don't understand the situation and they will continue to help make America safe. Every pilot is concerned about safety and security, however, this proposal provides no value in those areas.

NOW is the time to act on this important issue. Write your legislators and copy AOPA and EAA! Go to <http://www.house.gov> and <http://www.senate.gov> to find who and how to contact your legislators.

## Caps, T-Shirts and Patches



These t-shirts are soft & comfortable! Perfect for your next fly-in. They are available in large or extra large. Only \$18.00. Caps \$12.00. Patches \$3.00. Contact Nancy Benscoter at [nanbabi@aol.com](mailto:nanbabi@aol.com) or call 480-580-0974 to order your caps and t-shirts. You may also contact any APA board member if you have questions or need additional information concerning caps and shirts.



### APA Website

Nancy Rogers

Please visit our website for the latest information.

<http://www.azpilots.org>

### Newsletter Authors

#### Monthly Deadlines

- 13th Authors submit articles to the editor
- 17th Editor submits draft for approval
- 19th Final approval from President
- 20th Publisher delivers email to membership