

The Town of
**Leesburg,
Virginia**

25 West Market Street ■ P.O. Box 88 ■ 20178 ■ 703-777-2420 ■ Metro: 703-478-1821 ■ FAX: 703-771-2727 ■ www.leesburgva.org

Mr. Norman Mineta
Secretary, U.S. Department of Transportation
400 Seventh Street, SW, Nassif Building
Washington, DC 20590-0001
ATTN: Room PL-401, Docket Management Facility
Fax Number: 202-493-2251

Subject: Notice of Proposed Rulemaking, FAA-2004-17005, Washington, DC SFRA.

Dear Secretary Mineta:

We are writing to you today regarding NPRM FAA-2004-17005, the Washington, D.C. ADIZ. After reviewing the NPRM, and our operational data for the last six years, the Airport Commission is agreed that the ADIZ is a significant impediment to the future growth and viability of Leesburg Executive Airport, and the government has provided insufficient justification for the continuation of these restrictions.

As a designated General Aviation Reliever airport, Leesburg provides traffic offload capacity for Dulles International. In order to provide sufficient services to make the airport an attractive alternative to Dulles, we have joined with the Federal Government and the Commonwealth of Virginia in making large, recent investments in the runway, terminal, and operating facilities of the airport.

In 2003, we upgraded our ramp areas and prepared corporate hangar pad sites. In 2004, we opened a new, \$ 3.4 Million dollar terminal facility that provides a first-class capability to corporate operators, and a home to Medevac companies, flight schools, and aircraft sales companies. In 2005, with able assistance from FAA's Eastern Region, we completely rehabilitated our runway, at a cost of over \$ 3.5 Million.

We have contracted with Piedmont Hawthorne to operate a full-service FBO, and we are working to build out sufficient infrastructure for based tenants to make JYO an attractive alternative to operating from alternate fields. We have just recently worked with the Eastern Region of the FAA to upgrade our localizer/DME approach, and to prepare for the installation of a full ILS system.

These upgrades are done in the context of an airport that is not only located within one of the wealthiest counties in the nation, but located right in the middle of the fastest growing county in the nation. The Town of Leesburg has worked diligently, and is currently working even harder today, to ensure that incompatible development will be restricted in the area surrounding the airport.

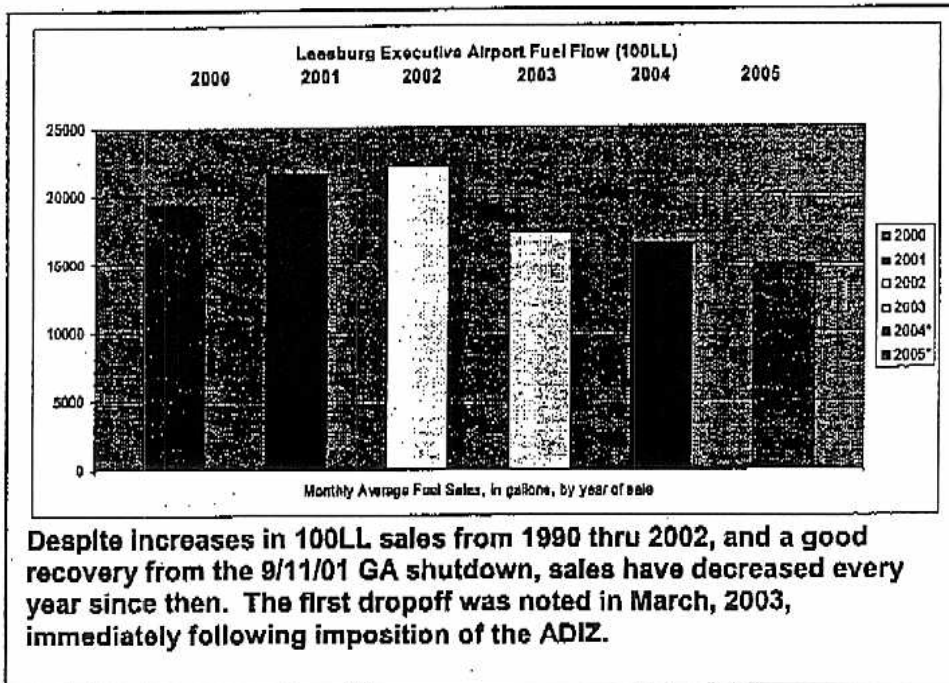
All of these infrastructure upgrades and protective actions will be for naught, however, if we cannot operate our facility profitably. Prior to our most recent master plan update, we believed that we could bring the facility to break-even status, and no longer depend on the Town for subsidies, sometime prior to 2008. After the imposition of flight restrictions, however, our revenue base appears in jeopardy of declining, and we can no longer project that sufficient demand exists to build out as we had planned. Again, every time we survey the market, operators tell us that the complexities and potentially lethal consequences of being intercepted within the ADIZ make Leesburg Executive Airport an unattractive alternative.

All of this is done in the context of an airport that is seeing an increase in corporate operations, and a reduction in private operations. Without the mix of transient and based operations in both the corporate and private arenas, we cannot continue to provide for professional-level FBO services and develop the facility.

Case in point: we were unable to attract a developer to build out a self-service fuel facility, when our neighbor airports north and west of us have successfully done so, despite their lower traffic counts. The reason? Too few private operations, which are the primary marketplace for this service. The business people that did talk to us said that their market research indicated a downward trend (which we later confirmed) in piston operations at Leesburg, attributed primarily to the ADIZ.

2nd case in point: Despite the dearth of available hangar space for corporate aircraft in the metro D.C. area, only one of our two corporate hangar pad sites is leased. The operators and developers we've spoken to tell us that without an operating control tower, jet and turboprop owners consider our airport to be at risk of closure by the FAA or DHS. We thought it obvious that no one was even considering these actions, until we read Alternative 3 in the NPRM. The draconian nature of the ADIZ, and the actual actions of the Federal Government as evidenced in their published documents, brings this level of concern to the marketplace, and it is in this marketplace that we must compete with the likes of Warrenton, Frederick, MD, and Winchester, VA, none of whom are saddled with the ADIZ.

Further impact to our tenant businesses is evidenced by the experience of Av-Ed Flight School. During the first 24 months of the ADIZ imposition, 7 of their 35 flight instructors were the subjects of FAA Pilot Deviation Reports, impacting those pilot's ability to continue making a living in aviation. Av-Ed also reports a significant downturn in aircraft rentals, with customers citing their fear that a simple transponder mistake, or missing a communication from ATC, will result in a license action, a civil action, or worse, a potentially life-threatening intercept by armed military aircraft.



It is this final point that brings the ADIZ's true impact to light. Much of our business base, and an important part of our market mix, is the operation of GA aircraft that are, frankly, discretionary activities. While our six based corporate operators, and hundreds of charter operators, operate in the ADIZ with professional pilots as a matter of necessity,

the private pilot has to weigh the desire to fly against the possibility that pushing the wrong button on the transponder, or turning the wrong direction, or saying one wrong word on the radio, could result in flying formation with a black helicopter occupied by people pointing guns at him. This is not conducive to providing an attractive alternative for people to spend their money, and therefore our tenants suffer, and their employees lose their jobs.

The current ADIZ brings a documented, detrimental impact on Leesburg Executive Airport. Our transient traffic is down significantly, to the point that our FBO has reduced their line staff over 60% in the last two years.

Despite our location as the most conveniently located GA airport in relation to the nation's newest national aviation museum, we have only recorded one instance of a GA transient aircraft arriving to visit the Smithsonian's Udvar-Hazy facility since it opened. It is absolutely incredible that a museum of that magnitude doesn't bring private pilots from 20 surrounding states to visit, yet our interviews of transient pilots here and at outlying airports indicate that trying to enter the ADIZ brings unnecessary risk to their credentials, in their opinion, and therefore they will not come to Leesburg.*

Our fuel sales trends indicate that piston-powered aircraft operations, which increased every year up until 2002, decreased in 2003 and have decreased every year since then. Our interviews of local pilots indicate that they are flying less because of the requirements of the ADIZ. And finally, our tie-down and hangar waiting lists are now only a fraction of their previous length. Some of this is due to a newly-instituted deposit requirement, but many pilots, when called for an opening, indicate that they have relocated to Warrenton, Winchester, or Frederick, MD.

All of these trends coincide with the implementation of the Air Defense Zone in 2003. The ADIZ is creating a situation at our airport where our business activity is decreasing, while every

other indicator of business activity within Loudoun County, VA, one of the wealthiest counties in the nation, show us that our business should be increasing.

A poignant anecdote came to light at our last Airport Commission meeting. One of our neighbors, living less than a mile from our airport, told us that after delayed lessons, false starts, and paying hundreds of dollars in rental fees to sit in line and wait for clearance in and out of the ADIZ, he has elected to go to Winchester to learn to fly. The ADIZ is so onerous, and so cumbersome, that our tenant businesses have now been saddled with a competitive disadvantage that makes customers choose an airport 45 minutes driving time farther away.

Last, we address justification. Although it is certainly not our place as a local airport commission to comment on national security policy, it is our place to point out flaws in the logic that restrict the rights of our citizens, our based tenants and tenant businesses. In a recent address to the nation, the President of the United States provided 10 examples of thwarted terrorist attacks, and none of them involved GA aircraft. As has been ably pointed out by every alphabet organization from AOPA to EAA, GA aircraft do not represent a threat serious to the nation, and despite the best efforts of so-called 'experts' in the national media to present GA aircraft as a threat, those that have actually studied the problem are sure that the next attack will come from a different source. Under this lack of justification, therefore, our Commission is unconvinced by the document presented in the NPRM, that a permanent ADIZ is required, necessary, justified, or even prudent.


We ask that you withdraw this NPRM and leave the temporary flight restriction in place until such time as the National Security community has determined that the threat level is reduced. This ADIZ was implemented at a time when the Department of Homeland Security determined that the terrorist threat level was much higher; we remain unconvinced that the ADIZ needs to remain in place while the terrorist threat level is reduced.

The Leesburg Executive Airport Commission makes the following recommendations:

- 1) Withdraw the NPRM.
- 2) If unable, select Alternative 4, 'Retain the FRZ, Eliminate the ADIZ'.
- 3) If unable to do that, retain the current temporary ADIZ and provide relief to our airport in the form of:
 - a. VFR corridors for both ingress and egress
 - b. Fixed transponder codes
 - c. Additional controller stations
 - d. Increased communication capability
 - e. Easier transition of the surrounding airspace.

We thank you for the opportunity to be a part of this decision process.

Sincerely,


Stephen H. Axeman

Chairman

Leesburg Executive Airport Commission