

Appendix C – Public Comments and FAA Responses on FAA’s Notice of Request to Release Airport Property

C-1 – FAA Responses to public comments received

C-2 – Letter received from St. Andrew Bay Resource Management Association (RMA), September 24, 2010

C-3 – Letter, newspaper articles, and petition to keep former Panama City Airport (PFN) in operation as an airport; sent by Mr. Linwood W. Nichols, October 12, 2010.

C-1 – FAA Responses to public comments received

Public Comments on FAA's Notice of Request To Release Airport Property at the Panama City-Bay International Airport (PFN), Panama City, FL and FAA Responses

The FAA received one comment letter in response to the Federal Register Notice published August 26, 2010, on the FAA's proposal to rule on the release of approximately 708 acres of land at the Panama City-Bay International Airport (PFN), Panama City, FL under the provisions of 49 U.S.C. 47107(h)(2). The comment letter from the St. Andrew Bay Resource Management Association (RMA) was dated September 24, 2010 and received by the FAA on the same date. A summary of the comments in this letter and responses to those comments is provided below. Summarized comments are in **bold text**. A copy of the letter without attachments is provided in Appendix C. Copies of the attachments will be provided by the FAA upon request.

The FAA also received a copy of a letter, newspaper articles, and a petition from a private individual in Panama City, Florida. The letter, articles, and petitions were sent to the developer of the existing airport site in October 2010. See below for FAA's consideration of this information.

RMA strongly objects to the FAA's proposed release of land at PFN until FAA has fulfilled its NEPA obligations; FAA must be transparent; and FAA is required to do an environmental review of the property prior to its release.

The FAA has met its NEPA obligations associated with the proposed release of this airport's grant assurances. The FAA has determined that a Written Re-evaluation (WR) is appropriate to assess potential environmental impacts of the proposed redevelopment of the former airport site because the intended use of the former airport property is generally consistent with uses described and covered in the FEIS. *See* Section 1 of the WR for additional discussion.

FAA is responsible for implementation and monitoring actions required by the FEIS. The FEIS shows that the FDEP and PFN signed a agreement that is to provide "Net Ecosystem Benefit" for development permits for the property the FAA proposes to release. RMA was a participant in the development of this agreement designed to protect St. Andrew Bay from impacts of the airport relocation.

The FAA's Record of Decision (ROD) identified responsibilities associated with development of the new airport and release and redevelopment of the existing airport site. *See* Sections 3.1 and 3.2 of the ROD for further discussion. The purpose of the Ecosystem Management Agreement (EMA) was to address FDEP environmental permits required for the development of the airport at the new site, not development permits for the existing airport property. The FEIS was clear in its statements that the future developer of the existing airport site would be required to get all federal, state, and local permits for development. *See* Chapter 2, Section 2.6.3 of the FEIS for further discussion.

In February 2010, the DEP issued a notice that they are reviewing a permit application for a marina to be located at the Runway 14 end by a private corporation, although the land belongs to the Airport. This runway was extended

by filling valuable seagrass bay bottom and had been recommended for restoration by DEP during earlier planning for airport relocation. Processing a marina permit by a company that does not own the property appears to be a way to avoid having to abide by the provisions of the DEP/Airport Agreement.

The existing sales agreement between the Airport Sponsor and the St. Andrew Bay Land Company, LLC allows the buyer to initiate planning and permitting processes. RMA comments regarding FDEP's previous with the Airport for projects in the 1990's should be directed to the FDEP. *See* response to previous comment regarding the provisions of the EMA.

The FEIS describes that the Airport Redevelopment will require the developer to prepare a DRI under section 380.06, F.S, which should include the marina and housing development, etc. The permit applicant has indicated that a DRI was not required, which directly conflicts with requirements listed in the FEIS.

See Sections 2.5 Compatible Land Use of the WR for a discussion of the process that the City of Panama City completed that meets the requirements of the State of Florida.

RMA is on record recommending denial of the marina permit because of potential damage to seagrasses, shellfish beds, and water quality, and that the location is inappropriate for a commercial marina for boats up to 60' in length.

Comment noted.

RMA shall consider all administrative and judicial remedies to ensure the referenced agreement is abided by and that development at the airport does not damage the bay.

Comment noted. *See* previous comment above regarding the EMA.

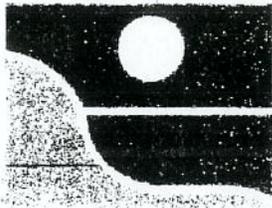
RMA provided five (5) attachments to the comment letter provided to the FAA. The comment letter received by the FAA from the RMA included four attachments: **(1)** RMA's comments dated March 31, 2010, to Melinda Witgenstein, Department of the Army, Jacksonville District Corps of Engineers. These comments were on Permit Application #SAJ-2009-03099 (IP-MMW), Public Notice Dated February 22, 2010; **(2)** RMA comments to Jeanne Arnette Williams, Florida Department of Environmental Protection, Northwest District, Submerged Lands & Environmental Resources Program, on Permit Application File No. 03-298649-001-DF (St. Andrew Bay Land Co, LLC) **(3)** RMA revised comments dated May 20, 2010, to Melinda Witgenstein, Department of the Army, Jacksonville District Corps of Engineers, and Elizabeth Orr, Florida Department of Environmental Protection, Northwest District, Submerged Lands & Environmental Resources Program on the revised Public Notice dated May 7, 2010; **(4)** [Draft dated October 2005] Request for Proposal to Purchase 700+/- Acres on St. Andrew's Bay in Panama City Florida, prepared by the Airport Sponsor; and **(5)** executed Ecosystem

Management Agreement, December 1, 2006. Copies of these attachments are available by request from the FAA.

Mr. Linwood Nichols sent a letter, newspaper articles and a petition to the site developer in October 2010.

The materials transmitted to the FAA are not substantive for the environmental analyses in this Written Re-evaluation, and the FAA is not able to provide a meaningful response.

C-2 – Letter received from St. Andrew Bay Resource Management Association (RMA),
September 24, 2010



St. Andrew Bay Resource Management Association
Post Office Box 15028
Panama City, Florida 32406
www.sabrma.org (850) 763-4303 Phone & Fax

FAX COVER SHEET

Date: September 24, 2010

To: Rebecca Henry, Program Manager FAX # (407) 812-6978

From: St. Andrew Bay RMA 3 Pages including cover

Subject: Comments on FAA Proposed Release of Panama City Airport

Please see the attached.

St Andrew Bay Resource Management Association
We are committed to the proper management of St. Andrew Bay and adjoining ecosystems.
We monitor, educate and advocate for a healthy Bay County environment.



St. Andrew Bay Resource Management Association (RMA)

Post Office Box 15028

Panama City, Florida 32406

www.sabrmn.org

Phone & Fax: (850) 763-4303

Rebecca R. Henry, Program Manager
Federal Aviation Administration
Orlando Airports District Office, 5950
Hazeltime National Drive, Suite 400
Orlando, FL 32822-5024.

Dear Ms. Henry,

The St. Andrew Bay Resource Management Association, (RMA) is a local environmental organization committed to the protection of St. Andrew Bay.

RMA strongly objects to the FAA's proposed release of land at the Panama City Bay International Airport (PFN) until the FAA has fulfilled its obligations under the National Environmental Policy Act (NEPA).

Our understanding is that FAA's policy is to be transparent in its actions and that FAA is required to do an environmental review of the property prior to its release. We have not seen evidence of this review.

According to NEPA, the FAA, as lead agency for the Final Environmental Impact Statement (FEIS), will be responsible for implementation and monitoring actions required by the FEIS. The FEIS for the Proposed Relocation of the Panama City Bay County International Airport, Volume II, Appendix U, shows that the Florida Department of Environmental Protection (DEP) and the Airport (PFN) signed an agreement that is to provide "Net Ecosystem Benefit" for development permits for the Airport property the FAA proposes to release. RMA was a participant in the development of this agreement which was designed to protect St. Andrew Bay from impacts of the airport relocation.

In February 2010, the DEP issued a notice that they are reviewing a permit application for a large commercial marina at the end of Runway 14 by a private corporation, although the land belongs to the Airport Authority. This runway was extended by filling valuable seagrass bay bottom and had been recommended for restoration by DEP during earlier planning for airport relocation. Processing a marina permit by a company that does not own the property appears to be a way to avoid having to abide by the provisions of the DEP/Airport agreement. Such a project would be difficult, if not impossible to build with a "Net Ecosystem Benefit".

Appendix V of the FEIS describes the old Airport Redevelopment which includes a requirement that the developer prepare a Development of Regional Impact (DRI) under section 380.06, Florida Statutes. This DRI should include the proposed marina as well as the housing development, etc. The permit applicant indicated that a DRI was not required, which is in direct conflict with requirements listed in the FEIS.

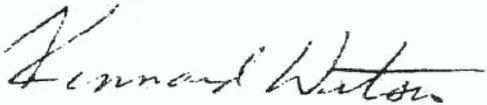
RMA is on record recommending denial of the marina permit because of potential damage to seagrasses, shellfish beds and water quality. We believe it is a totally inappropriate location for a commercial marina for boats up to 60' in length.

Please note RMA shall consider all administrative and judicial remedies to ensure that the referenced agreement is abided by and that development at the airport does not damage the bay.

Moreover, please find attached RMA's comments on the DEP and COE marina permit applications.

Should you have questions regarding our comments, please contact Jim Barkuloo, 850-814-0285.

Sincerely,



Kennard Watson
President
St. Andrew Bay RMA

Cc: Randall S. Curtis, A.A.E., Executive Director
Northwest Florida Beaches International Airport
6300 West Bay Parkway
Panama City, FL 32409

C-3 – Letter, newspaper articles, and petition to keep former Panama City Airport (PFN) in operation as an airport; sent by Mr. Linwood W. Nichols, October 12, 2010.

LINWOOD W. NICHOLS 850 763-0454
2408 W. 17TH STREET
PANAMA CITY, FLORIDA 32405-2608

LEUCADIA NATIONAL CORPORATION
529 E. SOUTH TEMPLE
SALT LAKE CITY
UTAH, 84102
OCT. 12, 2010

GENTLEMEN;

1,577 LOCAL CITIZENS HAVE PUT THEIR NAMES AND ADDRESS ON THIS PETITION, REQUESTING THAT OUR OLD AIRPORT (PFN) BE KEPT IN OPERATION, AS AN AIRPORT. THIS PACKAGE, THAT I AM SENDING YOU HEREIN, CONFIRMS AS SUCH.

THE OVER 11,000 VOTERS THAT VOTED NOT TO RELOCATE THIS AIRPORT, ARE NOW WATCHING THE RUNWAYS BEING DESTROYED.

THIS IS A SAD SITUATION, AND AFFECTS ALL OF OUR LIVES IN MANY DIFFERENT WAYS. THIS IS NOT A GOOD SITUATION FOR US.

THE MOST IMPORTANT MAIN STREET IN ANY CITY, IS THE RUNWAY AT THE AIRPORT. WE ARE LOSING PART OF OUR CITY.

YOUR REPRESENTATIVE, MR. BILL CUNNINGHAM, HERE IN PANAMA CITY, IS AWARE OF MY EFFORTS.

I THOUGHT IT ONLY FAIR FOR YOU TO KNOW HOW WE ALL FEEL ABOUT OUR LOSS.

PLEASE READ A FEW OF THE NAMES ON THE PETITION, THEY WOULD APPRECIATE IT.

THANK YOU FOR YOUR ATTENTION.

RESPECTFULLY,

Linwood W. Nichols
LINWOOD W. NICHOLS

6A Wednesday, August 8, 2007

The News Herald Panama City, Florida

Runway necessity

The July 26 editorial "Speculation about the length of the proposed airport runway was causing critical fears."

It correctly cited the length of the current runway of 6,300 feet, and that at least an 8,400-foot runway is on the drawing board for the new airport. However, the FAA has determined that a runway of 6,800 feet is adequate and will only fund for that length (FAA Record of Decision).

The FAA found perfectly good alternatives that will extend the current runway and meet the FAA standard without displacing hundreds of houses as "speculated," and without spending \$331 million or destroying the bay.

Diane Brown, Laguna Beach

Panama City, Florida
September 7, 2007 The News Herald

Airport accountability

Now is the time to make sure you have the names of those responsible for closing our current and adequate airport, setting aside creating the unnecessary new airport way out in the boonies.

Most of the money they are planning to take advantage of will be from both local and national taxes. Listing those responsible for the new airport is very important so that when you are stranded up at the new airport and cannot get a taxi or rent a car to get home without a long wait you will be able to use your time to good advantage by preparing claims so charges may be filed against those perpetrators who caused these transportation problems.

Please remember the cost increases of both the incinerator and the sewage pipeline and do not be surprised if the total cost of the unnecessary new airport exceeds a billion dollars. These perpetrators must be made to realize they will be held accountable for their waste of the taxpayers' time and money.

David Conkling, Lynn Haven



Panama City Bay County Airport OLD (PFN)

Readers sound off

Squat Line appears daily. Call them 620-5133, or go to www.squatline.com and click on the "Squat Line" icon.

I requested the university president until he started pushing for the proposed new airport. The present runway could be extended and save a world of misery.

Shed Incubers filled woodpecker did not tell the people of Bay County could not do, delay the new airport construction. Thanks,

W. J. ...
Hope it's delayed until a new airport is needed.

To those who say that the beach, decorative light towers, solar flashlights,

Should my kids don't count in that non-binding referendum, I for one will be lying down in the mud when those tractors come in to destroy West Bay.

WEEKLY QUESTION
When you vote early in the Nov. 7 general election?
Last question's results: Do you think a new Bay County airport will result in lower airfares?
www.squatline.com

Wednesday, October 11, 2006 The News Herald
SQUAT LINE

I totally agree with the letter writer that the new airport will do much more environmental damage than extending a runway at the old airport.

PAGE A6 MONDAY APRIL 5, 2010 The Panama City News Herald

Support still exists for keeping current airport

I wonder what corrective action our local government, the five county and the other five city commissioners, will take now that there is a petition with hundreds of signatures requesting that our old airport (PFN) be kept in operation as an airport.

Those who purchased homes and property in the vicinity of this convenient airport will suffer a loss in property value.

This will affect both private and commercial properties.

The new airport also could benefit with this as a satellite facility for its promised expansion. Remember, "to waste not, is to want not" and "haste is the enemy of perfection."

Most traffic operations consistent with our air traffic control tower, mention that about 74 percent of their traffic is general aviation, most of which find this airport their home.

An article in "Business & Commercial Aviation" magazine said, "general aviation is the backbone of America." Well, I may ask any airline transport pilot where he first learned to fly. Some of my former students are airline transport pilots, and some are FAA inspectors. We must not brush aside the

valuable benefits that we all derive from our Panama City-Bay County International Airport, which should be renamed Panama City Municipal Airport or the original, Panama Field (PFN).

LINWOOD W. NICHOLS
Panama City

Wednesday, March 17, 2010
The News Herald Panama City, Florida

Maintain old airport

It is obvious that the local citizens fully want to keep our old airport (PFN) in operation. Our land and property values are at stake.

I am hereby starting a petition for local citizens to sign which states the fact that they want to keep our old airport in operation, not as another marina or more townhouses. It should be "Panama City Municipal Airport." It would be a good judgment on our behalf to replace the funds now in escrow and take possession of our old airport so that it will be in place as an overload airfield as well as a home for its present large fleet of aircraft, private and corporate.

I am circulating numerous copies of this petition and currently have 142 names in less than a week. Out at the airport, Precision Aviation has some petitions ready for more names. The effort, hard work, obstacles and cost of the new airport seems to be one problem after another, and the old airport has its arms wide open and ready to save pilot and plane.

LINWOOD W. NICHOLS
Panama City

Runway necessity

The July 26 editorial "Speculation..."

It appears by cited the length of the current runway of 6,300 feet, and that at least an 8,400-foot runway is on the drawing board for the new airport.

The FAA found perfectly good alternatives that will extend the current runway and meet the FAA standard without displacing hundreds of homes as "speculated" and without spending \$31 million or destroying the bay.



Panama City Bay County Airport Old (PPN)

Readers bound off

Squall Line appears daily. Call (850) 522-5133, or go to www.news-herald.com and click on the "Squall Line" icon.

I responded to the university president until he started pushing for the proposed new airport. The present runway could be extended and save a world of money.

Send the two-billed woodpecker did something and the people of Bay County could not do. delay the new airport construction. Thanks.

Airport... Hope it's delayed in the future.

Things we don't want to see: a new airport, dog on the beach, decorative lightings.

Since we don't count in that non-binding referendum, I for one will be going down in the mud when these tractors come in to destroy West Bay.

WEEKLY QUESTION

Will you vote only in the Nov. 7 general election?

List question's results: Do you think a new Bay County airport will result in lower airfare?



Wednesday, October 11, 2006 The News Herald



I totally agree with the letter writer that the new airport will do much more environmental damage than extending a runway at the old airport.

PETITION

114

THE FOLLOWING CITIZENS OF BAY COUNTY, FLORIDA, REQUEST THAT "OUR" OLD AIRPORT, (PPN) BE KEPT IN OPERATION, AS AN AIRPORT.

- 1,565 G Snaree Poarch 2614 Willow Brook Dr Panama 32404
1,566 G Randy Baker 2614 Willow Brook Dr Panama City 32404
1,567 DONALD R. LANIER 3527 E. 37th Place #11 Panama City 32404
1,568 BRANDON LAFRANCE 3110 MEADOWS ST LYNN HAVEN
1,569 Charlotte Higgins 4469 Azalea Lane VERNON FL 32462
1,570 Dakota Thomas 7531 Michigan Ave Panama 32405
1,571 Cynthia Summers 8916 N. Lagoon PCB 32407
1,572 Peggy Steele 501 Lighthouse Rd PCB 32407
1,573 William E. Hardy 4623 Veterans Hwy PCB 32408
1,574 William Moody 155 Grace Ave PC 32405
1,575 Cora ELSTON 5301 Robert Holmes Rd PC 32404
1,576 Carla Carla Foreman 4112 Easy St PC 32409
1,577 Angela Portillo 106 Manatee Dr. PC, FL 32413

Mr Linwood W. Nichols, U.S.A.P., Rt. 2408 W 17th St Panama City FL 32405-2608 850 763-0454

PETITION

113

THE FOLLOWING CITIZENS OF BAY COUNTY, FLORIDA, REQUEST THAT "OUR" OLD AIRPORT, (PPN) BE KEPT IN OPERATION, AS AN AIRPORT.

- 1,571 G MICHAEL DESTIFINO 4005 W. 24th St P.C. 32405
1,572 G Andrea Schneider 9110 Tracy Way PC FL 32404
1,573 Ryan Rich 4777 W 20th Ave PCB 32405
1,573 Omar Robinson 8601 Fern St West PCB 32404
1,574 CHAD FOWLER 609 ALLEN AVE W PCB 32410
1,575 SHEERTE BIDDLES 5808 E HWY 98 PC 32404
1,578 JEFF MENEL 7601 Yellow Bluff PC 32404
1,579 SIDONG DAVIS 1046 W 11th PC 32401
1,580 marica Hulsman 1712 MAPLEAVE. PC 32405
1,581 JOEL ARMSTRONG 2120 W. 33rd St P.C. 32405
1,582 Robert SPRADLIN 801 W 37th St PANAMA CITY 32401
1,583 Kristopher Smith 1706 A Avenue Panama City 32407
1,584 RICHARD BERTRAND 113 TREASURE PALM PANAMA CITY FL 32408

Mr Linwood W. Nichols, U.S.A.P., Rt. 2408 W 17th St Panama City FL 32405-2608

850 763-0454

PETITION

112

THE FOLLOWING CITIZENS OF BAY COUNTY, FLORIDA, REQUEST THAT "OUR" OLD AIRPORT, (PPN) BE KEPT IN OPERATION, AS AN AIRPORT.

- 1,537 G CAROLYN JOUENDO 1415 22nd Ave PC FL
1,538 G Lauren Jouendo 1415 Sam Ave PC FL 32405
1,539 Ted Odle 1404 Maryland LYNN HAVEN 32444
1,540 Larry Holland 2540 W 9th St PC FL 32401
1,541 Lucy Holland 2540 W 9th St PC FL 32401
1,542 KEN JAMES 8725 S Michigan P.G. FL 32409
1,543 Russell D. Lovel 3006 Longwood Cir PC FL 32405
1,544 Floyd Miller 6310 N Lagoon Dr PCB 32408
1,545 Ben Christman 101 Harbor Pt. LYNN HAVEN FL 32444
1,546 Brent Marlow 1900 Palmetto Ave Panama City FL 32405
1,547 JOHN KETTER, 2800 ANGLEA RD., PANAMA CITY FL 32405
1,548 GARY VICKERS DR. 826 Highline Dr Panama City 32404
1,549 Debra Chapman 4222 W 19th St, Panama 32405

Mr Linwood W. Nichols, U.S.A.P., Rt. 2408 W 17th St Panama City FL 32405-2608 850 763-0454