



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

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January 13, 2009

Mr. Stephen Borowski  
Director of Aviation  
Brevard County  
2865 Greenbrooke Street  
Valkaria, FL 32950

Dear Mr. Borowski:

**RE: DRAFT Ordinances regarding airport operations from the Town  
Council of the Town of Grant-Valkaria**

Per your request, we have reviewed the DRAFT ordinances issued by the Town Council of the Town of Grant-Valkaria, January 2009. We understand these ordinances propose operating restrictions at the Valkaria Airport, a federally-obligated airport owned and operated by Brevard County.

Only the owner/operator of the airport has the right to enforce standards of operation at the airport. Any restrictions on airport operations must be approved by the Federal Aviation Administration (FAA.) The FAA utilizes operating restrictions in situations where certain operations were investigated and were deemed to impact the safety and/or utility of the airport. The FAA has not conducted a safety study at Valkaria Airport supporting the proposed operating restrictions of the Town of Grant-Valkaria.

Further, although the Town of Grant-Valkaria is within their right to pass local ordinances, they are not within their right to enforce the ordinances at the Airport. They are not within their right to deny access to any aeronautical user; close the airport; designate preferential runway use; prohibit touch and goes; and prohibit aircraft run ups, among other things discussed in the ordinances. The Town of Grant-Valkaria has no authority to regulate air traffic.

The FAA expects Brevard County will strongly object to the draft ordinances. The FAA expects Brevard County will not allow the Town of Grant-Valkaria to enforce any ordinances such as these at Valkaria Airport, as this action would be inconsistent with your federal obligations.

If you have any questions regarding this matter, you can contact me at 407-812-6331, ext. 133.

Sincerely,

***“Original Signed By”***

Pedro J. Blanco  
Program Manager

cc:  
Morris Richardson, Assistant Brevard County Attorney  
Jim Wikstrom, FDOT/5