

REQUEST FOR PROPOSAL

RFP No. 2024-001

**Lease, Operation and Development
of Land for Airline Passenger/Cargo Services
at the Jacqueline Cochran Regional Airport
Thermal, California**



PREPARED BY:

COUNTY OF RIVERSIDE

AVIATION DIVISION

4080 LEMON STREET, 14TH FLOOR,

RIVERSIDE, CALIFORNIA 92501

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Attachments:

- Exhibit A – Development Opportunity Area – Airport Vicinity Map
- Exhibit B – Airport Rescue and Fire Fighting Study
- Exhibit C – Resolution No. 2008-362 Fuel Flowage
- Exhibit D - Riverside County Minimum Standards for Fixed Base Operators
- Exhibit E – Forms
 - E1 – General Authorization and Financial References List
 - E2 – Non-Collusion Affidavit
 - E3 – Respondent Certification

1. OVERVIEW

A. Introduction

The Riverside County Aviation Division is issuing a Request for Proposals (“RFP”) for a qualified and experienced operator/developer (“Respondents”) to lease, develop, establish and operate airline passenger and/or cargo services on the east side of the Jacqueline Cochran Regional Airport, as depicted on Exhibit A.

Jacqueline Cochran Regional Airport (“Airport”) is a public-use airport that is owned and operated by the County of Riverside (“County”) through the Aviation Division (“Aviation”) and is located at 56850 Higgins Drive, Thermal, CA 92274. The Airport encompasses 1,750 acres of land and has two asphalt runways: Runway 17/35 is 8,500 feet long by 150 feet wide, and crosswind Runway 12/30 is 4,995 feet long and 100 feet wide. The Airport is classified as Class E airspace and operates on CTAF/UNICOM communications.



The Airport provides aeronautical services through two full-service and one limited-service Fixed Base Operator’s (FBOs). The FBOs provide maintenance, fueling, charter services, hangar rentals, ramp parking, and flight training. In addition to serving the general aviation needs of the public, the Airport houses public safety aviation bases for the California Highway Patrol and the Riverside County Sheriff’s Department.

The components and amenities of the Airport are summarized below:

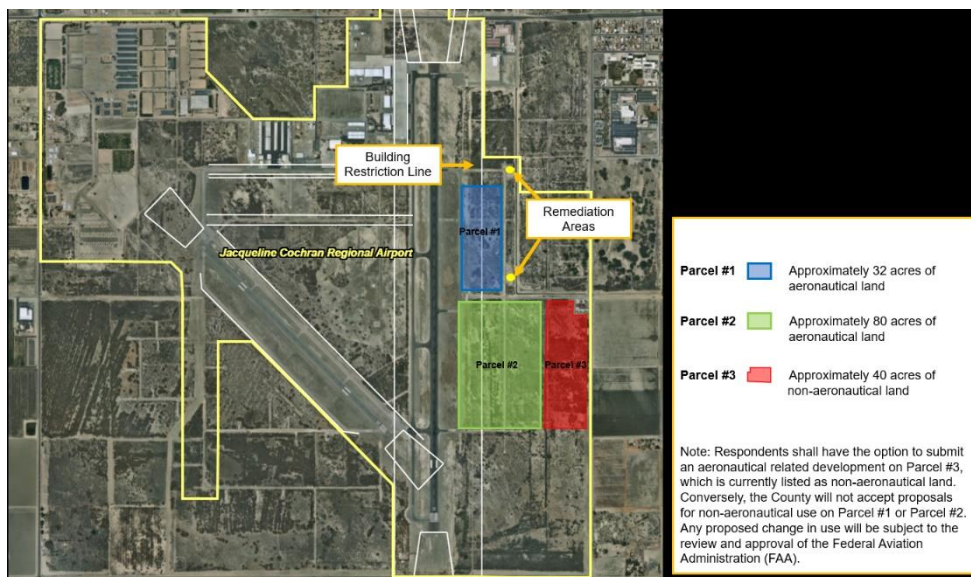
- Approximately 136 Hangars
- 2 Full Service FBOs
- 1 Limited Service FBO
- Flight Schools
- Air Charter
- Avionics Maintenance Shop
- Sherriff Offices and Helicopter Base
- CHP Aviation Base
- Air Ambulance Service

B. Available Opportunity

The selected Respondent will negotiate a ground lease (“Agreement”) with the County that will serve as the basis for the development, maintenance, management, and operation of an airline passenger and/or cargo services facility on the east quadrant of the Airport as depicted on Exhibit A. The east quadrant has approximately 152-acres of developable land that will be available to lease. Respondents have the option to submit a proposal for the entire east quadrant, or a reduced portion of the property.

In April of 2022, the Airport was accepted into the FAA Contract Tower (FCT) Program and is currently working on a siting study identify potential sites for the air traffic control tower. The minimum land requirement for an FCT is 3-acres, and four of the preferred sites fall within the east quadrant of the Airport. At anytime during the lease negotiations or planning process, the selected Respondent may be asked to reduce their leasehold space or modify their plans to accommodate the FCT. Exact property limits will be surveyed as part of the lease process.

Below and in Exhibit A, there is a depiction of the approximately 152-acres of developable land on the east quadrant of the Airport.



The Aviation Division recently conducted a study to determine the facility requirements and equipment necessary to establish Airport Rescue and Fire Fighting (ARFF) services at the Airport that are consistent with FAR Part 139 operations. The study projected an investment range between \$1.63 to \$2.74 million in addition to personnel and ARFF training costs. A copy of the report is attached to this RFP as Exhibit B.

The selected Respondent will work to establish, develop/construct, lease, market, operate and manage airline passenger and/or cargo services at the Airport. The selected Respondent will also be responsible for obtaining any and all approvals and permits necessary to establish such services. All costs associated with the associated construction and upgrades to the Airport which include utilities, taxiway rehab work, access roads, security, security infrastructure, Part 139 certification, and the procurement of ARFF equipment will be the sole responsibility of the selected Respondent.

Each proposer understands that any contract that is entered into with the County may vary from the original proposal. The RFP process provides for minimum guidelines and allows the County and proposer to negotiate further terms and conditions that may reflect changes from the initial proposal.

C. Proposed Aeronautical Services

The Respondent may propose a variety of aeronautical services including, but not limited to:

- Commercial Airline Services
- Cargo Airline Services
- Aircraft fueling services and infrastructure to support proposed service(s).
- Pilot and passenger amenities and facilities
- Support Facilities such as Parking
- Non-aviation concessions

D. Proposed Term

The County proposes a lease term of up to 30 years and will consider optional extensions for a total of no more than 50 years. The lease term will be determined based on proposed use, investment into the facility, and any other pertinent information. **Property improvements revert to County ownership at the termination of the lease term.**

E. Ground Rent and Scheduled Increases

The initial ground rent for the identified site is \$1,089 per acre per month plus a profit share model from the gross proceeds of any concessions or air service agreements. In terms of ground rent, proposals may offer a lower rate during development for a period not to exceed 18 months, however, please note that total compensation to the County is an evaluation criteria.

Ground Rent Scheduled Increases:

County ground lease rates include mark to market adjustments every five years, and annual CPI rental rate adjustments on years that do not include mark to market adjustments.

Beginning July 1, 2026, and every year thereafter, except for the year that rents are adjusted to fair market value, Lease rates will be adjusted by the percentage change in the Consumer Price Index, All Urban Consumers, applicable to Thermal, CA.

Beginning July 1, 2030, and every fifth (5th) year thereafter, the Base Rent shall be adjusted to the then-current fair market value of the Leased Premises based on appraisal. Said fair market value rental rate shall be for the land and County owned buildings leased. In no event will application of this paragraph result in a monthly rental amount lower than the highest previous monthly rental amount.

F. Fuel Flowage Fees

Fuel flowage fees are applicable per Resolution 2008-362 for operators who establish a fueling operation. The current fee per gallon of fuel sold is \$0.12 as per attached Exhibit C.

G. Minimum Standards

The selected Respondent must meet the criteria of the current Minimum Standards and any modifications that may be made in the future (see Exhibit D).

H. RFP Timeline Summary

Contact Person:	Jose Ruiz E-mail: JRuiz@rivco.org Office: (951) 955-5746
How to Obtain RFP Document:	Via email from the person above or online at Riverside County http://www.rctlma.org/Departments/Administrative-Services/RFPs-RFQs
Questions:	Must be submitted in writing no later than March 27, 2024 . Responses to questions will be provided in writing and will become an addenda to the RFP. Contact Jose Ruiz, Supervising Development Specialist at 951-955-5746 or via email at JRuiz@rivco.org .
Deadline for submitting Proposals:	April 11 2024 @ 5:00 pm
Property Tour and Inspection	Arranged by appointment with Jose Ruiz.
Submittal Address:	Riverside County Aviation 4080 Lemon St, 14 th Floor Riverside, CA 92501 Attention: Jose Ruiz

Note: The County reserves the right to modify this timeline at any time. Notices of such modifications will be located at:

<http://www.rctlma.org/Departments/Administrative-Services/RFPs-RFQs>

2. PROJECT REQUIREMENTS AND GENERAL LEASE TERMS

- Upon approval and execution of an Agreement with the County, the successful Respondent will be responsible for all planning, development, and costs associated with due diligence, development, construction, improvements, management and operation of the proposed property, including but not limited to, planning, designing, entitlement, environmental compliance, permit fees, utility charges and all other project costs associated with the operation of the parcel improvements as described within a formal Agreement and as summarized below. All plans and improvements must first be approved in writing by the County Aviation Division.
- The successful Respondent understands that the County, as part of the process, may need to secure an Airport Certification Manual with the Federal Aviation Administration (FAA) to obtain a Part 139 Airport Operating Certificate (FAR Part 139). Airport improvement costs necessary for Part 139 Certification are the responsibility of the Respondent.
- The successful Respondent shall plan to provide Aircraft Rescue and Fire Fighting equipment required by the FAA for the operation under FAR Part 139 as part of this development. In addition, the Respondent shall also be responsible for ongoing ARFF staffing and training costs.
- The successful Respondent understands that the County, as part of the process, may need to secure an Airport Security Plan with the Transportation Security Administration (TSA). The successful Respondent will be responsible for incorporating security infrastructure, and contracting security and public safety staff related to the newly developed site to meet compliance with TSA regulations.
- The successful Respondent understands that if Customs and Border Protection (CBP) service is approved by US Customs and Border Protection, the successful Respondent shall be responsible for incorporating customs infrastructure related to the newly developed site to meet compliance with CBP regulations/operations.
- The successful Respondent shall install, operate, and maintain all necessary infrastructure related to commercial airlines or cargo operations and implement third party agreements for essential airline support services included but not limited to ground handling, cargo handling, regulated garbage handling, concessions, and e-platform as per the proposal and approved Agreements.
- All necessary permits and proofs of insurance coverage shall be obtained prior to the start of any approved improvements or modifications of the property. All necessary building and other permits shall be obtained from the Riverside County's Building and Safety Department.
- The successful Respondent shall comply with all FAA Grant Assurances and other FAA requirements and all federal, state and local requirements including those for the State of California Department of Transportation, Transportation Security Administration, Customs and Border Protection and the County of Riverside.

- The successful Respondent shall be responsible for compliance with all environmental laws including the California Environmental Quality Act (CEQA) and the National Environmental Protection Agency (NEPA) and any associated requirements related to project design and development.
- The successful Respondent shall be responsible for payment of any applicable development mitigation fees and off-site facilities fees, including but not limited to, Eastern Transportation Uniform Mitigation Fee (TUMF), Development Impact Fee (DIF), and any other development mitigation fees required by the County of Riverside and local, federal, and state jurisdictions.
- The successful Respondent shall be responsible for securing and installing all utilities required for facility improvements.
- The successful Respondent is encouraged to incorporate design LEED features to conserve energy and water resources.
- The successful Respondent at their sole cost and expense will be responsible for maintaining their leasehold in a clean, sanitary, and functional manner. Said maintenance shall include preventative maintenance, capital improvements, custodial service, and grounds/landscaping services.
- During any proposed facility improvement/construction, the successful operator shall incorporate principles of waste minimization and pollution prevention: reduce, reuse, and recycle as a standard operating practice, including programs for construction and demolition waste management and office paper and packaging recycling programs, as well as implement a water management program.

3. SUBMITTAL INSTRUCTIONS

Proposals shall be submitted in writing to the following address:

Riverside County Aviation
4080 Lemon Street, 14th Floor
Riverside, CA 92501
Attention: Jose Ruiz

The County will receive Proposals until **5:00pm on Thursday April 11, 2024**. Prospective operators must submit five (5) hardcopies of the written proposal, and a flash drive with a digital copy of the entire proposal. The Proposal shall be submitted in a sealed package and clearly marked with the words “Proposal Responding to RFP 2023-003 Airline Passenger and Cargo Services”.

Postmarks will not be accepted. The deadline is absolute, and Proposals received after the due date and time will not be accepted or considered.

4. PROPOSAL ORGANIZATION AND FORMAT

Proposals should be typed and not include any unnecessarily elaborate material. Lengthy narrative is discouraged. To expedite and to maintain consistency in the evaluation process, each Proposal should be organized as presented below. Proposals that do not follow the specific format outlined below, or that fail to provide the required documentation, may receive lower scores or be disqualified if found to be non-responsive. In the event of conflict between any of the Proposal documents, resolution shall be at the County's sole discretion.

A. Cover Letter

Include a transmittal letter identifying the proposal package being submitted. Include other general information deemed significant enough to be highlighted. The letter shall provide the name, address, telephone number, and e-mail address of the individual authorized to contractually bind the company/entity.

B. Business Entity Description

Provide a statement of the operator's corporate status, type of legal entity and a profile of the experience of all principal officers. Include percentage ownership interest if applicable. If the Respondent is a corporation, provide a certification from the Secretary of State indicating the complete legal name of the corporation and the date of incorporation. If the Entity is a Partnership, describe the makeup of the Partnership, etc.

C. Contact Information

Name, title, address, and telephone number of the operator's designated contact person for communication pertaining to this proposal.

D. Respondent Qualifications

Describe the Respondent's overall experience in planning, developing and operating similar aviation projects/facilities. Include experience both in business and aviation fields and any specialized certificates or licenses held.

E. Business Plan to Include:

- Services and uses proposed
- Improvements proposed with phasing plan and cost estimate by phase
- Project schedule, including any due diligence or entitlement period
- Funding source for each phase of the development
- Project schedule for the procurement of the FAR 139 components (AARF, TSA, etc.) and Certificate
- Project Schedule for the Establishment of Airline Passenger Service (if applicable)
- Project Schedule for the Establishment of Air Cargo Service (if applicable)
- Lease Term and Options Proposed

- Type and projected compensation to Riverside County
- A list of key personnel assignments and responsibilities
- Estimated time for commencement of business operations
- Marketing Plan (if any).
- Subleasing Plan (if any).
- A copy of current permits and/or licenses, if applicable
- Respondent References

F. Exceptions/Deviations

State any desired exceptions to or deviations from the requirements of this RFP, including the Contract Terms. Alternative approaches to meet the County's requirements should be thoroughly explained. The Proposer's failure to specify in their proposal any exceptions or deviations of the RFP or the Contract Terms is deemed to be the Proposer's acceptance thereof.

G. Insurance Requirements

A letter of commitment or certificate of insurance from an acceptable (A.M. Best rating of A.) insurance company setting forth that insurance coverage, at a minimum in the following types and amounts, will be available at the time of commencement of the Agreement term.

The County reserves the right to request additional insurance coverages and amounts through the final lease and development Agreements negotiated between the County and the operator selected. Types of insurance coverage required for a Respondent are as follows:

Airport General Liability	\$25,000,000
Workers Compensation	Statutory limits
Vehicle Liability	\$1,000,000
Aircraft Hull and Liability Insurance	\$1,000,000
Fuel Providers- Pollution Liability Insurance	\$2,000,000
All Risk Property Insurance	\$1,000,000
Hangar Keepers	\$1,000,000
Insurance is required for all Sublessees, Contractors and Fuel Suppliers	As applicable

H. Financial Data

Include copies of current financial statements for the company/entity Respondent outlined in the proposal for the most recent three years. Financial statements should include a balance sheet and an income statement including profit and loss statement with net worth and pro-forma business projections for the future. It is understood that the financing of the services and equipment will be the sole responsibility of the Operator. The Respondent is expected to demonstrate that it can provide the required financing from either (1) internally generated funds, or (2) commitments from external sources. In the event funds are to be borrowed to finance a portion of the total investment, the Proposal should include Letters of Intent from a bank or other lending institution. Please provide amount of initial capital investment, if any. Use form included in Exhibit E for credit references for the Respondent and participants.

Indicate if the Respondent has been involved in any litigation or other disputes that have the potential to result in a financial settlement or judgment having a material adverse effect on the Respondent’s ability to complete the Project. Indicate whether or not the Respondent has ever filed for bankruptcy or had operations foreclosed upon.

This financial information will remain confidential to Riverside County staff only for the purposes of determining the financial viability of the Respondent.

I. Required Forms

The following forms must be completed in full and submitted with the proposal:

1. **General Authorization and Financial References List**, which authorizes County to access financial information pertinent to the Respondent’s proposal.
2. **Respondent Certification**, which certifies that the Respondent has certain specific capabilities, and that the proposal accurately represents those capabilities.
3. **Non-Collusion Affidavit**

The forms are attached hereto as Exhibit E1 through E3.

5. EVALUATION AND CONTRACT AWARD

A. Evaluation Criteria

Proposals will be evaluated by the Evaluation Panel against the factors specified below and based on a “Best Value” basis.

EVALUATION CRITERIA:

		Maximum Points	Factor Description
1	Qualifications (Business Experience)	10	Aviation operator experience will be reviewed and evaluated. Experience will be evaluated as it reflects the Respondent’s demonstrated ability to successfully carry out and maintain an operation of similar type, size, and complexity as proposed.
2	Services Proposed and Business Plan	20	The overall quality and depth of proposed services to the Jacqueline Cochran Regional Airport will be evaluated.
3	Facility Improvement and Investment in Airport	25	Business and Development plans will be evaluated to determine the project’s positive long-term impact on the Jacqueline Cochran Regional Airport.
4	Revenue to County	25	Revenue to the County will be evaluated.
5	Financial Ability and Credit Worthiness	20	Evidence of Respondent’s financial capacity to deliver the proposed project improvements and business plans will be evaluated as demonstrated by current availability to capital and by past financial performance. County will evaluate assets, credit history and business performance.
		100	

B. Evaluation

Upon selection of the most qualified Proposers, the County may require the finalists to make an oral presentation to the Evaluation Panel to further explain their proposals. If such interviews are conducted, the County's appraisals of the presentations will also be factored into the evaluation of the proposals. However, Proposers are advised that award may be made without interviews or further discussion. The following process will be used to evaluate the proposals:

1. Initial Evaluation

Each Proposal received will first be evaluated for responsiveness (meets minimum requirements).

2. Evaluation Panel

The County will use a minimum of a three-person panel to evaluate each of the responsive proposals. The evaluation panel shall evaluate the responsive proposals submitted and award points according to the Evaluation Points chart above.

PLEASE NOTE: No Respondent will be informed at any time during or after the RFP process as to the identity of any evaluation panel member. If a Respondent becomes aware of the identity of such person(s), he/she shall not make any attempt to contact or discuss with such person anything related to this RFP. The designated Contact person is the only person at the County the Respondent's shall contact pertaining to this RFP. Failure to abide by this requirement may cause such Respondent(s) to be eliminated from consideration for award.

3. Best and Final Negotiations

The County reserves the right to conduct a "Best and Final" Negotiation at their sole discretion.

C. Determination of Award:

Contract Award Procedure:

By completing, executing and submitting the Respondent Certification E3, attached hereto and incorporated by this reference, the "Respondent is thereby agreeing to abide by all terms and conditions pertaining to this RFP as issued by the County.

If a Respondent is selected, Respondents will receive by e-mail a Notice of Results of Evaluation within 30 days after a notice of award is issued. Such notice shall inform Respondents which Respondent has been selected to proceed with negotiations.

Any lease and development Agreements negotiated by the County is subject to approval by the Riverside County Board of Supervisors in their sole and absolute discretion.

If a lease Agreement is not fully negotiated and prepared for presentation to the Board of Supervisors within one hundred twenty (120) days from the date the proposer is notified that their proposal was selected, then the County has the right to terminate negotiations upon written

notification to proposer. The County will proceed with negotiations with the next proposer in line or may consider re-marketing the property.

The County proposes a lease term of up to 30 years and will consider optional extensions for a total of no more than 50 years. The lease term will be determined based on proposed use, investment into the facility, and any other pertinent information. Property improvements revert to County ownership at the termination of the lease term.

6. DISCLAIMERS AND RESERVATION OF RIGHTS

A. Right to Reject, Waive, or Terminate the RFP

The County reserves the right to reject any or all proposals, to waive any informality in the RFP process, and/or to terminate the RFP process at any time, in County's sole, subjective and absolute discretion, if deemed by the County to be in its best interests. In no event shall County have any liability for a cancellation. The Respondent assumes the sole risk and responsibility for all expenses connected with the preparation of its proposal.

B. Right to Not Award

The County reserves the right not to award a contract pursuant to this RFP.

C. Right to Determine Financial Responsibility and Viability

The County reserves the right to require of Respondent information regarding financial responsibility and viability or such other information as the County determines is necessary to ascertain whether a proposal is in fact the most responsive and responsible proposal submitted.

D. Right to Add Terms and Conditions

The County reserves the right to add terms and conditions to the RFP and Contract. These terms and conditions will be within the scope of the RFP and will not affect the proposal evaluation.

E. Right to Retain Written Proposals

The County reserves the right to retain all written proposals submitted to County by all Respondent's in response to this RFP. The County may permit the withdrawal of proposals when requested in writing by the Respondent and such request is approved in writing by the Airport Manager.

F. Right to Negotiate Rent and Fees

The County reserves the right to negotiate the rent, fees and/or any profit-sharing percentage proposed by the successful Respondent.

G. Right to Reject Any Proposal

The County reserves the right to reject and not consider any proposal that does not meet the requirements of this RFP, including but not limited to incomplete proposals and/or proposals offering alternate or non-requested services.

H. No Obligation to Compensate

The County shall have no obligation to compensate any Respondent for any costs incurred in responding to this RFP, including travel.

I. Right to Prohibit

The County shall reserve the right to at any time during the RFP or contract process to prohibit any further participation by a Respondent or reject any proposal submitted that does not conform to any of the requirements detailed herein.

J. Public Disclosure of Proposal Documents

To the extent required by law, documents submitted in connection with this RFP may be subject to disclosure pursuant to the California Public Records Act.

The information presented in this RFP is the best available to the County. No representation is made as to its completeness or accuracy. It is expected and acknowledged that the Respondent will perform any required investigations regarding their proposal, at their sole cost and risk.

Any Respondent that is selected will be expected to conduct its own due diligence regarding all matters prior to commencement of its development plan and operations. The County makes no representation or warranties with respect to property and development matters.

7. RFP PROTEST PROCEDURES

A potential Respondent may seek a review of the RFP requirements, specifications or evaluation criteria provided that the written request is received prior to the RFP due date specified in the RFP.

A Respondent who has submitted a proposal may seek a review of the selection process provided that the written request is received within 15 calendar days following issuance of the Award or Non-Award Letter to Respondents.

The Respondent requesting a review shall submit a request in writing to the Assistant County Executive Officer/TLMA Director. An appeal can only be brought on the following grounds:

1. Failure of the County to follow the selection procedures and adhere to requirements specified in the RFP or any addenda.
2. A violation of conflict of interest as provided by California Government Code section 87100 et seq.
3. A violation of State or Federal law.

Appeals will not be accepted for any other reasons than those stated above.

The County will only consider those specific and relevant issues addressed in the written appeal. The Assistant County Executive Officer/TLMA Director will consider the request and respond in writing with the decision and basis thereof. The Assistant County Executive Officer/TLMA Director determination of all factual issues shall be final.

All appeals shall be marked as follow and sent to the address listed below:

Appeal of RFP No. 2023-003
Riverside County Aviation Division
4080 Lemon Street, 14th Floor
Riverside, CA 92501

Attachments:

- Exhibit A – Development Opportunity Area – Airport Vicinity Map
 - Exhibit B – Airport Rescue and Fire Fighting Study
 - Exhibit C – Resolution No. 2008-362 Fuel Flowage
 - Exhibit D – Riverside County Minimum Standards for Fixed Base Operators
 - Exhibit E – Forms
-
- E1 – General Authorization and Financial References List
 - E2 – Non-Collusion Affidavit
 - E3 – Respondent Certification

Exhibit A – Airport Vicinity Map – East Quadrant Area

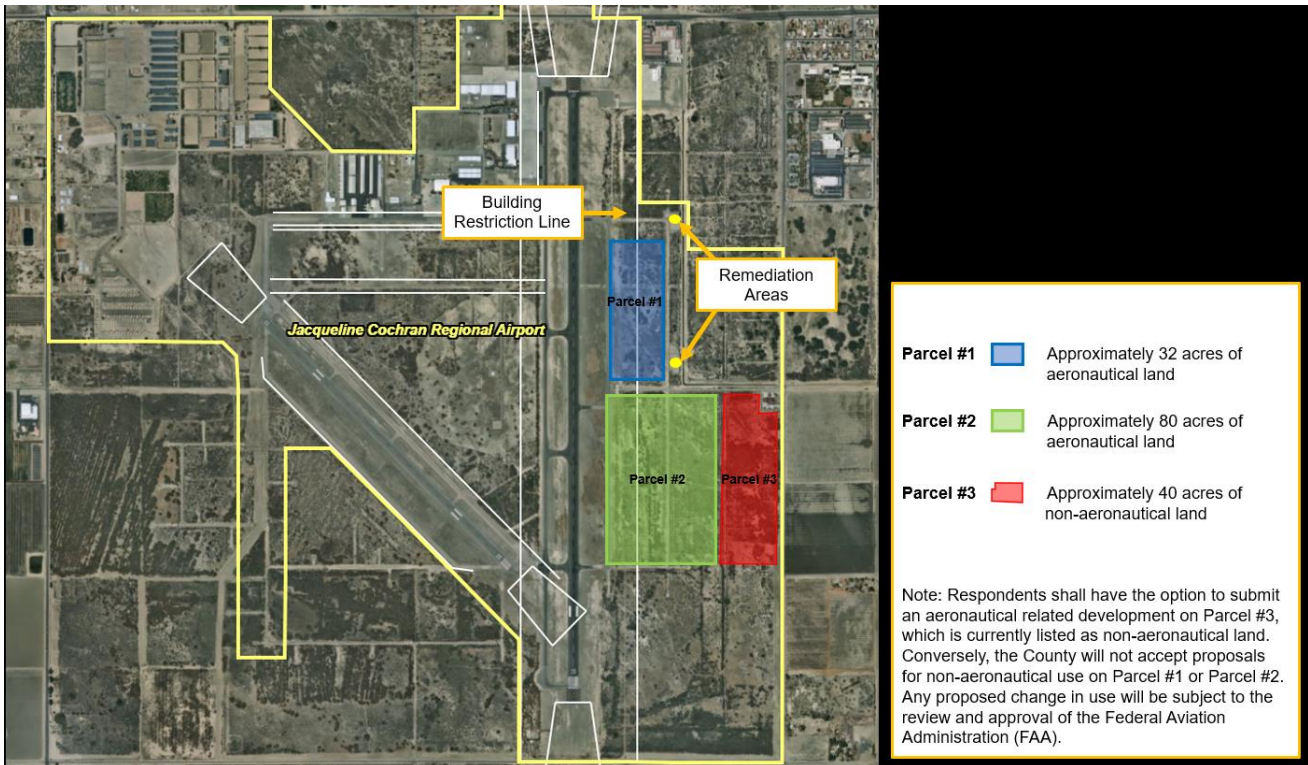
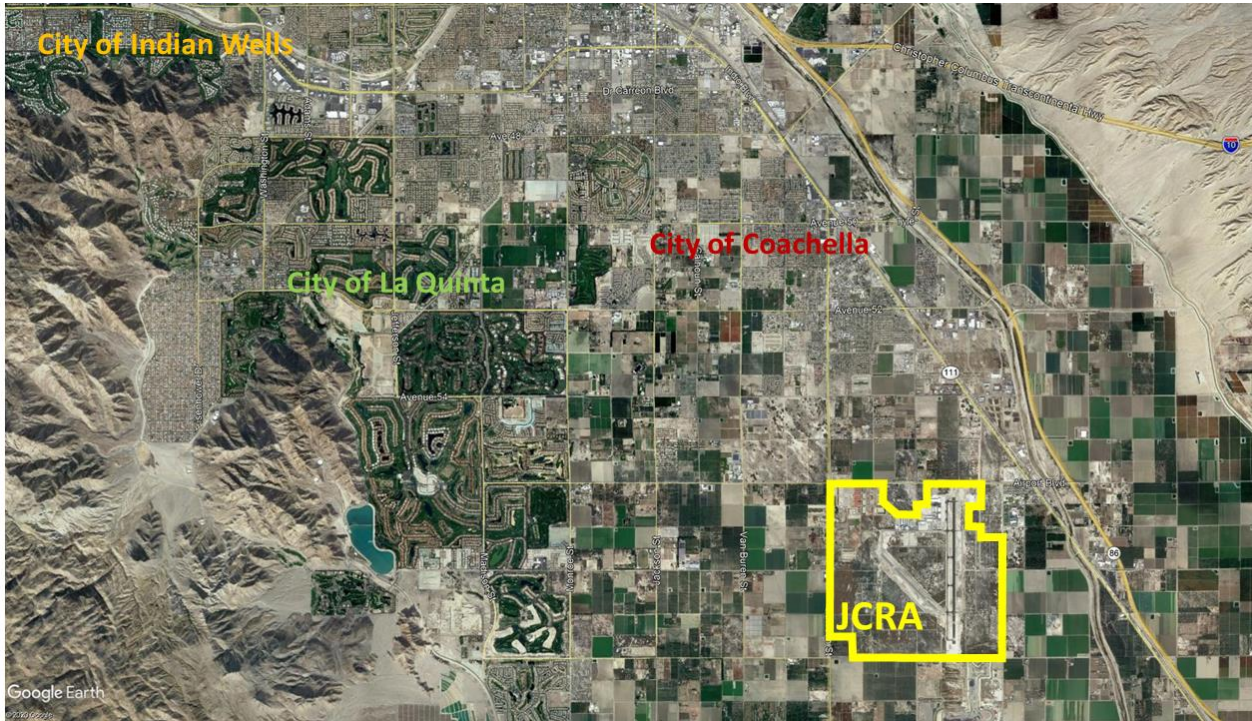


Exhibit B – Airport Rescue and Fire Fighting Study

TECHNICAL MEMORANDUM



To: Angela Jamison, Airports Manager Riverside County

From: Mead & Hunt Aviation Planning Team [REDACTED]

Date: November 30, 2022

Subject: Jacqueline Cochran Regional Airport (KTRM) Aircraft Rescue and Firefighting (ARFF) Response Analysis

A. Introduction

Jacqueline Cochran Regional Airport (KTRM) is a county-owned, public-use airport in Riverside County, California. It is located approximately 23 miles southeast of the Central Business District of Palm Springs in the municipality of Thermal, California as shown on **Figure 1** (figures are located at the end of this Memo). The airfield was previously owned and operated by the military during World War 2 before being converted to civilian use in 1948. In its current capacity, the airport primarily serves general aviation purposes such as homebased and itinerant business jet and turboprop aircraft, flight training, rotorcraft, and aeronautical maintenance and repair facilities.

Recent modifications to the airport relocated Riverside County Fire Station #39 (Station #39) from the north side of the airport to the east side of the airport. The new station is at the eastern airport boundary approximately 0.25 mile east of the perimeter fence of the airport and may serve as the Airport Rescue and Fire Fighting (ARFF) facility. Station #39, named "Thermal," is located at 86911 Avenue 58 Thermal, CA 92274, which is mid-runway, oriented perpendicular to runway 17/35, and includes a paved access road (Avenue 58) as shown on **Figure 2**.

B. Purpose

The purpose of this technical assessment is to determine whether Station #39 would meet the ARFF requirements for commercial air service at KTRM. In addition, the following ancillary questions were also assessed:

1. Which runways meet the ARFF response requirement under Part 139 with the current location of Station #39?
2. Which runways do not meet the ARFF requirement of Station #39, if any?
3. What obstacles, infrastructure, or configurations limit potential compliant response to a runway?
4. What mitigation measures may be developed to meet the ARFF response for each runway?

C. Regulatory Requirements

Code of Federal Regulations, Title 14, Chapter I, Subchapter G, Part 139 (FAR 139) prescribes rules governing the certification and operation of airports in the United States that serve either:

- (1) Scheduled passenger-carrying operations of an air carrier operating aircraft configured for more than 9 passenger seats, as determined by the regulations under which the operation is conducted, or the aircraft type certificate issued by a competent civil aviation authority: and

- (2) Unscheduled passenger-carrying operations of an air carrier operating aircraft configured for at least 31 passenger seats, as determined by the regulations under which the operation is conducted, or the aircraft type certificate issued by a competent civil aviation authority.

FAR 139.103 specifies that airports providing large air carrier operations shall comply with the certification process for a Class 1 airport, shall develop an airport certification manual, and shall provide aircraft rescue and firefighting for the applicable type of operation(s). The term “large air carrier” applies to this assessment based on the design aircraft designated within the accepted December 14, 2004, Airport Master Plan — the Boeing 737-700 — which has 30+ seats.

Furthermore, FAR 139.315, 139.317, and 139.319 pertain to ARFF requirements, including the index determination, ARFF equipment and agents, and operational requirements. **Table 1** summarizes the assumptions under these sections that control the specified airport certification process, design aircraft requirements, and the ARFF resource and equipment response should KTRM provide commercial service using Boeing 737-700 aircraft. Advisory Circular (AC) 150/5220.10E provides an interactive specification that airports can use in procuring ARFF vehicles. It describes the selection process, vehicle requirements, and how to produce formal specifications.

Table 1: Federal Aviation Regulation ARFF Code

Federal Aviation Regulation Code - ARFF Airport Index, Aircraft Requirements, and Assumptions.		
Regulations	Assumptions	ARFF Requirements
FAR 139.103 Application for certificate	Boeing 737-700	Class I
FAR 139.315 ARFF Index determination	Fuselage Length 110'4"	Index B (90 – 126 feet)
FAR 139.317 ARFF Equipment and agents	Use runway 17/35 or 12/30	Section (b)(1) and (2)(i&ii) specify ARFF equipment and agents for Index B aircraft.
FAR 139.319 ARFF Operational requirements	Meet response time requirements	Section (h)(2)(i&ii) specify response requirements for required equipment specified under FAR 139.317
AC 150/5220.10E	5 or more avg. daily departures	Section 1.7(a)

The response time from the existing ARFF facility at KTRM, Station #39 is specifically addressed in this memo. Under FAR 139.319 (h)(1)(ii), ARFF stations must achieve the following performance criteria during periods of air carrier operations. Air carrier operations are defined as the takeoff or landing of an air carrier aircraft, which includes the period of time from 15 minutes before until 15 minutes after the takeoff or landing.

- (i) Within 3 minutes from the time of the alarm, at least one required aircraft rescue and firefighting vehicle must reach the midpoint of the farthest runway serving air carrier aircraft from its assigned post or reach any other specified point of comparable distance on the movement area that is available to air carriers and begin application of extinguishing agent.
- (ii) Within 4 minutes from the time of alarm, all other required vehicles must reach the point specified in paragraph (h)(2)(i) of this section from their assigned posts and begin application of an extinguishing agent.

Furthermore, FAR 139 (h)(2) requires that all onboard personnel are in full protective gear and are equipped to respond. In response to item (ii) above, based on ARFF Index B criteria for the design aircraft, no other vehicles are required to meet the response time. However, additional resources typically respond to any aircraft incident, and those resources may arrive from multiple locations, access the airfield at multiple points, or be supplied by various jurisdictions. Airfield access, response communication, and coordination with outside jurisdictions should be clearly articulated in the Airport Emergency Plan. This concept needs to be described in detail during the construction of the Airport Certification Manual outlined in FAR 139.103.

D. Existing Conditions

Airfield

KTRM has two runways in an Open V configuration. Main Runway 17/35 is oriented north-south and runs along the eastern perimeter of the airfield. Crosswind Runway 12/30 is oriented northwest-southeast and runs along the southwest perimeter of the airport. Both runways are serviced by well-connected, dual parallel taxiways leading directly to the terminal area located in the northern quadrant of the airfield (**Figure 2**). All developed airfield improved structures, buildings, and facilities are in the northern quadrant, west of runway 17/35. The November 18, 2008, Airport Layout Plan (ALP) shows Riverside County Fire Station #39 at the north end of the airfield at the corner of Vic Higgins Drive and Avenger Boulevard. It depicts the current location of Station #39 as the “Future Fire Station” and the existing access road as the “Future ARFF Access Road.” Both Station #39 and the access road, at the time of this publication, are present and operational.



Fire Station

The Riverside County Fire Protection District Station #39 is located at 86911 Avenue 58 Thermal, CA 92274, 33°37'37.36" North 116°08'50'09" West at an elevation of -135 mean sea level. This facility is located at the eastern airport boundary approximately 1,550 feet east of the eastern airport perimeter fence gate located at 33°37'38.90" North 116°09'06.88" West (Gate 2), which is approximately mid span, due east of runway 17/35 (**Figure 2**). Riverside County Fire Station #39 has three bays currently occupied by fire response vehicles: one Schedule A engine containing 500 gallons of water, one Schedule B 3-brush engine with 500 gallons of water, and one type 6 truck with 200 gallons of water. These three vehicles occupy the eastern two bays with another multi-use communication vehicle currently occupying the western bay.



Station #39 has no ARFF support facilities such as decontamination, laundry, training, or equipment storage. Station #39 is regularly staffed by three full-time fire fighters.

Gates 1 and 2

Two gates separate the fire station from the midpoint of Runway 17/35. The first gate (Gate 1) is located adjacent to the station as a fire engine departs Station #39 and proceeds due west toward the runway on Avenue 58. This is a functional, metal swing gate that is locked and automatically operated. The second gate (Gate 2) is a perimeter gate located 810 feet east of Taxiway B near the midpoint of Runway 17/35. Gate 2 is a track-directed automated sliding gate. No other gates are located between the fire station and the runway environment for either Runway 17/35 or 12/30.



Access and Surface Conditions

The access road from Station #39 to the airport is Avenue 58, a hard-surfaced, asphalt-covered, two-lane road with drainage located on either side of the road prism. It is assumed that no obstructions or encumbrances are located on the surface such as significant potholes, cracked or broken asphalt, ruts, or sections of dirt. It should be noted that the low elevation, relatively flat terrain, apparent water course drainages, and the existence of disturbed soil directly adjacent to the roadway may at times create roadway flooding. This flooding may deposit sediment that would impair or slow the travel of a fire engine. No signs of flooding or sediment deposits were observed on the access road during the October 6, 2022, site visit.

Visibility and Obstructions

Avenue 58 is a straight road, and it provides for excellent line of sight and visibility while traveling toward the airfield in response to a potential incident. There are numerous intersecting dirt travel-ways, dirt paths, and parallel dirt roads adjacent to Avenue 58 that can be seen well in advance of their intersection. The relatively flat terrain and the existence of brush and small trees limits the long-range visibility from Station #39 to the airfield or potential accident site that is not at the end of Avenue 58; however, no major obstructions to the line of sight exist, and it is not anticipated that the terrain and vegetation would pose a significant risk or impedance to response times for an aircraft incident. It is assumed for this study that the ARFF vehicle will proceed in a straight line to the midpoint or the end of the affected runway and not drive to another location. As viewed by fire personnel, the significance of visibility is exclusively determined along the road to the runway. No other obstructions or restricted visibility exist.

E. Assumptions for Response Time Modeling

Airfield and Proximity Assumptions

Gate 1 is automated, and it is assumed that it can be opened remotely from Station #39 — resulting in no additional travel time. It is further assumed the airfield will be accessible through Gate 2, which is also automated and would not delay ARFF vehicle access to the airfield.

Should KTRM begin commercial air service and ARFF activity be required, Gate 2 would need to be upgraded to meet FAR 139.335 section (a)(l) security requirements for an automated gate. Upgrading the gate is beyond the scope of this analysis.

FAR 139.319 demands that an airport provide the proper ARFF index for the operation during the time period 15 minutes before and 15 minutes after the aircraft is scheduled to land. This response time, which must meet the FAR criteria of 3 minutes, is measured from the time the alarm sounds to the time a firefighting vehicle leaving from its assigned post reaches the midpoint of the farthest runway serving air carrier operations (or a point of comparable distance on the movement area) — in this case measuring the response time from Station #39 to the midpoint of Runway 17/35.

It is assumed that 17/35 will be the primary air carrier runway even though the length and load-bearing on runway 12/30 will accommodate certain air carrier aircraft, which potentially includes the critical aircraft identified in this study, the 737-700. Calculations are included in the Time Distance Response Calculations Section below for each runway end to provide a complete picture of response times for both Runway 17/35 and 12/30. It is assumed that the airport will pursue a Class 1 Operating Certificate, which includes the construction of an Airport Certification Manual (ACM), an emergency response and ARFF section as part of an Emergency Plan, and discussion of the response times and resources in depth.

ARFF Vehicle Assumptions

The existing vehicles located within Station #39 do not meet commercial service aircraft and airfield requirements outlined in FAR 139, and selecting the correct ARFF vehicle requires some assumptions. As described in the Regulatory Requirements above, it is assumed that the airport will be classified as a Class I Airport. Further, it is assumed for the 737-700 with a fuselage length of 110'4" that the Airport ARFF Index will be B, which requires the following under FAR 139.317:

ARFF Index B. Either of the following:

- (1) One vehicle carrying at least 500 pounds of sodium-based dry chemical, halon 1211, or clean agent and 1,500 gallons of water and the commensurate quantity of AFFF [aqueous film forming foam] for foam production.
- (2) Two vehicles
 - (i) One vehicle carrying the extinguishing agents as specified in paragraphs (a)(1) or (a)(2) of this section; and
 - (ii) One vehicle carrying an amount of water and the commensurate quantity of AFFF so the total quantity of water for foam production carried by both vehicles is at least 1,500 gallons.

In summary, an airport may have one vehicle meeting both agent and water requirement or two vehicles, one with agent and one with water. National Fire Protection Administration (NFPA) Specification 414 and Advisory Circular 150/5220-10E state that Class 1 and Class 4¹ vehicles must be able to achieve speeds of 70 MPH on the surfaces outlined to the incident site in a critical response scenario. The assumptions used herein include the two response vehicles, one Class 1 and one Class 4, traveling at 70 MPH that are equipped to respond to the incident for a Class 1 Airport, Category B ARFF response index meeting the following parameters.

- Maximum speed 70 mph
- Acceleration 0 mph to 50 mph of 25 seconds (3.66 ft/s²)
- Deceleration of 0.2g (-6.44 ft/s²)
- Speed through turns of 20 mph
- Vehicle can achieve 70 mph on the dirt road between the station and the first taxiway
- Gate in perimeter fence is automated
- Air traffic operates on ground hold during a fire response

Station #39 Assumptions

Riverside County Fire Station #39 has three bays containing three fire response vehicles. None of these vehicles meets the ARFF requirements. At the present time, there is no additional capacity for the addition of an ARFF apparatus.



F. Results for Response Time Modeling

Time Distance Response Calculations

The response time modeling calculations included herein focus exclusively on the vehicle travel time from Station #39 to the runway. They do not address the readiness of the crew, but they assume a 0-second start time when the vehicles leave the station. Using the assumptions listed in the section above, the response time model shows that an ARFF vehicle would take approximately 30 seconds to travel the 1550-foot distance between the station and the perimeter gate.

¹ Class 1 Vehicle: 100-Gallon Water/AFFF, and Dry Chemical (500 lbs sodium-based or 450 potassium-based), or Halogenated Agent (460 lbs); Class 4 Vehicle: 1500-Gallon Water/AFFF (aqueous film forming foam).

It is assumed that Gate 1 is automated and can be remotely open from the station so no slow-down or stoppage is necessary. Response times to each runway are shown in **Table 2** below and are also presented graphically in **Figure 3**.

Table 2: Response times to different Runway Locations at TRM Airport

Endpoint	Travel time from Station 39 in M:SS (s)
Runway 17/35 Midpoint	1:15 (75 s)
Runway 12/30 Midpoint	2:40 (160 s)
Runway 17 End	2:05 (125 s)
Runway 35 End	2:05 (125 s)
Runway 12 End	3:05 (185 s)
Runway 30 End	2:00 (120 s)

Using the assumptions previously outlined, Station #39 would be able to meet the minimum 3-minute (180 second) ARFF response time requirement for runway 17/35 with a total response time to the midpoint of the runway of 120 seconds. Runway 12/30 would also be compliant with an estimated response time to the midpoint of the runway of 160 seconds

G. Required mitigation and costs

Based on the review of regulations and existing conditions, it is anticipated that several changes would need to be implemented to enable Station #39 to fulfill the ARFF requirements under FAR 139. These changes include the following, which are further describe below and summarized in **Table 3**:

- Station #39 building modifications,
- Locational considerations,
- Additional personnel and training,
- New ARFF vehicle(s), and
- Gate 2 modifications.

Station #39 Modifications

Standards and guidance for planning, designing, and constructing an ARFF Station are outlined in AC 150/5210-15A, *Aircraft Rescue and Firefighting Station Building Design*. An inventory of Station #39 and discussions with the Fire Chief confirm that the existing bays do not meet the standards outlined in the AC, which require a minimum bay door size of 18 feet by 18 feet that can fully open in 16 seconds. Smaller doors, no less than 16 feet by 16 feet, may be considered and used as appropriate. In discussions with the fire chief, under this scenario, flexibility in utilizing one of the existing bays for the purposes of housing an ARFF vehicle may be possible and plausible should the airport or the County have a need for ARFF vehicle(s) housing. However, to fulfill the space requirements for an ARFF vehicle, other existing uses, such as the storage of the multi-use communication vehicle, will need to be discontinued or modified.

To accommodate the additional ARFF equipment and personnel at Station #39, it is anticipated that Station #39 will require building modifications. The western edge of the station has adequate space to expand.

In developing a cost estimate for the modification, the following items were considered:

- New ARFF bay (24 feet by 50 feet) to house a new ARFF vehicle
- Room for storage of ARFF foam
- Space for ARFF gear, which is different than structural fire gear
- Room to launder gear
- Decontamination space for gear
- Tank refill capacity
- Ducted vehicle exhaust
- Modification to existing utility systems including:
 - Mechanical
 - Electrical
 - Plumbing
 - Drainage
 - Oil/water separator

Based on the new bay and ancillary equipment and process requirements, it was determined that a 48-foot by 50-foot (2,400 square feet (SF)) addition would be an appropriate size for cost-estimating purposes. This area would provide for a new 24-foot by 50-foot vehicle bay, plus additional space for a second 24-foot by 50-foot vehicle bay that could initially be subdivided to provide space for storage of ARFF foam, ARFF gear, and laundry and decontamination rooms.

While construction of a building addition would generally have a lower per square foot cost than new construction, new construction estimates were used for a more conservative approach. An average per square foot cost (\$628) from six ARFF construction projects completed by Mead & Hunt within the last 10 years and escalated to 2023 dollars was used. This results in a total rough estimated cost of \$1.51 million to accommodate an ARFF vehicle. With a 15% contingency, the range would be \$1.28-1.74 million. Station #39 was constructed in 2012 at a total project cost of \$4,171,200 — not including the procurement of land. The total interior square footage of Station #39 is currently 5,000 square feet, equating to a per-square-foot cost at the time of construction of \$834.

Locational Considerations

An ARFF station should have maximum surveillance of the airfield. Station #39 is located at the eastern edge of the airport boundary. The location, coupled with the relatively flat terrain and the existence of brush and small trees, limits the long-range visibility of the airfield from Station #39. Airfield cameras and remote monitoring could be implemented to allow personnel at Station #39 to view the airfield. Alternatively, other personnel at the airfield could signal or radio emergency response personnel located at the station.

ARFF Personnel and Training

Discussion with the Fire Chief confirms that beyond physical changes to Station 39, additional training of fire station personnel would be required in accordance with AC 150/5210-17C, *Programs for Training of Aircraft Rescue and Firefighting Personnel*, to meet FAA requirements and prepare fire station personnel for response to emergencies on the airfield. Additional personnel would need to be hired to man the ARFF response vehicle in case of airfield emergencies.

ARFF Apparatus Mitigation

At the present time, the current fire apparatus at Station #39 does not meet the minimum requirements for ARFF response under ARFF Category Index B. The apparatus does not contain the minimum amount of required water, 1500 gallons, nor does it contain the required 500 pounds of sodium-based dry chemical, halon 1211, or clean agent equivalent. Scoping, specifications, and cost for the purchase of an ARFF vehicle is not included as part of this assessment.

Cursory review of cost data of used ARFF apparatus ranges from \$350,000 - \$500,000, with new vehicles costing well over \$1 million. Most general aviation airports are non-FAR Part 139 and do not have their own ARFF services, apparatus, or capability to directly assist in the event of an aircraft incident. Federal Regulation is silent on specific requirements for an airport to support its current operations or fleet mix of aircraft. While the current Station #39 may provide adequate service for current airport operations, it should be the subject of a comprehensive assessment should the airport transition to a commercial service FAR Part 139 facility. This assessment would include a thorough understanding of the ARFF requirements related to specific apparatus, equipment, and training.

Gate 1 and 2

Gates 1 and 2 are both currently functioning properly as automated swing and slide gates, respectively, allowing adequate access to the airfield. Under the scenario where the airport pursues FAR Part 139 certification, however, these two gates may require significant modifications to meet safety and security requirements. The emphasis will be on Gate 2, the airport perimeter fence gate. Gate 1 will only need modification if it delays access to the airport access road. A final scope and cost for enhancements, modifications, or additions to these gates is outside the scope of this assessment. Based on site survey work, the entire perimeter fence may require fortification under a FAR 139 certification scenario, which will control the final cost of associated access locations and gates.

Table 3: Mitigation Items Cost Summary

Mitigation Item	Rough Order of Magnitude Cost Estimate
Station #39 building modifications	\$1.28-1.74 million.
Locational Considerations	+/- 10%
Additional personnel and training	Basic ARFF Certification \$1500 per person plus 40 hours' time and travel costs ¹
New ARFF vehicle	\$350,000 - \$500,000 for used Over a \$1 million for new

San Bernardino Regional Emergency Training Center, <https://www.sbretc.org/programs.php>

Alternative Mitigation

An alternative way to meet the ARFF response time would be to stage an ARFF vehicle at the airfield during scheduled air carrier operations. This may be cost effective if there are limited commercial operations. This alternative would still require the procurement of the ARFF vehicle and training/staffing of the response crews as outlined previously in this assessment. During the final airport certification, this alternative may be pursued. The rough cost for this alternative, in combination format, is outside the scope of this assessment.

H. Conclusion

Station #39 meets the response requirements for an ARFF Station under FAR 139. However, modifications would be required to meet other FAR 139 requirements should KTRM add commercial service using Boeing 737-700 aircraft. Station #39 does not house a firefighting vehicle that meets the FAR 139 requirements for an Index B airport, and the station does not have an open bay that could house a new vehicle. An additional ARFF vehicle would cost an estimated \$350,000 - \$500,000 for used and over \$1 million for a new vehicle. Modifications to the firehouse to add an additional vehicle bay and space for ARFF equipment, gear, laundry, and decontamination space would cost an estimated \$1.28-1.74 million. Additional costs would be incurred to provide additional personnel and ARFF training. Part 139 certification would also require additional modifications to Gates 1 and 2 and the perimeter fence to meet security requirements.

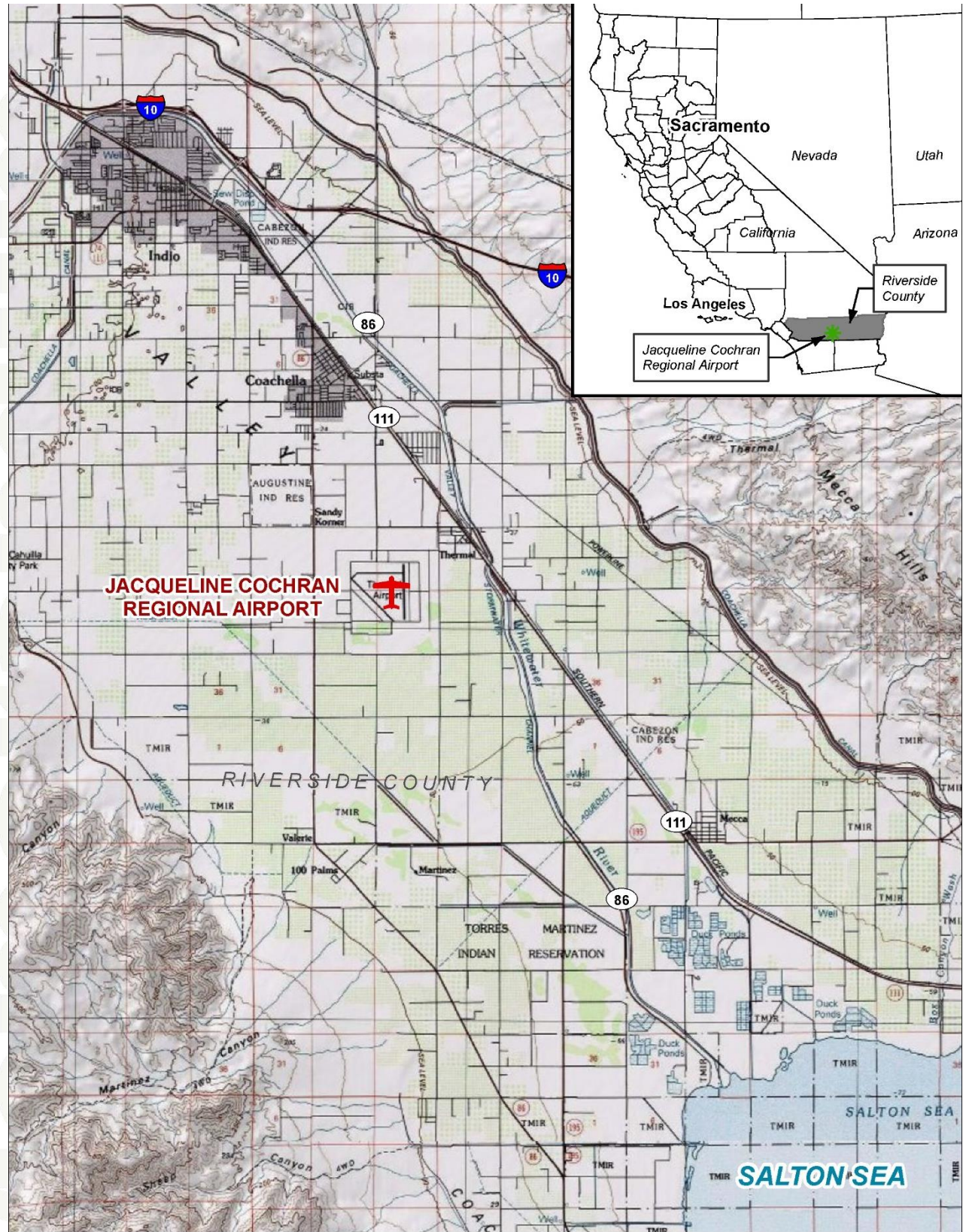
Interim cost-saving alternatives to building modifications could include staging ARFF vehicles at the airport for 15 minutes prior to and 15 minutes after the takeoff or landing of commercial flights or utilizing the existing third bay for a new ARFF vehicle and displacing the multi-use communication vehicle. However, neither of these is likely to be a long-term solution.

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United States Department of Transportation, Federal Aviation Administration. 2008. Advisory Circular 150/5210-15A - *Aircraft Rescue and Firefighting Station Building Design*. Washington, D.C. Available at: https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_150_5210-15A.pdf



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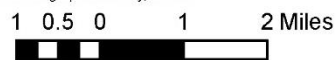


Figure 1. Site Location
Jacqueline Cochran Regional Airport

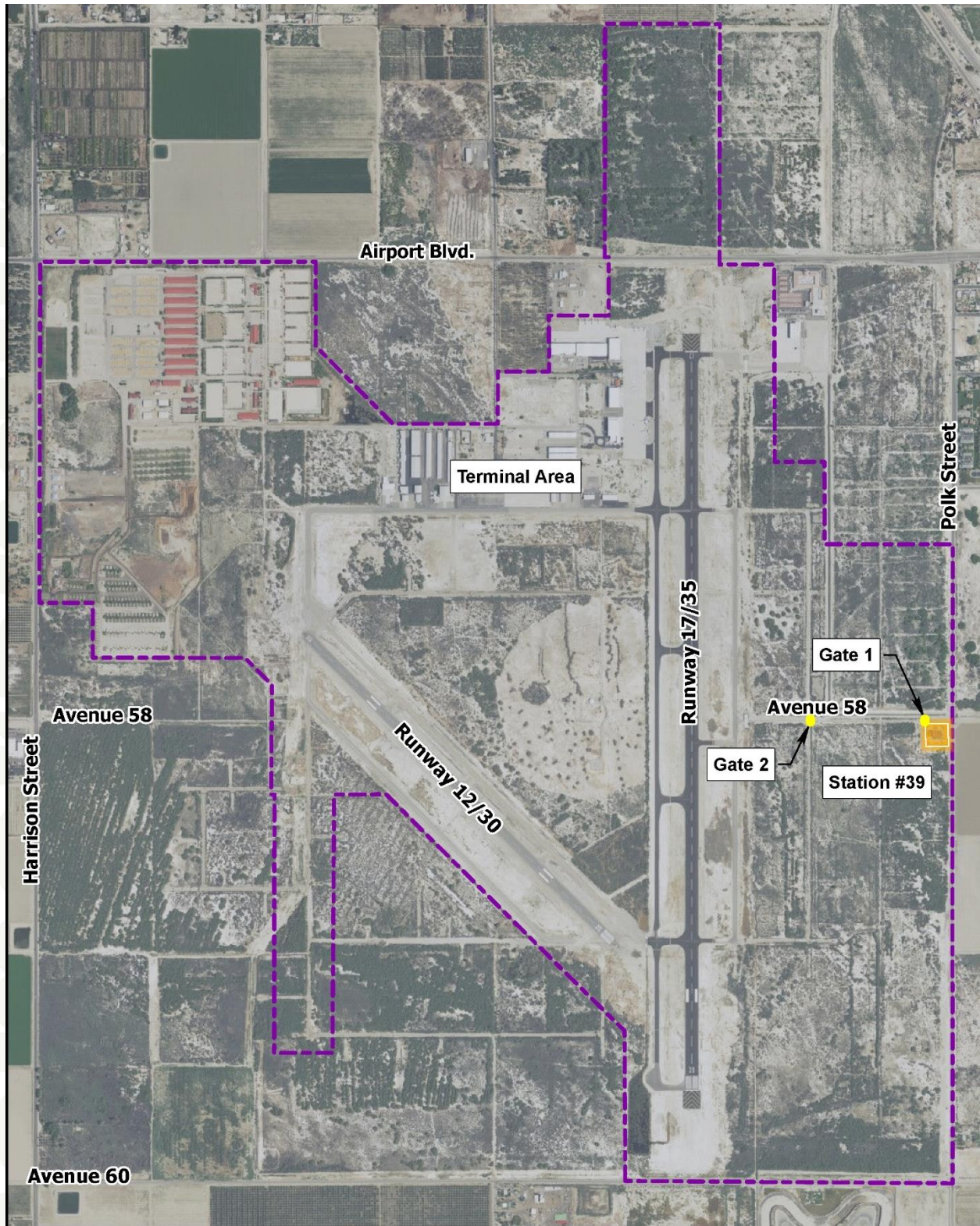
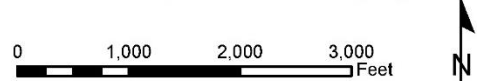


Figure 2:
Site Layout

- Legend
-  Airport Boundary
 -  Station 39
 -  Gate

Sources: NAIP; Esri, USDA Farm Service Agency, Microst



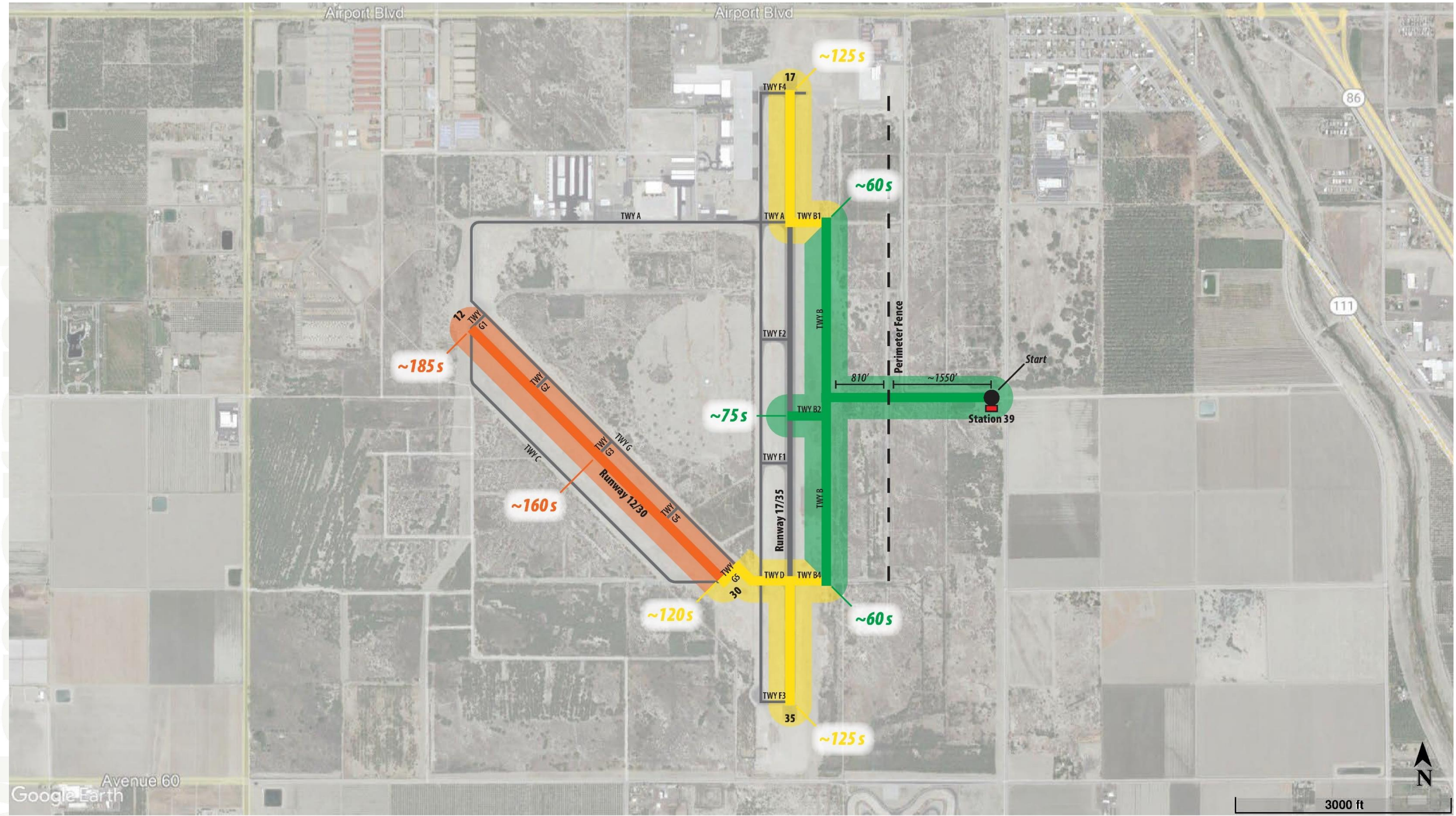


Figure 3:
Station #39 Response Time Isochrone
Jacqueline Cochran Airport

Exhibit C - Riverside County Minimum Standards for Fixed Base Operators

Minimum Standards for Fixed Base Operators

Riverside County Airports



**Riverside County Aviation
4080 Lemon St., 14th Floor
Riverside, CA 92501**

Adopted January 30, 2001

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I. INTRODUCTION

Riverside County is the owner (sponsor) of the following five airports in Riverside County: Blythe, Chiriaco Summit, Jacqueline Cochran Regional, French Valley, and Hemet-Ryan. The Riverside County Economic Development Agency (EDA) is the county agency responsible for operation of the County's airports.

Minimum standards are established to promote and attract a professional level of aviation services to the County's airports while safeguarding the public's interest. The Minimum Standards provide a framework that strengthens the relationship between the Sponsor and the Fixed Base Operator (FBO). They offer information, advice and, where necessary, they provide strict regulation so that both the prospective and experienced FBO may have a firmer understanding of the many considerations, which contribute to a safe, successful and useful operation. The standards are intended to be the minimum requirements for those wanting to provide aeronautical services to the public at Riverside County airports. Operators are encouraged to exceed the minimum requirements.

FBOs are responsible for complying with the Minimum Standards and shall be familiar with revisions made to the Standards. All FBOs on the airports must comply with the standards herein as well as all applicable government regulations; however, leases executed prior to August 16, 1988, are exempt until lease renegotiations. The County's airports are subject to federal, state and local rules and regulations. The County has adopted local rules and regulations to implement Federal Aviation Administration (FAA) requirements and to provide for safe and orderly operation on the airports. Local rules and regulations governing airport activities include, but are not limited to, applicable portions of the following:

1. Ordinance No. 576 - Rules and Regulations for Operation of County Airports
2. Fixed Base Operator Minimum Standards
3. County Airport Fueling Standards
4. Special Event Permit Policy
5. Airport Design Standards

Federal and state rules and regulations include, but are not limited to: FAA Grant Assurances; FAA Order 5190.6A - Airport Compliance Requirements; Federal Airport Regulations (FAR's); State Aeronautics Act (PUC § 21000); Government Code § 50470 - 50478; ADA Regulations; the California Environmental Quality Act (CEQA); and the National Environmental Policy Act (NEPA).

II. DEFINITIONS

AERONAUTICAL ACTIVITY - Any activity or service that involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations.

AGREEMENT, LEASE, OR PERMIT - A contractual agreement between the EDA and an entity granting a concession or otherwise authorizing the conduct of certain activities which is in writing, executed by both parties, and enforceable by law.

AIRPORT - Includes the following five (5) airports owned by Riverside County: Blythe, Chiriaco Summit, Jacqueline Cochran Regional, French Valley, and Hemet-Ryan, and its environs, such as, the property, buildings, facilities, and improvements within the exterior boundaries of each airport as it now exists or as it may hereafter be extended, enlarged, or modified.

AIRPORT SPONSOR - The designated entity or duly authorized representative, appointed by the Board of Supervisors, to manage the operation and development of Blythe, Chiriaco Summit, Jacqueline Cochran Regional, French Valley, and Hemet-Ryan airports.

ALP - Airport Layout Plan

APPLICANT - A person, persons, firm, partnership, or corporation desiring to acquire the use of a portion of an airport, or to establish or use any facility on an airport for an aeronautical activity or special event and who shall apply in writing and in the manner or form prescribed for authorization to establish such activities.

CEQA - California Environment Quality Act

COUNTY - County of Riverside, the FAA authorized airport sponsor.

EDA - Riverside County Economic Development Agency, the County agency designated to oversee and manage the County airports.

EQUIPMENT - All machinery, together with the supplies, tools, and apparatus necessary for the safe and proper procedure of the activity being performed.

FAA - Federal Aviation Administration

FAR - Federal Aviation Regulation

FIXED BASE OPERATOR (FBO) - Any person, firm, partnership, corporation, association, limited partnership, or any other legal entity duly licensed and authorized by written agreement with the Airport Sponsor (the County) to provide specific aeronautical services at an Airport, under strict compliance with such agreement and pursuant to these and all applicable regulations and standards.

FUEL - FAA authorized aviation fuel, including jet fuel

FUEL FARM - Any portion of an Airport, authorized by the Airport Sponsor, as an area in which gasoline or any other type of fuel may be stored.

FULL SERVICE FBO - An FBO which provides certain essential aeronautical services (e.g. aircraft maintenance and repair, flight instruction, fueling of aircraft, transient aircraft parking guidance, positioning of wheel chocks and tie-downs, fireguard for engine starts, baggage handling, standardized ground service and recovery equipment, pilots' lounge, and restrooms), subject to restrictions agreed to during lease negotiations (see Table A below for complete guidelines).

LIMITED SERVICE FBO - An FBO which provides certain of the aeronautical services provided by a Full Service FBO, subject to restrictions imposed by leasehold size requirements and to restrictions agreed to during lease negotiations (see Tables B through H below for complete guidelines).

MINIMUM STANDARDS - The qualifications and criteria set forth herein as the minimum requirements to be met as a condition for an FBO to conduct an aeronautical activity on an EDA sponsored airport.

NEPA - National Environmental Policy Act

THE BOARD - The Riverside County Board of Supervisors

TLMA - Transportation and Land Management Agency

III. AIRPORT RULES AND REGULATIONS

A. Lease

All revenue generating, commercial and/or business activities, at County operated airports are required to secure a lease approved by the County Board of Supervisors (the "Board") prior to commencement of any commercial activity.

Prospective lessees should begin the process by requesting a meeting with County staff. The purpose of the initial meeting is to introduce staff, show the available sites,

and answer any questions. At the conclusion of this meeting the prospective lessee will be asked to submit a Lease Application and proposal.

Upon receipt of a lease application and proposal, County staff will review the proposal and will provide a written response. Once an agreement has been reached on the deal points and development proposal, a lease will be prepared for execution by the lessee. The lease shall be executed in three counterparts and all three copies shall be returned to the County. The County will then schedule the lease for consideration at the next available Board of Supervisors' meeting. ***Please be advised that the County Board of Supervisors is the only entity that can make a binding lease commitment and development may not proceed until the Board has approved the lease.***

Exclusive rights for any aeronautical activity will not be issued at any County airport. This is to ensure that airport patrons are offered competitive market prices for services.

B. Airport Layout

All new leases and new airport development shall comply with the current FAA approved Airport Layout Plan (ALP) for each airport. In addition, Jacqueline Cochran Regional, French Valley, and Hemet-Ryan airports have adopted Airport Master Plans and all new development shall comply with those master plans. Lessee proposals that conflict with ALP's and Master Plans will not be approved.

C. Signs

All signs (commercial, traffic, services, advertising, etc.) must receive written approval from the Assistant County Executive Officer / EDA or Designee prior to their placement. The request for approval should include the size, location, and design of sign. All outdoor advertising shall comply with County Ordinance No. 348 and applicable federal and state laws. FAA Form 7460-1, *Building Design, Construction, and/or Alteration*, must be submitted to the FAA Western Pacific Region for review and determination, with a copy of the form sent to the Assistant County Executive Officer / EDA

D. Building Design, Construction, and/or Alterations

All design, construction and/or alterations shall be in compliance with Airport Design Guidelines. The County reserves the right to review and approve all architectural design of all construction or alterations to be performed on County operated airports.

The County reserves the right to review and approve the design and construction methods of all development at the County operated airports. All buildings shall comply with local codes and regulations as to their construction. FAA Form 7460-1, *Building Design, Construction, and/or Alteration*, must be submitted to the FAA for their review

and assessment with a copy of the form submitted to the Assistant County Executive Officer / EDA.

The County reserves the right to require a Material and Performance Bonds or a Letter of Credit prior to the construction of any facility for the return of funds expended by the County in the event that the applicant defaults on any obligations.

E. Inspections

The County reserves the right to make periodic inspections of the leased premises during reasonable hours to ensure lease compliance and Lessee's adherence with all applicable regulations. County staff, County contractors, the FAA, and/or the State of California may conduct inspections, under this provision.

F. Flying Clubs

All flying clubs located at Riverside County operated airports shall be nonprofit organizations. All rights shall be equally shared between members. No member shall share in profits, earnings, salaries, or other forms of compensation. The Flying Club shall not be engaged in any type of commercial operation. A copy of the Flying Club's Charter and By-laws, or other comparable documents, must be filed with the Aviation Division. Flying clubs must submit annual financial reports and furnish the County with proof of insurance of the types listed on Appendix A.

A minimum of one (1) aircraft, properly certified, is required for a flying club. Flight instruction shall only be offered to club members. The instructor must be a club member or an instructor who is a lessee on the airport for the purpose of flight instruction.

G. Waiver from Minimum Standards

Any tenant or prospective tenant wishing to waive any minimum standard set forth in the approved Minimum Standards must submit a letter to the Assistant County Executive Officer / EDA expressing their hardship to conform with the Minimum Standards. The Assistant County Executive Officer/EDA has the discretion of approving or disapproving the waiver as it would apply to the future viability of the airport, subject to applicable provisions, which may be contained in the tenant's lease approved by the Board. Waivers may be granted on a temporary basis, and may be withdrawn or terminated at the Director's discretion.

H. Civil Rights

All individuals using the County operated airports must comply with all the provisions of the Federal Civil Rights Act of 1964. The tenant or prospective tenant shall ensure

there shall be no discrimination in the availability of any services or commodities based on race, religious creed, color, national origin, ancestry, sex, age, physical handicap, medical condition or marital status.

I. Insurance

The FBO shall procure, maintain and pay premiums during the term of the agreement for insurance of the types and the minimum limits set forth by the County for each aeronautical activity. The FBO shall obtain and maintain insurance (See Appendix A), which contains an endorsement that the "County of Riverside, including its elected officials, officers, employees, and agents" are named as additional insured. Any insurance carrier providing insurance coverage hereunder shall be admitted to the State of California unless such requirement is waived, in writing, by the Assistant County Executive Officer / EDA and/or the County Risk Manager. Each insurance company shall have an A.M. BEST rating of not less than A:VIII (A:8).

Proof of insurance must be submitted to the Assistant County Executive Officer / EDA prior to commencement of operations and upon each insurance renewal. The FBO shall provide either 1) a properly executed original Certificate(s) of Insurance and 'certified original' copies of Endorsements effecting coverage as required herein, or 2) if requested to do so in writing by the Assistant County Executive Officer / EDA and/or County Risk Manager, provide original Certified copies of policies including all endorsements and all attachments thereto, showing such insurance is in full force and effect. Certificate(s) shall contain the covenant that thirty (30) days written notice shall be given to the County of Riverside prior to any material modification, cancellation, expiration, or reduction in coverage of such insurance. Certificates of Insurance and the policies shall covenant that their coverage is primary and the County's insurance and/or deductibles and/or self-insured retentions or self-insured programs shall not be construed as primary.

If any policy contains a general aggregate limit, it shall apply separately to the Agreement with the County or be less than two (2) times the occurrence limit. All insurance policies are subject to review by the County's Department of Risk Management. The Assistant County Executive Officer / EDA, upon the advice of the County Risk Manager, reserves the right to increase the limits, or require additional insurance coverage, beyond those set forth in these Minimum Standards, subject to applicable provisions of the tenant's lease.

J. Lot Size

Lot sizes may vary according to the type of operation. If available, aircraft tie-downs and hangar space, as well as automobile parking spaces, may be leased from the County to meet these minimum standards. The number of aircraft, hangar, or automobile parking spaces shall be determined during lease negotiations.

K. Outdoor Storage

No outside storage will be permitted except behind enclosed block walls, screened from public view, or as approved by the Assistant County Executive Officer / EDA.

L. Maintenance

Lessee shall be responsible for the adequate maintenance of leased property and in compliance with all applicable Federal, State and Local health and safety regulations.

IV. SCOPE OF SERVICES

Each aeronautical activity has a separate scope of services. The services required of a Full-Service FBO include the Minimum Standards for all combinations of aeronautical activities. The cumulative effect of the Minimum Standards will not equate to any minimum standard greater than that applicable to the Full-Service FBO.

Table A - FULL SERVICE FBO

Each airport shall have a minimum of one (1) Full Service FBO. Mandatory Requirements: Full Service FBOs shall provide: aircraft maintenance & repair; flight instruction; fueling of aircraft; transient aircraft parking guidance; positioning of wheel chocks and tie-downs; fireguard for engine starts; baggage handling upon request; have available and provide standardized ground service equipment and recovery equipment for aircraft weighing up to 30,000 lbs at FVA, 40,000 lbs at HRA, and 80,000 lbs at JCRA (service and recovery equipment shall include, but not be limited to, wheel chocks, tie-down ropes or chains, aircraft jacks, tow bars, auxiliary power units, and aircraft tugs); pilots' lounge; and restrooms. Optional Requirements: In addition to the required services listed in the preceding sentence, Full Service FBOs may provide: aircraft sales or leasing (including financing), sales of aircraft parts and supplies, radio and avionics sales and repair, aircraft storage hangars and tie-downs, painting and upholstering of aircraft, leasing or renting of automobiles, and operating a restaurant or café.

<u>REQUIREMENT</u>	<u>MINIMUM STANDARD</u>	<u>PURPOSE / OTHER</u>
<u>LOT SIZE:</u> 3 acres or 130,680 SF		
Hangar area	14,000 SF	For aircraft storage
Outside storage area	30,000 SF	For tie-down or apron parking
Building space	2, 000 SF	For offices, pilots' lounge and briefing area, conference rooms, classrooms, and restrooms
Automobile parking	20 spaces, with landscaping as required by Ordinance 348	For employees per shift and customer parking
Fuel farm	Refer to Fueling Standards	
Landscaping	To be determined during lease negotiations	Landscaping required around vehicle parking, sidewalks, and building
<u>CERTIFICATION:</u>		
As applicable for each activity	FAA, State, and/or other responsible agency as applicable	For safe and efficient operation of airport and aeronautical activities
<u>PERSONNEL:</u>		
Staff	Adequate number	For safe and efficient operation of airport and aeronautical activities
Certification & training	Proper certification and training	To comply with all applicable regulations
<u>HOURS OF OPERATION:</u>		
Business Hours	7 days/week, 10 hrs/day	Or as demand may require
Fueling services	During business hours and emergency situations	One (1) hr response time during non-business hours
<u>EQUIPMENT:</u>		
Aeronautical operations	Refer to tables for equipment required for each activity	
FBOs providing aircraft fueling and servicing	Refer to Airport Fueling Standards	
<u>INSURANCE:</u>		
Refer to Appendix A		

Table B - AIRCRAFT MAINTENANCE

An aircraft airframe, engine, and accessory maintenance and repair FBO shall provide one or a combination of airframe, engine, and accessory overhauls and repair services on aircraft up to and may include business jet aircraft and helicopters. This category shall include the sale of aircraft parts and accessories.

<u>REQUIREMENT</u>	<u>MINIMUM STANDARD</u>	<u>PURPOSE / OTHER</u>
<u>LOT SIZE:</u> ½ acre or 21,780 SF		
Hangar area	6,000 SF	For aircraft storage
Tie-down or apron parking	One (1) per 1,000 SF of hangar space	Outside storage
Building space	400 SF	For offices, public phone, and restrooms
	200 SF	Office storage room
Automobile parking	One (1) per 1,000 SF of hangar area, with landscaping as required by Ord. 348	For employees per shift and customer parking
Landscaping	Specific plans to be determined during lease negotiations	Landscaping required around vehicle parking, sidewalks, and building
<u>CERTIFICATION:</u>		
Station	Authorized repair station and certified under FAR Part 145 or Holder of an FAA inspection authorization under FAR Part 43	
<u>PERSONNEL:</u>		
Staff	Sufficient qualified technicians to meet proposal.	
Certification & training	Proper certification and training	To comply with all applicable regulations
<u>HOURS OF OPERATION:</u>		
Services	5 days/week, 8 hrs/day	
	Services offered for emergency situations	One (1) hr response time during non-business hours
<u>EQUIPMENT:</u>		
Sufficient inventory and equipment available to perform maintenance and repairs to manufacturers' specifications.	Should include but is not limited to tug, tow bar, jacks, and dollies	Operator is encouraged to have the capability of aircraft removal from the airport's operational areas
<u>INSURANCE:</u>		
Refer to Appendix A		

Table C - RADIO AND AVIONICS REPAIR STATION & SALES

A radio and avionics repair station FBO engages in the business of and provides a shop for the repair of aircraft avionics, instruments and accessories for general aviation aircraft. This category also includes the sale of new or used aircraft avionics, instruments and accessories.

<u>REQUIREMENT</u>	<u>MINIMUM STANDARD</u>	<u>PURPOSE / OTHER</u>
<u>LOT SIZE:</u> 150 SF		
Repair station	150 SF	
Automobile parking	One (1) space per 150 SF, with landscaping as required by Ord. 348	
<u>CERTIFICATION:</u>		
Station	Authorized repair station and certified under FAR Part 145	
<u>PERSONNEL:</u>		
Staff	One (1) FAA certified repairman	
Certification & training	Proper certification and training	To comply with all applicable regulations
<u>HOURS OF OPERATION:</u>		
Business Hours	Available for appointment for at least 40 hrs/week	
<u>EQUIPMENT:</u>		
Sufficient inventory and equipment available to perform maintenance and repairs to manufacturers' specifications.		
<u>INSURANCE:</u>		
Refer to Appendix A		

Table D - FLIGHT INSTRUCTION

A flight instruction FBO engages in instructing pilots in dual and solo flight training, in fixed and/or rotary wing aircraft, and provides such related ground school instruction as is necessary preparatory to taking a written examination and flight check ride for the category or categories of pilots' licenses and ratings involved.

<u>REQUIREMENT</u>	<u>MINIMUM STANDARD</u>	<u>PURPOSE / OTHER</u>
<u>LOT SIZE:</u> 500 SF (not necessarily contiguous)		
Classroom space	200 SF or as appropriate to the size of student population	For classroom instruction
Office and lobby areas	300 SF	For phones, restrooms, and space for adequate customer service
Automobile parking	3 spaces per aircraft, 2 for each additional for a maximum of 10 spaces, with landscaping as required by Ord. 348	For students and employees
Other	Any additional space necessary to house all owned or leased aircraft	
<u>PERSONNEL:</u>		
Staff	One (1) certified flight instructor	To be available during normal hours of operation
	One (1) qualified ground school instructor	For classroom instruction
<u>HOURS OF OPERATION:</u>		
Business Hours	Available for appointment for at least 40 hrs/week	
<u>EQUIPMENT:</u>		
Aircraft	One (1) single-engine aircraft	Available for flight training
<u>INSURANCE:</u>		
Refer to Appendix A		

Table E - AIRCRAFT SALES AND LEASING

An aircraft sales and/or lease FBO engages in the sale and/or lease of aircraft to the public. New aircraft sales involve the sale of new aircraft through franchises or licensed dealerships (if required by local, county, or state authority) or distributorship (on either a retail or wholesale basis) of an aircraft manufacturer. Aircraft sales FBOs may also engage in the sale of used aircraft. This can be accomplished through various methods, including matching potential purchasers with an aircraft (brokering), assisting a customer in the purchase or sale of an aircraft, or purchasing used aircraft and marketing them to potential purchasers. A new aircraft sales and/or leasing FBO must show capability to support maintenance agreements for aircraft sold or leased. A used aircraft sales FBO may also provide such repair, services, and parts as may be necessary to support the operation of aircraft sold. Some requirements may not be appropriate to the sale of used aircraft because of each aircraft's unique operational history. An aircraft sales FBO may also finance aircraft purchases, subject to the applicable licensing requirements.

<u>REQUIREMENT</u>	<u>MINIMUM STANDARD</u>	<u>PURPOSE / OTHER</u>
<u>LOT SIZE:</u> 150 SF		
Building space	150 SF	For offices, lobby area, public phone, and restrooms
Tie-down/Hangar space	Adequate number	Storage
Automobile parking	One (1) per employee One (1) per 500 SF of leased space With landscaping as required by Ord. 348	For employees per shift and customer parking
Landscaping	Specific plans to be determined during lease negotiations.	Landscaping required around vehicle parking, sidewalks, and buildings
<u>CERTIFICATION:</u>		
New aircraft	Dealers must possess sales and/or distribution franchise from a recognized aircraft manufacturer	
Aircraft available for sale and leasing	Aircraft must hold FAA registration and current airworthiness certificate	
<u>PERSONNEL:</u>		
Staff	One (1) commercial, qualified for aircraft type.	For demonstration of aircraft
<u>HOURS OF OPERATION:</u>		
Business Hours	Available for appointment at least 40 hrs/week	
<u>EQUIPMENT:</u>		
	Minimum equipment required shall be determined during lease negotiations.	
<u>INSURANCE:</u>		
Refer to Appendix A		

Table F - AIRCRAFT STORAGE

An aircraft storage FBO engages in the construction, rental, and maintenance of conventional hangars or multiple T-hangars.

<u>REQUIREMENT</u>	<u>MINIMUM STANDARD</u>	<u>PURPOSE / OTHER</u>
<u>LOT SIZE:</u> 1 acre or 43,560 SF		
Storage area of the following or proportionate combination of:	<ol style="list-style-type: none"> 1. Minimum of ten (10) T-Hangars to max of fourteen (14) per acre, or 2. Apron tie-down space of a minimum of 15 aircraft per acre, or 3. Conventional hangar of 10,000 SF. 4. Box hangars - Plot Plan subject to EDA and BOS approval 	
Automobile parking	One (1) for every two (2) hangars, with landscaping as required by Ord. 348	Automobile parking separate from aircraft storage area
Landscaping	Specific plans to be determined during lease negotiations	Landscaping required around vehicle parking, sidewalks, and buildings
<u>PERSONNEL:</u>		
Staff	One (1) contact person	To be available during the normal work week (M-F, 8am-5pm)
<u>HOURS OF OPERATION:</u>		
Minimum via phone contact	5 days/week, 8 hrs/day	
<u>INSURANCE:</u>		
Refer to Appendix A		
<u>ADDITIONAL GUIDELINES:</u>		
The County and Full Service FBOs shall possess the right to provide and operate the public aircraft storage areas unless circumstances warrant otherwise. No business activities shall be operated from storage areas.		

Table G - AGRICULTURAL APPLICATION

An agricultural application FBO engages in air transportation for hire for the purpose of providing the use of aircraft for agricultural operations such as, but not limited to, crop dusting, seeding, spraying, and bird chasing.

<u>REQUIREMENT</u>	<u>MINIMUM STANDARD</u>	<u>PURPOSE / OTHER</u>
<u>LOT SIZE:</u> ½ acre or 21,780 SF		
Apron, tie-down area	6,000 SF	Storage
Building space	400 SF	For offices, lobby, public phone, and restrooms
Chemical storage	400 SF	
Automobile parking	Minimum of five (5) parking spaces, with landscaping as required by Ord. 348	For number of employees per shift and average number customers
Landscaping	Specific plans to be determined during lease negotiations	Required around vehicle parking, sidewalks, and buildings
<u>CERTIFICATION:</u>		
Permits and certificates	Must be submitted to Assistant County Executive Officer / EDA or Designee prior to operations.	
Renewals	Furnished to EDA Assistant County Executive Officer/EDA or Designee as received.	
Agricultural Application Operator	Procure and maintain FAR Part 137 Commercial Agricultural Operators Certificate.	
Hazardous Materials Management Permit	Possess Hazardous Materials Management Permit	County Ordinance No. 615
<u>PERSONNEL:</u>		
Staff	Minimum number to be determined during lease negotiations.	
Certification & training	Personnel must be knowledgeable about the safe handling of poisons and agricultural chemicals and the proper disposal of substances intended to be used in operations.	
<u>HOURS OF OPERATION:</u>		
Business Hours	Available for appointment for a minimum of 40 Hrs/week	Services offered 7 days/week
<u>EQUIPMENT:</u>		
To be determined during lease negotiations.		
<u>INSURANCE:</u>		
Refer to Appendix		

Table G - AGRICULTURAL APPLICATION (continued)

<u>REQUIREMENT</u>	<u>MINIMUM STANDARD</u>	<u>PURPOSE / OTHER</u>
ADDITIONAL GUIDELINES: Storage and containment of Hazardous Materials		
a.	Comply with California Regional Water Quality Control Board Resolution No. 79-38, dated March 14, 1979.	
b.	Comply with County Ordinance No. 546, Division VIII-Fire Protection Requirement Buildings; and Division XIV-Fire Protection Requirements relating to storage of flammable or combustible liquids used as motor fuel.	
c.	Comply with the 1982 Uniform Fire Code Article 80-Hazardous Materials (section 80.107, 80.108, 80.109, and 80.111); and Article 86-Pesticides storage (all sections).	
d.	Comply with all hazardous waste regulations which can be found in Title 22 of the California Administrative Code and the California Health and Safety Code.	
e.	Submit a waste management plan addressing the items mentioned below with an explicit clause stating that the applicant shall be held responsible for the safe and proper cleanup of any hazardous waste spills.	
f.	Comply with Riverside County Ordinance No. 615 by completing the reporting form and obtaining a Hazardous Materials Management Permit.	
g.	If hazardous wastes are treated and/or stored more than 90 days, or disposed or on-site, a hazardous waste facility must be obtained from the State Department of Health.	
h.	If hazardous wastes are stored 90 days or less, storage area and containment shall meet the following:	
1.	Tanks and/or containers shall be of sound construction and compatible with waste stored (Title 22, California Administrative Code, Sections 66508, 67242, and 67247).	
2.	Tanks and/or containers shall be designed, constructed, maintained, and operated to minimize the possibility of fire, explosion, or any unplanned sudden, or non-sudden release of hazardous waste or any constituents to the soil, air, or surface waste which could threaten human health or the environment (Title 22, California Administrative Code, Sections 67241, 67243, 67244, 67257, and 67259).	
3.	Storage of on-site hazardous waste containers shall be in a structure that will prevent the contamination of the environment with hazardous waste. Design of the structure shall be submitted to the Assistant County Executive Officer / EDA or Designee and Hazardous Material Division prior to construction.	
4.	If hazardous wastes or materials are to be stored underground, applicant must comply with County Ordinance No. 617 by completing the reporting form and obtaining the proper permits.	
5.	Underground tanks shall be of proper design and construction with approved monitoring systems. Records shall be maintained concerning operations, inspections, and monitoring pursuant to County Ordinance No. 617.	
6.	The applicant must take steps to minimize the quantity, toxicity, or other hazards of the waste generated. Such steps shall be submitted in writing to Assistant County Executive Officer / EDA or Designee.	
7.	The facility shall be in compliance with all statutes, regulations, and ordinances pertaining to the management of hazardous waste.	
8.	Operator must submit a Letter of Credit or Performance Bond covering any clean-up or fines imposed caused by the actions or the operator.	

Table H - OTHER AERONAUTICAL ACTIVITIES

All aeronautical activities that were not included in previous sections are required to comply with these minimum standards. Activities include, but are not limited to, Air Tours, Air Charter, Banner Towing, Gliders, Ultra Lights, Parachuting, Airship Operations, and Ballooning.

<u>REQUIREMENT</u>	<u>MINIMUM STANDARD</u>	<u>PURPOSE / OTHER</u>
LOT SIZE: ½ acre or 21,780 SF		
Building space	400 SF	For offices, lobby area, and restrooms. Additional space may be required depending on the operation
Aircraft storage	To be determined during lease negotiations	Hangar or outside storage to accommodate the operational activities desired.
Automobile parking	Minimum of five (5) parking spaces or 810 SF, with landscaping as required by Ord. 348	For number of employees per shift and average number customers.
Landscaping	Specific plans to be determined during lease negotiations.	Required around vehicle parking, sidewalks, and buildings.
CERTIFICATION:		
As applicable for each activity	FAA, State, and local certification and licensing as applicable	For safe and efficient operation of airport and aeronautical activities
PERSONNEL:		
Staff	Sufficient number during normal hours of operation	
Certification & training	Properly trained and, if applicable, certified or licensed to perform the activities or a normal course of operation.	To comply with all applicable regulations
HOURS OF OPERATION:		
Services	To be determined during lease negotiations.	Minimum requirements would be: normal telephone contact five (5) days a week (M-F) eight (8) hours a day.
EQUIPMENT:		
	To be determined during lease negotiations depending on the type of activity proposed.	
INSURANCE:		
Refer to Appendix A		

Exhibit D – Resolution No. 2008-362 Fuel Flowage

2 RESOLUTION NO. 2008-362

3 ESTABLISHING FUEL FLOWAGE FEES AND REQUIREMENTS
4 FOR FUEL SELLERS AT COUNTY OWNED AIRPORTS

5 WHEREAS, the County has previously set fuel flowage fees for fuel sellers and self-
6 fuelers (who are also lessees or sub-lessees on the airport who meet certain minimum requirements), at
7 County owned airports as a percentage of the net delivered price, the current fee having been established
8 at five percent (5%) of the total net price paid by Lessee for all aviation and automotive fuel and
9 lubricants received on the Leased Premises by Lessee. The "total net price" shall mean the net price per
10 unit of such fuel and lubricants, excluding taxes imposed thereon by any governmental agency. Said
11 fuel flowage fees are due and payable within thirty (30) days of delivery. In some cases, these fuel
12 flowage fees are subject to a late fee of ten percent of the delinquent amount.

13 WHEREAS, as a result of the current surge in fuel prices and the resultant negative
14 economic impact on airport operations, as well as discussions with County Airport Lessees and fuel
15 sellers, and a review of fuel flowage fees charged by other southern California airport operators, the
16 County desires to change the method of calculating fuel flowage fees from a percentage basis to a fixed
17 price per gallon basis, effective July 1, 2008.

18 WHEREAS, the new fuel flowage fee will continue to provide the County with
19 reasonable revenue to support the maintenance and operation of the County airports, while providing
20 relief to the airport Lessee/fuel seller.

21 WHEREAS, the adoption of the new fuel flowage fee calculation will require that the
22 current leases and/or sub-leases for fuel sellers be amended to reflect the new fee at a subsequent date.

23 NOW, THEREFORE, BE IT RESOLVED that the fuel flowage fee at County owned
24 airports shall be calculated as follows:

- 25 1. The fuel flowage fee will be assessed at the rate of \$0.12 per gallon of fuel sold
26 effective July 1, 2008. Payments shall be due within thirty (30) days of the County's
27 invoice. A timely payment discount of \$0.02 per gallon shall be applied to payments
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received within twenty (20) days of the date of the invoice. A late fee of ten percent (10%) shall be assessed to all payments received after the due date (30 days of invoice).

2. Lessee/fuel seller's fuel systems must comply with the County Airport requirements and specifications. The systems must have a meter according to the County's specifications, which allow the County to monitor and record fuel sales on a monthly basis. Lessee/fuel seller shall, at its own expense, be responsible for obtaining and installing the meter. The meter or metering device must be certified on an annual basis by the Riverside County Agricultural Department, Weights and Measures Division, or other service designated by the County. Such annual certification shall be at the expense of lessee.

3. The County shall take readings from the meters of all fuel systems during the first week of each month. The County shall issue an invoice to Lessee based upon the number of gallons of fuel sold during the previous monthly period. The County reserves the right to audit records of Lessee's fuel sales and receipts. Lessee shall make all such records available for inspection upon three (5) days notice from County to Lessee.

4. Lessees shall have the option to continue to pay fuel flowage fees at the former rate of 5% per gallon for the duration of the current lease or sublease.

5. Fuel sellers, prior to being subject to the new fuel flowage fee calculation, shall be required to enter into amendments of their current leases and/or subleases to reflect the provisions of this resolution.

6. Lessees must at all times comply with applicable local, state and federal laws and regulations, including applicable airport regulations established pursuant to Riverside County Ordinance No. 576.2.

7. The County reserves the right to review this Resolution from time to time, and by Resolution, make any and all such revisions as it deems necessary and appropriate.

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* 7/19/08
DATE: 7/19/08
NEAL R. RIPNIS

Exhibit E – Forms

E1 – General Authorization and Financial References List

E2 – Non-Collusion Affidavit

E3 – Respondent Certification

**EXHIBIT E1
GENERAL AUTHORIZATION**

Date: _____

Agency: Riverside County Transportation and Land Management Agency

Respondent(s): _____

Address: _____

Respondent's Social Security Number: _____

Telephone Number: (____) _____

Facsimile Number:(____) _____

The purpose of this form is to allow the Riverside County Transportation and Land Management Agency to request a release of certain Respondent-supplied financial information involved in processing the proposal. Having your permission to request these verifications and release this information, if necessary, will expedite the processing and evaluation of your proposal

TO WHOM IT MAY CONCERN:

_____ (Respondent's name) has submitted a proposal to the Riverside County Transportation and Land Management Agency for the purpose of leasing County-owned property at Jacqueline Cochran Regional Airport. As part of the screening process, the Transportation and Land Management Agency may need to consult with financial institutions regarding our banking/credit history and relationships. I authorize the financial institutions listed on the attached sheet to provide the Transportation and Land Management Agency with the information required, with the understanding that all information provided will be kept confidential to the extent permitted by law.

A copy of this release is also an acceptable authorization.

Signature

Date

Printed Name

Financial References List
(Please Provide Three References)

1. _____
(Institution Name) (Contact Person)

(Street Address)

(City, State, Zip)

(Phone/Fax Numbers)

2. _____
(Institution Name) (Contact Person)

(Street Address)

(City, State, Zip)

(Phone/Fax Numbers)

3. _____
(Institution Name) (Contact Person)

(Street Address)

(City, State, Zip)

(Phone/Fax Numbers)

Exhibit E2

NON-COLLUSION AFFIDAVIT

The undersigned, being first duly sworn, deposes and says that he or she holds the position listed below with the bidder, the party making the foregoing bid, that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Signature

Typed or Printed Name

Title

Bidder

**EXHIBIT E3
RESPONDENT CERTIFICATION**

By signature below, I, _____ (print name here), as the official designated by the Respondent, _____ (print Respondent name here), hereby certify that:

- (1) The Respondent possesses the legal authority to submit a proposal and to execute any and all documents, agreements, etc., related to this application and the management of the facility;
- (2) The information, statements, and attachments contained in this application are, to the best of my knowledge and belief, true and correct; and
- (3) Should there be any change in the information submitted in the application; the County of Riverside shall be notified promptly.

By completing and submitting the proposal submittal, and by entering and submitting the proposal, the undersigned proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFP as issued by the County, including all forms and attachments.

I authorize the Riverside County Transportation and Land Management Agency to contact any or all of the entities and individuals listed in this application, and to perform a credit check on the Respondent and Principals thereof.

Signature

Date

Printed Name and Title