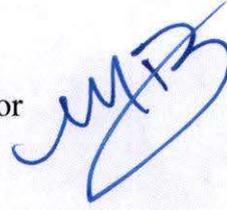


COUNTY OF YORK

MEMORANDUM

DATE: May 14, 2024
TO: York County Board of Supervisors
FROM: Mark L. Bellamy, Jr., County Administrator
SUBJECT: Coastal Seaplanes



Last week, the Board's Information Folder included a memorandum regarding a seaplane that would offer charter flights and sightseeing tours in and around the Hampton Roads region. On May 7, a public meeting was conducted at the Legasea Marina for the public to obtain additional information about the venture and learn more about seaplanes.

Our office has been provided with a map and additional details, including a flight path, water taxi route, and landing area for the venture, and I wanted to share them with the Board.

Please let us know if you have any questions.

Schott/3326

Attachments:

- Memorandum to the Board of Supervisors, dated May 3, 2024
- Coastal Seaplanes Landing Area on Chisman Creek

COUNTY OF YORK

MEMORANDUM

DATE: May 3, 2024
TO: York County Board of Supervisors
FROM: Mark L. Bellamy, Jr., County Administrator



SUBJECT: New Business Offering Charter Flights and Sightseeing Tours via Seaplane

Recently County staff from the Department of Economic and Tourism Development and the Department of Planning and Development Services met with Sam Riggs, the owner of Coastal Seaplanes, to discuss a new business operating from York County Waterways and marinas. Mr. Riggs would like to offer chartered flights and sightseeing tours, via seaplane, in and around the Hampton Roads region. Mr. Riggs intends to launch operations this summer at Chisman Creek/Legasea Marine with hopes to potentially expand services to additional locations such as the York River/Riverwalk Landing Piers. In advance of this launch, Mr. Riggs and Legasea Marine hosted a public information session at Legasea Marine on Tuesday, May 7 at 6:30 pm. At this meeting, Mr. Riggs provided citizens with a deeper understanding of how seaplanes operate, his company's mission and clarity on how the operation would work within York County. Mr. Riggs also allocated time to take questions from the public. The Department of Economic and Tourism Development had staff present at the public information meeting and have attached a document outlining Coastal Seaplanes' operations, regulatory provisions and requirements, and compliance.

Williams/3508

Attachment

- Coastal Seaplanes: Operations, Regulatory Provisions & Requirements, and Compliance.

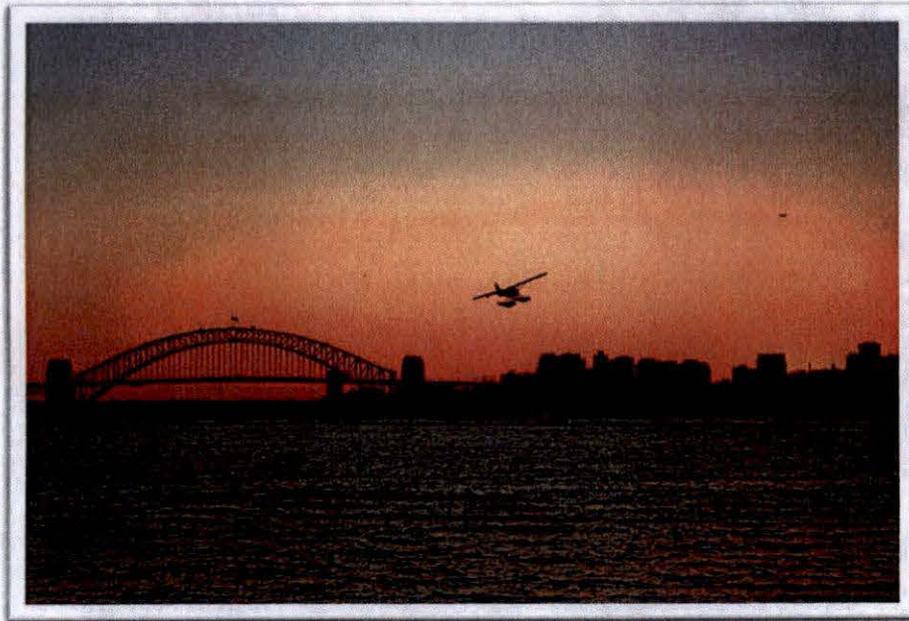
COASTAL **SEAPLANES**



Operations, Regulatory Provisions & Requirements, and Compliance.

Objective:

The objective of this document is to briefly outline operational-specific details of Air & Opportunity Aviation, LLC DBA Coastal Seaplanes in order to familiarize interested parties with the Companies operations and development as they pertain to the general public. In addition, the regulatory provisions allowing for commercial seaplane operations in Virginia, regulatory requirements, and methods of compliance are included.



Mission Statement: Coastal Seaplanes' mission is to bring safe and reliable seaplane service to the Virginia and North Carolina Coastal Regions. We are committed to serving our customers while operating at the highest level of safety.

Section 1: Coastal Seaplanes Operational Details and Criteria

Purpose and Need

The Virginia Coast is a thriving and ever-growing region with a rich maritime history. Communities small and large with harbors and water accessible areas line the dynamic shores of this region and are often separated by large bodies of water. Bridges and tunnels have been constructed over the years to provide a means of commuting between these communities, however it is no secret that these tunnels and bridges are being overutilized leading to dangerous accidents and traffic jams. These congestion-prone travel routes cause safety, planning, and travel issues for commercial and non-commercial vehicles alike. In addition, traveling from the Hampton Roads area to the North Carolina Coast and greater Washington DC area can be a monumental undertaking, taking up an entire day, depending on the time of year. Civil engineering departments from these cities and municipalities work year-round to address these infrastructure issues, costing millions of taxpayer and stakeholder dollars. Even the slightest alleviation of the strain on these travel routes would be deemed appropriate and needed.

Service Area Criteria:

Air & Opportunity Aviation, LLC DBA Coastal Seaplanes is an FAA certified 14 CFR Part 135 Air Carrier and is a small company with the mission to grow with the communities it serves. No location is too big or too small for us and, given the time, we intend to bring safe and reliable seaplane service to the entirety of the Virginia and North Carolina Coast. In choosing the exact localities we serve, we examine immediate need, environmental/operational safety, as well as local commercial and municipal partnerships that will help us establish the appropriate amenities. This includes marinas and harbors with "seaplane friendly" docking solutions and, given our desire to work *with* local municipalities, areas that are open to expanding their horizons with their very own seaplane service.

Landing Area and Docking Criteria:

Locating and establishing landing areas requires taking into account several factors:

1. Safety- Is the area operationally safe to operate from? This requires taking into account:

- a. Local marine and air traffic
- b. Commercial, residential, and military installations.
- c. Year-round weather and wind patterns
- d. Water depth
- e. Strength and swing of local tides and current

2. Approach and departure routes- For this we strive for:

- a. Operating in and out of these areas and remaining clear of terrain and structures.
- b. Routes that keep aircraft noise at a reasonable level for residential areas.
- c. Routes that keep the aircraft over water until a minimum altitude of 1000' AGL.

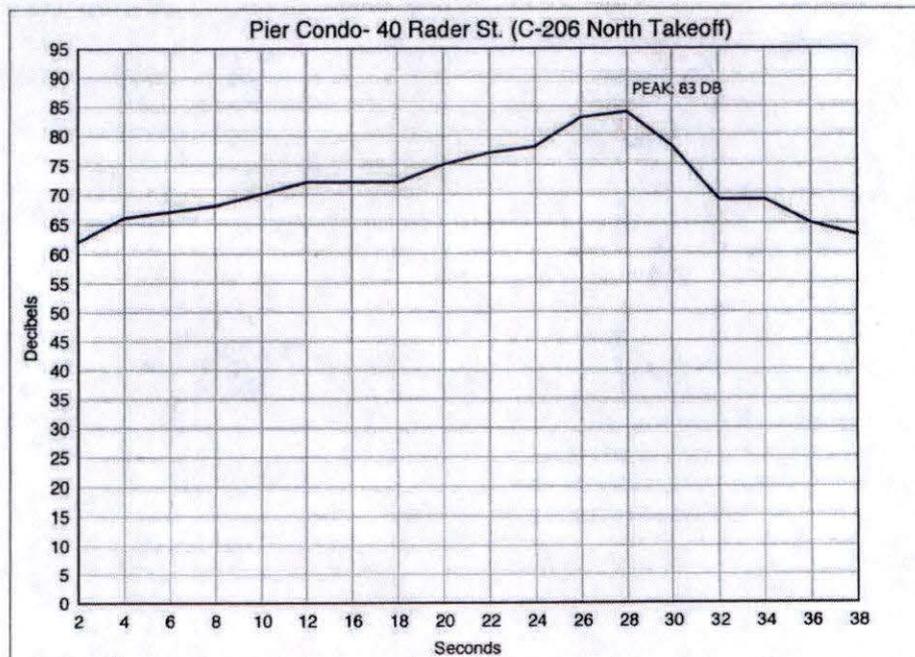
d. Appropriate integration into local ATC traffic flow

3. Service- Appropriate seaplane accessible locations require locating:

- a. Landing/ docking areas that are convenient, safe, and appropriate for passengers.
- b. Docking solutions that allow for safe aircraft maneuvering and handling
- c. Areas that are more or less sheltered from large waves, swell, and wake.

Noise Abatement:

A primary item of concern regarding aircraft operation from areas other than established public airports is sound emission. In many areas of the Virginia Coast, especially the Hampton Roads area, noise ordinances do not apply to aircraft. This provision was put in place to allow for the extensive military air traffic that frequents the skies of this area. However, Coastal Seaplanes intends to serve the residents and businesses of these areas, not create issues with them. As such, operations which include the landing and taking-off of aircraft will be conducted during daylight hours, and when existing marine traffic allows. The sound emission associated with these operations will fall within reasonable levels at reasonable times. Seaplane operations, in comparison with existing overhead military air traffic in the region, will not add to the existing local noise levels. To ensure compatibility and appropriate integration into new areas, Coastal Seaplanes conducts on-site testing using a decibel meter. Readings are taken from the nearest commercial and residential areas while the aircraft takes off and is flown in its climb (loudest) profile. An example of this is provided below:



Pier Condo – background 63 dB – 38 seconds noise above background, peak 83 dB (heavy traffic), 22 sec above 70 dB (residential noise levels).

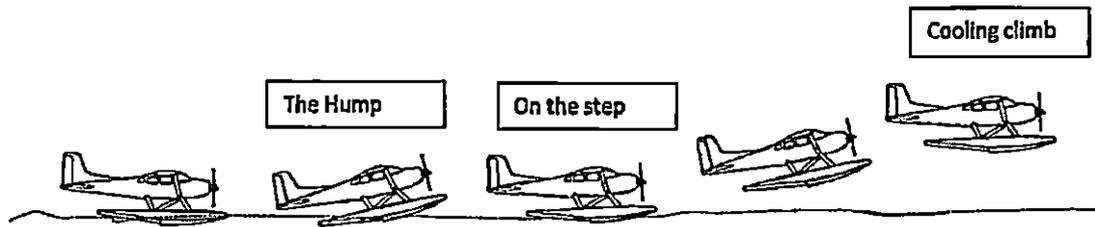
Takeoff & Landing:

Takeoff:

During the takeoff phase, the pilot will navigate the aircraft to an appropriate position and area and will visually ensure that the takeoff may be conducted safely while remaining clear of obstacles. This may require waiting for marine traffic to clear, in which case the pilot may orbit in an area to hold their place while waiting. Once the area is clear, the pilot will apply full power and commence the takeoff.

There are 3 phases to a seaplane takeoff:

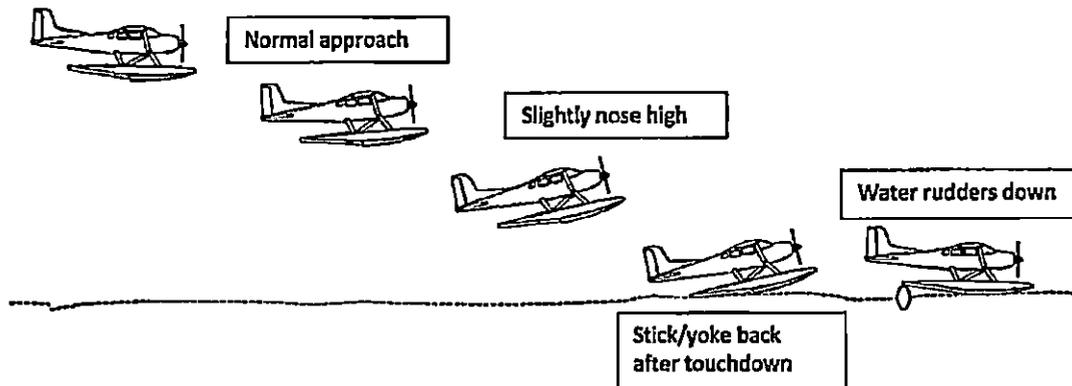
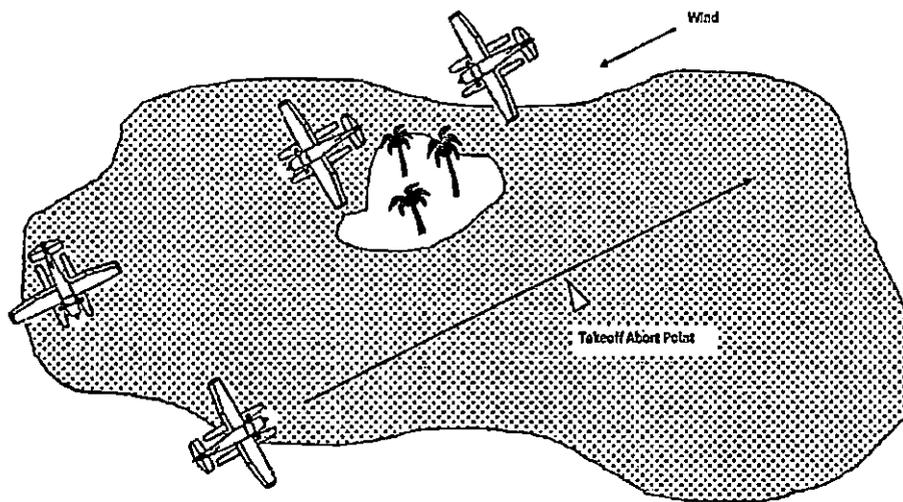
1. Plow- Full power is applied and the floats are "rising up" out of the water, over the "hump" and transitioning to being "on step", or "on a plane" as some might refer to it.
2. On step- this is where most of the aircraft's floats are out of the water, minimizing drag, so that the aircraft can gain flying speed. The aircraft is fairly maneuverable in this phase, with gentle turns and course corrections being a common practice in seaplane operations.
3. Liftoff- The airplane leaves the water and continues to pick up speed and fly away. You may see a pilot "roll a float" during this phase. This is because lifting one float out of the water reduces drag and allows the aircraft to become airborne sooner.



Landing:

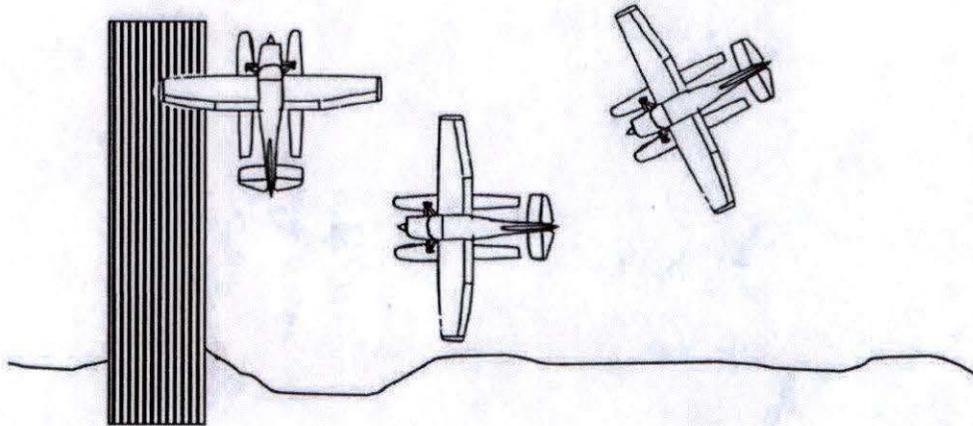
Landing a seaplane requires the pilot to first clear the area with a 500-1000' pass to ensure the area is clear of obstacles and marine traffic. Once the pilot has a clear area to land, he sets up for an approach by slowing the aircraft down approaching into the wind (whenever possible) and descending for the water. Seaplane approaches are generally long and flat, allowing for a stable approach, smooth touchdown, and the option to *Go Around** if needed. Once the aircraft makes contact with the water, the pilot may either pull the power back and stop the aircraft quickly (generally within 300 feet) or continue to keep some power in and "step-taxi" the aircraft closer into the docking area before settling to full displacement and slow taxiing to the dock.

*A Go Around is a maneuver used to abort a landing and safely fly away for another approach or possibly to land at another area.



Docking:

The pilot will maneuver the aircraft to the dock with the left side of the aircraft facing in whenever possible. This is so that the pilot, who sits in the front left seat, can step out of the aircraft and promptly arrest movement and secure the aircraft with docking ropes.

**Safety Considerations:**

Seaplanes, while taking off and landing, operate at speeds in excess of most vessels in their immediate surroundings. While seaplanes are to give way to all other vessels while on the water, it would be pertinent to mention that intentionally interfering with the landing and taking-off of an aircraft is not only hazardous, but also a direct violation of 49 U.S. Code § 46504 and 46 U.S. Code § 2302, among others. If you see a seaplane taking off or landing, you may safely assume the pilot sees you and will always safely avoid you. Takeoff and landing phases are brief, and the aircraft will be clear of the area momentarily. Thank you for your understanding and patience.



Section 2: Seaplane Legal Provisions

The State of Virginia is a Seaplane Friendly State, with a long history in seaplane development and implementation inland and along the coast by both the military and civilians alike. As such, legal provisions have been set forth by the State which allow for the operation of seaplanes and the incorporation of seaplane facilities into local infrastructures.

24VAC5-20-160. Seaplane bases.

Seaplane bases may be established in, over, and upon any waters of this Commonwealth or any submerged land under such waters. Seaplane bases used or intended for public use need to be licensed in accordance with 24VAC5-20-120 and 24VAC5-20-140. Seaplane bases not used or intended for public use need to be registered or licensed in accordance with 24VAC5-20-170.

Method of Compliance

Following successful operational testing (and express written consent from the District Engineer where required) Coastal Seaplanes will establish and register private seaplane landing areas and bases along the Virginia Coast through the State of Virginia according to 24VAC5-20-170 and the FAA using form 7480-1. These landing areas will become a network allowing Coastal Seaplanes to provide safe and reliable seaplane service to Virginia's coastal communities.

Virginia Code of Regulations

Chapter 7. Boating Laws.

§ 29.1-700. Definitions (In reference to seaplane ops in No-Wake Zones)

"Motorboat" means any vessel propelled by machinery whether or not the machinery is the principal source of propulsion.

"No wake" means operation of a motorboat at the slowest possible speed required to maintain steerage and headway.

"Operate" means to navigate or otherwise control the movement of a motorboat or a vessel.

"Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

"Waters of the Commonwealth" means any public waters within the territorial limits of the Commonwealth, the adjacent marginal sea and the high seas when navigated as a part of a journey or ride to or from the Virginia shore.

Method of Compliance

Seaplanes are beholden to the US Coast Guards Rules of The Road, and pilots are expected to uphold these rules and conduct safe operations. However, these rules, as well as applicable regulations set forth by the Federal Aviation Administration are in respect to ***collision avoidance***.

Given the operational nature of seaplanes and the required speed to become airborne and slowdown from landing, the State of Virginia as well as many other states have incorporated reasonable provisions such as § 29.1-700 which allow for the safe operation for seaplanes on and over public waters.

Coastal Seaplanes, as a commercial operator, is committed to safe and courteous operations and will make a continual effort to interface with the public to grow safety protocols. Should operation within a No Wake Zone become necessary, Coastal Seaplanes will use sound judgment and make every effort to limit the impact of its operations in and out of those areas.

Section 3: Seaplane Regulations

14 CFR §91.115 Right-of-Way Rules: Water Operations.

(a) General. Air & Opportunity Aviation, LLC, while operating an aircraft on the water shall, insofar as possible, keep clear of all vessels and avoid impeding their navigation, and shall give way to any vessel or other aircraft that is given the right-of-way by any rule of this section.

(b) Crossing. Air & Opportunity Aviation, LLC will comply with the regulation that when aircraft, or an aircraft and a vessel, are on crossing courses, the aircraft or vessel to the other's right has the right-of-way.

(c) Approaching head-on. When an Air & Opportunity Aviation, LLC aircraft and another aircraft, or an Air & Opportunity Aviation, LLC aircraft and a vessel, are approaching head-on, or nearly so, each shall alter its course to the right to keep well clear.

(d) Overtaking. Air & Opportunity Aviation, LLC will comply with the regulation that each aircraft or vessel that is being overtaken has the right-of-way, and the one overtaking shall alter course to keep well clear.

(e) Special circumstances. Air & Opportunity Aviation, LLC will comply with the regulation that when aircraft, or an aircraft and a vessel, approach so as to involve risk of collision, each aircraft or vessel shall proceed with careful regard to existing circumstances, including the limitations of the respective craft.

Method of Compliance

Operations on the water require extreme vigilance and foresight. Over and underwater obstacles, boat traffic and wakes, as well as other aircraft present hazards that must be taken into consideration when planning to operate in a specific water area. As such, Air & Opportunity Aviation, LLC will take careful measures while planning to use a waterway for operations. A combination of area maps, aviation charts, nautical charts, visual aerial inspection, and on-site inspection will be utilized before commencing operations in an area.

While on the water, careful measures will be taken in order to comply with listed regulations listed in parts 91.113 and 91.115, as well as any applicable waterway navigational regulations that exist in that area. The Pilot in Command will take note of any new and unforeseen hazards and will mark those hazards on appropriate maps as needed at the Air & Opportunity Aviation, LLC office, categorized by specific waterways and landing areas. These maps will be edited as needed and audited annually.

14 CFR § 91.119 Minimum Safe Altitudes: General.

Except when necessary for takeoff or landing, Air & Opportunity Aviation, LLC will not operate an aircraft below the following altitudes:

(a) Anywhere. An altitude allowing, if a power unit fails, an emergency landing without undue hazard to persons or property on the surface.

(b) Over congested areas. Over any congested area of a city, town, or settlement, or over any open-air assembly of persons, an altitude of 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet of the aircraft.

(c) Over other than congested areas. An altitude of 500 feet above the surface, except over open water or sparsely populated areas. In those cases, the aircraft may not be operated closer than 500 feet to any person, vessel, vehicle, or structure.

(d) Helicopters, powered parachutes, and weight-shift-control aircraft. Does Not Apply: Air & Opportunity Aviation, LLC does not operate helicopters, powered parachutes, or weight-shift control aircraft.

Method of Compliance:

Air & Opportunity Aviation, LLC's Pilot in Command will keep updated charts on hand and be familiar with route and charted altitudes. Aircraft performance, and weather considerations will also be taken into account during flight planning. He will remain cognizant of his location and will maintain the proper distance and altitude above surface, highest obstacle, person, vessel, vehicle, or structure.

Compliance with USCG Rules of The Road:

A combination of appropriate parts of the US Coast Guards Rules of The Road, as set forth by Title 33 CFR, Chapter 1, Subpart E, Part 83 in conjunction with appropriate sections set forth by the Federal Aviation Administration, as well as the State of Virginia outline the responsibility of Coastal Seaplanes' Pilot in Command to keep clear of other vessels while navigating on the water. It is of note that the primary consideration and intention of these regulations is collision avoidance.

"Coming together is a beginning. Keeping together is progress. Working together is success." — Henry Ford

Coastal Seaplanes is a small business operating with the mission to grow in harmony with the Virginia and North Carolina Coastal communities. With that growth will come opportunity to improve and establish higher levels of safety and better ways to serve the community. If you have any further questions or concerns about Coastal Seaplanes and our mission to establish the areas first commercial seaplane service, please do not hesitate to contact Owner, Operator, and Pilot Sam Riggs. We look forward to a safe and fun flying season!

**Respectfully,
Sam Riggs
Owner/ Operator
Air & Opportunity Aviation, LLC DBA Coastal Seaplanes**

COASTAL 
SEAPLANES
Email: info@CoastalSeaplanes.com
Phone: 757-206-2919

Coastal Seaplanes Landing Area on Chisman Creek

Air & Opportunity Aviation, LLC DBA Coastal Seaplanes is proposing the establishment of a private seaplane landing area in York County on Chisman Creek. The physical location of said landing area is at the following location:

Legasea Marine on Chisman Creek

Coordinates: 37°10.93' N/ 76°24.83' W



It is important to note that establishment of this landing area does not require the installation of markers or buoys, nor does it preclude other watercraft from utilizing the area. This area is also outside of the management of the Army Corps of Engineers and does not require Section 408 approval.

Coastal Seaplanes' mission is to work alongside local municipalities to bring safe and reliable seaplane service to the Virginia Coast, connecting local communities with the entirety of the Chesapeake Bay Region, including the greater Washington, DC area, as well as tying in the Virginia Coast with the Outer Banks region. Coastal Seaplanes is an FAA certified Part 135 Air Carrier and operates amphibious aircraft with water and runway landing capabilities. This versatility allows us to create air travel opportunities for many of the smaller coastal communities. Commercial Seaplane service is new to most of the Virginia

Coast. As such, legal provisions which allow for the establishment of seaplane bases and landing areas have been included in order to help communities and municipalities better understand the process and allowances of incorporating seaplanes into these communities:

The following legal provisions, in addition to the Public Trust Doctrine, will be utilized in the establishment of a private use water landing area:

Seaplane Bases and Landing Areas

24VAC5-20-160. Seaplane bases.

Seaplane bases may be established in, over, and upon any waters of this Commonwealth or any submerged land under such waters. Seaplane bases used or intended for public use need to be licensed in accordance with 24VAC5-20-120 and 24VAC5-20-140. Seaplane bases not used or intended for public use need to be registered or licensed in accordance with 24VAC5-20-170.

Method of Compliance

Coastal Seaplanes will operate under 14 CFR Part 157.1 (c) until operations in this area have been established and all area-specific operational details finalized. Coastal Seaplanes will then establish and register a landing area through the State of Virginia and the FAA, as the intended area of use sits at 5.1 Nautical Miles from the Newport News/ Williamsburg International Airport (KPHF) in accordance with 24VAC5-20-170 (a).

Noise Ordinance

A primary item of concern regarding aircraft operation from areas other than established public airports is sound emission.

York County: Sec. 16-19.5. - Exceptions.

Sections 16-19.2 and 16-19.3 shall have no application to any sound generated by any of the following:

(g) Locomotives and other railroad equipment, and aircraft.

Method of Compliance

York County's noise ordinance laws do not apply to aircraft; however Coastal Seaplanes intends to serve the residents and businesses of York County, not create issues with them. As such, operations which include the landing and taking off of aircraft will be conducted during daylight hours, and when existing marine traffic allows. The sound emission associated with these operations will fall within reasonable levels at reasonable times. Seaplane operations, in comparison with existing overhead military air traffic in the region, will not add to the existing local noise levels. Please reference the documentation provided to substantiate these statements.

No Wake Zones

The intended location of Coastal Seaplanes landing area in York County is not within a No Wake Zone. However, given the nature of Seaplanes, their usefulness to the community, and the small wake generated in order to gain flying speed and slowdown from landing, they are exempt from complying with no wake zones in York County, and in all Virginia Waterways.

York County: Sec. 16-42. - "No Wake" regulatory markers on waterways.

(a)As used in this section, the following terms shall have the meanings listed below:

"**Motorboat**" means any **vessel** propelled by machinery whether or not the machinery is the principal source of propulsion.

"**No wake**" means **operation of a motorboat** at the slowest possible speed required to maintain steerage and headway.

"**Operate**" means to navigate or otherwise control the movement of a **motorboat or a vessel**.

"**Personal watercraft**" means a motorboat less than sixteen feet in length which uses an inboard motor powering a jet pump, as its primary motive power and which is designed to be operated by a person sitting, standing, or kneeling on, rather than in the conventional manner of sitting or standing inside, the vessel.

"**Vessel**" means every description of watercraft, **other than a seaplane on the water**, used or capable of being used as a means of transportation on water.

Method of Compliance

Seaplanes are beholden to the US Coast Guards Rules of The Road, and pilots are expected to uphold these rules and conduct safe operations. Coastal Seaplanes, as a commercial operator, is committed to safe and courteous operations and will make a continual effort to interface with the public to grow safety protocols. Should operation within a No Wake Zone become necessary, Coastal Seaplanes will use sound judgment and make every effort to limit the impact of its operations in and out of those areas.

Operational details:

The proposed Landing Area resides on Chisman Creek and is oriented on a 315°/135° magnetic heading. Water depth in this area is more than sufficient for seaplane operations. Takeoffs and landings may be conducted in either direction, with air approaches and departures to and from the landing area being accomplished primarily over the water when the aircraft is below 1000' AGL.

NO FLY ZONES

There are facilities in this operational area which Coastal Seaplanes has deemed be safety-sensitive, and no flights will be conducted directly over these locations.

1. Plains All American Terminal
2. Naval Mine Service Testing Area
3. US Navy Supply Center- Cheatham Annex
4. US Coast Guard Station and Associated Fuel Depot

Holidays and Special Events:

This area experiences an influx of marine traffic and tourists on certain holidays and during special events. Coastal Seaplanes has deemed *some* of these Holidays and events an unsafe time to conduct flights in this area and will postpone operations during these times.

As an FAA certified 14 CFR Part 135 Air Carrier, Air & Opportunity Aviation, LLC DBA Coastal Seaplanes has strict policies and ever-evolving safety protocols in place. All operations in this area will be conducted in accordance with all applicable federal and local regulations.



